

MR01

Particulars of a charge

COMPANIES HOUSE
FEE PAID
BELFAST



Companies House



Go online to file this information
www.gov.uk/companieshouse

A fee is be payable with this form
Please see 'How to pay' on the last page.

☒ **What this form is for**
You may use this form to register
a charge created or evidenced by
an instrument.

☒ **What this form is NOT for**
You may not use this form to
register a charge where there is no
instrument. Use form MR08.

For further information, please
refer to our guidance at:
www.gov.uk/companieshouse

This form **must be delivered to the Registrar for registration within 21 days** beginning with the day after the date of creation of the charge. If delivered outside of the 21 days it will be rejected unless it is accompanied court order extending the time for delivery.



You **must** enclose a certified copy of the instrument with this form. This will be scanned and placed on the public record. **Do not send the original.**

FRIDAY



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JNI

10/02/2017

#72

COMPANIES HOUSE

1 Company details

Company number N I 0 1 0 6 4 4

Company name in full CREAGH CONCRETE PRODUCTS LIMITED

0022 For official use

→ **Filling in this form**
Please complete in typescript or in
bold black capitals.

All fields are mandatory unless
specified or indicated by *

2 Charge creation date

Charge creation date 0 8 0 2 2 0 1 7

3 Names of persons, security agents or trustees entitled to the charge

Please show the names of each of the persons, security agents or trustees
entitled to the charge.

Name Michael McNally of 1 Corchoney Road, Cookstown, County Tyrone

Anne McNally of 1 Corchoney Road, Cookstown, County Tyrone

Name

Name

Name

If there are more than four names, please supply any four of these names then
tick the statement below.

☐ I confirm that there are more than four persons, security agents or
trustees entitled to the charge.

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4

Brief description

Please give a short description of any land, ship, aircraft or intellectual property registered or required to be registered in the UK subject to a charge (which is not a floating charge) or fixed security included in the instrument.

Please submit only a short description. If there are a number of plots of land, aircraft and/or ships, you should simply describe some of them in the text field and add a statement along the lines of, "for more details please refer to the instrument".

Please limit the description to the available space.

Brief description

All the lands comprising Folio No 104676 County Tyrone being lands at Knockaleery, Barony of Dungannon Upper and County of Tyrone.

5

Other charge or fixed security

Does the instrument include a charge (which is not a floating charge) or fixed security over any tangible or intangible or (in Scotland) corporeal or incorporeal property not described above? Please tick the appropriate box.

☐ Yes

☒ No

6

Floating charge

Is the instrument expressed to contain a floating charge? Please tick the appropriate box.

☐ Yes Continue

☒ No Go to **Section 7**

Is the floating charge expressed to cover all the property and undertaking of the company?

☐ Yes

7

Negative Pledge

Do any of the terms of the charge prohibit or restrict the company from creating further security that will rank equally with or ahead of the charge? Please tick the appropriate box.

☒ Yes

☐ No

8

Trustee statement ^①

You may tick the box if the company named in Section 1 is acting as trustee of the property or undertaking which is the subject of the charge.

☐

^① This statement may be filed after the registration of the charge (use form MR06).

9

Signature

Please sign the form here.

Signature

Signature

X *Katherine Holland* X

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

MRO1

Particulars of a 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. The contact information you give will be visible to searchers of the public record.

Contact name Katherine Holland

Company name Doris and MacMahon

Solicitors

Address 63 James Street

Post town Cookstown

County/Region Tyrone Northern Ireland

Postcode B T 8 0 8 A E

Country Northern Ireland

DX 3273 Nr COOKSTOWN

Telephone 028 8676 2484



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 a certified copy of the instrument with this form.
- ☒ You have entered the date on which the charge was created.
- ☒ You have shown the names of persons entitled to the charge.
- ☒ You have ticked any appropriate boxes in Sections 3, 5, 6, 7 & 8.
- ☒ You have given a description in Section 4, if appropriate.
- ☒ You have signed the form.
- ☒ You have enclosed the correct fee.
- ☒ Please do not send the original instrument; it must be a certified copy.



Important information

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



How to pay

A fee of £23 is payable to Companies House in respect of each mortgage or charge filed on paper.

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,
Second Floor, The Linenhall, 32-38 Linenhall Street,
Belfast, Northern Ireland, BT2 8BG.
DX 481 N.R. Belfast 1.



Further information

For further information, please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse



FILE COPY

CERTIFICATE OF THE REGISTRATION OF A CHARGE

Company number: NI10644

Charge code: NI01 0644 0022

The Registrar of Companies for Northern Ireland hereby certifies that a charge dated 8th February 2017 and created by CREAGH CONCRETE PRODUCTS LIMITED was delivered pursuant to Chapter A1 Part 25 of the Companies Act 2006 on 10th February 2017.

Given at Companies House, Belfast on 13th February 2017



Companies House



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES

LAND REGISTRY

Folio: TY104676

County: TYRONE

Registered Owner: CREAGH CONCRETE PRODUCTS LIMITED

THIS DEED is made the 8th day of February 2017

We, **DORIS AND MACMAHON SOLICITORS**,
certify this document to be a true copy
of its original.

BETWEEN

Dated 8/2/2017

Signed Doris and MacMahon

CREAGH CONCRETE PRODUCTS LIMITED, having its registered office at 36 Blackpark Road, Toomebridge, County Antrim ("the Chargor") of the one part
and

MICHAEL McNALLY and ANNE McNALLY both of 1 Corchoney Road, Knockaleary Road, Cookstown, County Tyrone ("the Chargees") of the other part.

WHEREAS:

1. The Chargor is the Registered Owner of the lands contained within Folio No. TY104676 County Tyrone being that portion of the lands formerly contained within Folio No. 14304 County Tyrone comprised in a Deed of Transfer dated the 7th day of December 2016 and made between the Chargees of the one part and the Chargor of the other part ("the Lands")
2. The Chargor is indebted to the Chargees pursuant to an Agreement dated the 7th day of December 2016 entered into between the parties ("the Agreement") for the payment of the principal sum of £1,150,000.00 ("the Principal Sum") payable by the Chargor in three instalments ("the instalments") as follows:
 - i. The sum of £350,000.00 on or before 31/03/2017 ("The first instalment date")
 - ii. The sum of £400,000.00 on or before 30/09/2017 ("The second instalment date")
 - iii. The sum of £400,000.00 on or before 31/03/2018 ("The third instalment date")

NOW THIS DEED WITNESSETH

- A. The Chargor as the registered owner of the Lands hereby charges the Lands with payment to the Chargees of the Principal Sum herein covenanted to be

paid by the Chargor and hereby assents to the registration of the Charge as a burden on the said Folio.

B. The Chargor covenants with the Chargees:-

- I. To pay the Principal Sum by the instalments on the instalment dates and in the event of default in making such instalments to pay interest on the balance then due of the Principal Sum at a rate of 8% per annum until payment in full shall be made.
- II. To comply with all obligations statutory or otherwise relating to the Lands including the requirements of the Local Authority under the Planning (NI) Order 1991, the Planning Act (NI) 2011 and all amendments and re-enactments thereof and all regulations made thereunder.
- III. Not to extract any more than 100,000 tonnes of aggregate up to the first instalment date, a total of 200,000 tonnes of aggregate before the second instalment date and a total of 300,000 tonnes of aggregate before the third instalment date. In the event of any dispute as to the quantity of aggregate extracted the assessment shall be made by a suitably experienced surveyor nominated by the Chargor and Chargees jointly or in the absence of an agreement on a joint nomination, nominated by the Chairman for the time being of the Royal Institute of Chartered Surveyors in Northern Ireland on the application of either party. The said suitably experienced surveyor shall act as an expert and not as an arbitrator and his/her fees shall be borne equally by both parties.
- IV. The Chargor shall not without the previous consent of the Chargees create or permit any Mortgage, Charge or other incumbrance over the Charged Property.

C. It is hereby agreed and declared that:

- I. Should the Chargor at any time default in payment of any one or more of the instalments or in the performance and observation of the said covenants the outstanding balance of the Principal Sum shall fall due for payment immediately

We, DORIS AND MACMAHON SOLICITORS,
certify this document to be a true copy
of its original.

Dated 8/2/2017
Signed Doris and MacMahon

- II. Nothing herein contained shall prevent the Chargor from making payments in advance of any one or more of the instalment dates and in the event the relevant instalment date shall be brought forward accordingly.
- III. All dealings with the Land herein (save and except dealings overriding the registered ownership) are inhibited unless consented to by Michael McNally and Anne McNally whose address for service is 1 Corchoney Road, Knockaleary Road, Cookstown, County Tyrone

IN WITNESS whereof the parties have hereunto subscribed their names and affixed their seals the day and year first herein written.

**EXECUTED and DELIVERED as a
Deed for and on
Behalf of
CREAGH CONCRETE PRODUCTS LIMITED
acting by:-**

Gerard Mulvey
Thomas Lavery
Solicitor, Belfast

**SIGNED, SEALED AND DELIVERED
BY THE SAID MICHAEL MCNALLY
IN THE PRESENCE OF:-**

Michael McNally

Katharine Holland
Solicitor
63 James Street
Cookstown

**SIGNED SEALED AND DELIVERED
BY THE SAID ANNE MCNALLY
IN THE PRESENCE OF:-**

Anne McNally

Katharine Holland
Solicitor
63 James Street
Cookstown

We, DORIS AND MacMAHON SOLICITORS,
certify this document to be a true copy
of its original.

Dated 8/2/2017
by Doris and MacMahon