

# MG01

## Particulars of a mortgage or charge

Oyez

035102-78

**A fee is payable with this form.**

We will not accept this form unless you send the correct fee

Please see 'How to pay' on the last page



**What this form is for**

You may use this form to register particulars of a mortgage or charge in England and Wales or Northern Ireland



**What this form is NOT**

You cannot use this form particulars of a charge for company. To do this, please form MG01s

THURSDAY



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24/05/2012

#116

COMPANIES HOUSE

### Company details

Company number 07288657

Company name in full NK Developments (No4) Limited Limited ("the Company")

3 For official use

**Filing in this form**

Please complete in typescript or in bold black capitals

All fields are mandatory unless specified or indicated by \*

### Date of creation of charge

Date of creation 02/05/2012

### Description

Please give a description of the instrument (if any) creating or evidencing the charge, e.g. 'Trust Deed', 'Debenture', 'Mortgage', or 'Legal charge'

Description Charge Over Construction Contract (the "Deed")

### Amount secured

Please give us details of the amount secured by the mortgage or charge

Amount secured Any and all sums (of principal interest fees or otherwise) due or to become due (whether present or future actual or contingent) to the Lender from the Company or any person who is a party to any Related Security Document under or pursuant to the terms of the Facility Agreement the Deed or any Related Security Document or on any account whatsoever (the "Indebtedness")

**Continuation page**

Please use a continuation page if you need to enter more details

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### Mortgagee(s) or person(s) entitled to the charge (if any)

Please give the name and address of the mortgagee(s) or person(s) entitled to the charge

#### Continuation page

Please use a continuation page if you need to enter more details

Name	PSM Residential Finance Limited (the "Lender")									
Address	6 Cork Street									
	London									
Postcode	W	1	S	3	N	X				
Name										
Address										
Postcode										

**6**

### Short particulars of all the property mortgaged or charged

Please give the short particulars of the property mortgaged or charged

#### Continuation page

Please use a continuation page if you need to enter more details

**Short particulars**

The Company charges by way of first fixed legal charge all -

1. (a) of its present and future rights title and interest in and to the Contract; (b) sums which shall from time to time become payable to the Company by the Employer or otherwise under the Contract or any provision thereof; (c) its rights arising out of or in connection with any breach or default by the Employer or any other party to the Contract of or under any of the terms obligations covenants undertakings or conditions of the Contract whether in respect of the Development or otherwise,

2. The Company charges to the Lender by way of equitable charge its benefit in all appointments contracts guarantees representations undertakings and warranties given or made by and any rights or remedies against all or any of the professional advisers now or at any time engaged in relation to the Development and the manufacturers suppliers or installers of all plant machinery fixtures fittings and other items now or from time to time in buildings erected or to be erected on the Property and any other person now or from time to time under contract with or under a duty to the Company (including for the avoidance of doubt direct warranties between the Company and any sub-contractor to the Contractor and the benefit of any performance bond or a bond of any other form or content and/or any parent company guarantee or guarantees) including the benefit of all sums recovered in any proceedings against all or any of such persons

#### NOTICES

The Company shall not during the currency of the Deed without the prior written consent of the Lender:-

...See Continuation Sheet

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## Particulars of a mortgage or charge

### Particulars as to commission, allowance or discount (if any)

Please insert the amount or rate percent of any commission, allowance or discount paid or made either directly or indirectly by the company to any person on consideration of his

- subscribing or agreeing to subscribe, whether absolutely or conditionally, or
- procuring or agreeing to procure subscriptions, whether absolute or conditional,

for any debentures included in this return The rate of interest payable under the terms of the debentures should not be entered

Commission allowance or discount

Nil

### Delivery of instrument

You must deliver the original instrument (if any) creating or evidencing the charge and these prescribed particulars to the Registrar of Companies within 21 days after the date of creation of the charge (section 860) If the property is situated and the charge was created outside the United Kingdom (UK), you must deliver the information to the Registrar within 21 days after the date on which the instrument could have been received in the UK in the normal course of post and assuming you had posted it promptly (section 866)

We will accept a verified copy of the instrument creating the charge where the property charged is situated and the charge was created outside the UK (section 870) The company or the person who has delivered the copy to the Registrar must verify it to be a correct copy and sign it Where a body corporate gives the verification, an officer of that body must sign it We will also accept a verified copy where section 867(2) applies (property situated in another part of UK)

### Signature

Please sign the form here

Signature

Signature

X *Becker*

X

This form must be signed by a person with an interest in the registration of the charge

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## Particulars of a mortgage or charge



### Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form and will establish where we return the original documents. The contact information you give will be visible to searchers of the public record.

Contact name

Redmond Byrne

Company name

BRECHER

Address

HERON PLACE

3 GEORGE STREET

LONDON

Post town

County/Region

Postcode

W1U 3QG

Country

DX

DX 42701 OXFORD CIRCUS NORTH

Telephone

020 7563 1000



### Certificate

We will send your certificate to the presenter's address if given above or to the Company's Registered Office if you have left the presenter's information blank.



### Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register
- ☐ You have included the original deed with this form
- ☐ You have entered the date the charge was created
- ☐ You have supplied the description of the instrument
- ☐ You have given details of the amount secured by the mortgagee or chargee
- ☐ You have given details of the mortgagee(s) or person(s) entitled to the charge
- ☐ You have entered the short particulars of all the property mortgaged or charged
- ☐ You have signed the form
- ☐ You have enclosed the correct fee



### Important information

Please note that all information on this form will appear on the public record.



### How to pay

A fee of £13 is payable to Companies House in respect of each mortgage or charge.

Make cheques or postal orders payable to 'Companies House'.



### Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the appropriate address below.

#### For companies registered in England and Wales

The Registrar of Companies, Companies House,  
Crown Way, Cardiff, Wales, CF14 3UZ  
DX 33050 Cardiff

#### For companies registered in Scotland.

The Registrar of Companies, Companies House,  
Fourth floor, Edinburgh Quay 2,  
139 Fountainbridge, Edinburgh, Scotland, EH3 9FF  
DX ED235 Edinburgh 1  
or LP - 4 Edinburgh 2 (Legal Post)

#### For companies registered in Northern Ireland.

The Registrar of Companies, Companies House,  
First Floor, Waterfront Plaza, 8 Laganbank Road,  
Belfast, Northern Ireland, BT1 3BS  
DX 481 N R Belfast 1



### Further information

For further information, please see the guidance notes on the website at [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

This form is available in an alternative format. Please visit the forms page on the website at [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk)

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## 6 Short particulars of all the property mortgaged or charged

Please give the short particulars of the property mortgaged or charged

Short particulars

### NOTICES Continued

- (1) make or vary or consent to any modification or variation of the terms of the Charged Property or the Development,
- (11) consent or agree to any waiver or release of any obligation of the Employer or of any other relevant person under the Contract,
- (111) give or agree to give any time or other indulgence to the Contractor in respect of its obligations under the Contract,
- (1v) make or agree to any claim that the Contract is in any manner frustrated rescinded terminated repudiated or otherwise at an end,
- (v) rescind cancel or terminate the Contract or accept any breach thereof or default thereunder as repudiatory,
- (vi) further assign or create any charge mortgage or other encumbrance over the Charged Property or any part thereof,
- (vii) take or omit to take any action the taking or omission of which would or might result in any impairment of the Charged Property or any part thereof

### DEFINITIONS

The words and expressions used above shall have the following meanings -

"Charged Property" means the property charged to the Lender pursuant to the Deed,

"Contract" means the construction contract dated 22 May 2012 between the Company and the Employer for the Development together with any bond issued pursuant thereto,

"Employer" means Stephen David Simmons and Pauline Bridget Simmons of 7 Shenley Road, Borehamwood, Hertfordshire WD6 1AA,

"Development" means the development of the Property by the Company at the Property to be carried out by the Employer pursuant to the Contract,

"Facility Agreement" means the agreement constituted by the Company's acceptance of the Lender's Facility Letter dated 22 May 2012 together with any subsequent amendments thereto or replacements thereof or any amendment, resatement or novation,

"Property" means the freehold property situate at and known as Unit 10, 39 London Road, Shenley, Radlett, Hertfordshire WD7 9ER as the same is registered at the Land Registry with title absolute under title numbers HD290136, HD290134 and HD290127,

"Related Security" means any guarantee indemnity mortgage charge pledge or other security now or from time to time hereafter held by the Lender in respect of or in connection with the Facility Agreement the Contract or all or any part of the Indebtedness,

"Related Security Document" means any document creating evidencing or regulating the terms of any Related Security



## **CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE**

**Pursuant to section 869(5) & (6) of the Companies Act 2006**

**COMPANY NO. 7288657  
CHARGE NO. 3**

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES  
HEREBY CERTIFIES THAT A CHARGE OVER CONSTRUCTION  
CONTRACT DATED 22 MAY 2012 AND CREATED BY NK  
DEVELOPMENTS (NO4) LTD FOR SECURING ALL MONIES DUE  
OR TO BECOME DUE FROM THE COMPANY TO PSM  
RESIDENTIAL FINANCE LIMITED ON ANY ACCOUNT  
WHATSOEVER UNDER THE TERMS OF THE AFOREMENTIONED  
INSTRUMENT CREATING OR EVIDENCING THE CHARGE WAS  
REGISTERED PURSUANT TO CHAPTER 1 PART 25 OF THE  
COMPANIES ACT 2006 ON THE 24 MAY 2012

GIVEN AT COMPANIES HOUSE, CARDIFF THE 29 MAY 2012

DX



*Companies House*  
— for the record —



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES