

# M

COMPANIES FORM No. 402

CR 53

## Particulars of a mortgage or charge



# 402

Pursuant to Article 402(1) of the Companies (Northern Ireland) Order 1986

Please do not  
write in this  
margin

To the Registrar of Companies

Please complete  
legibly,  
preferably in  
black type, or  
bold block  
lettering

For official use

Company number

Name of Company

NI058873

\* Insert full  
name of  
Company**BURNS PROPERTY DEVELOPMENT LTD ("the Mortgagor")**DEPARTMENT OF ENTERPRISE  
TRADE AND INVESTMENT  
COMPANIES REGISTRY

11 APR 2007

Date of creation of the charge

2 April 2007

COUNTER RECEIVED

Description of the instrument (if any) creating or evidencing the charge (note 2)

Mortgage

Amount secured by the mortgage or charge

The Mortgagor shall on demand pay to the Bank the balance which now is or shall for the time being be or become due or owing by the Mortgagor to the Bank on any account or accounts or in any manner whether for or on foot of bills of exchange, promissory notes, loans, credits, advances, leasing, guarantees, indemnities, interest, commission, discount, liability in connection with foreign exchange transactions, Bank charges (including legal charges occasioned by or incidental to this or any other security held by or offered to the Bank or by or to the enforcement of any such security) or otherwise howsoever and whether the Mortgagor shall be liable therefore alone or jointly with any other person or persons as principal or surety together with interest as hereinafter provided.

The Governor and Company of the Bank of Ireland of Lower Baggot Street, Dublin 2 and with an address for service in Northern Ireland at 1 Donegall Square South, Belfast ("the Bank")

Presenter's name, address and  
reference (if any):GS/1672/0042/8John McKee & Son,  
Solicitors,  
Hampden House,  
55, Royal Avenue,  
Belfast, BT1 1FD.

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For official use

Public Office

Mortgage Section

Short particulars of all the property mortgaged or charged

See attached continuation sheet

Please do  
not write in  
this margin

Please  
complete  
legibly,  
preferably  
in black  
type, or  
bold block  
lettering

Particulars as to commission, allowance or discount (note 3)

Nil

Signed John M. Lee & Son Date 5/4/2005  
On behalf of [company] [mortgagee/chargee]†

† delete as  
appropriate

Notes

- 1 The original instrument (if any) creating or evidencing the charge, together with these prescribed particulars correctly completed must be delivered to the Registrar of Companies within 21 days after the date of creation of the charge (Article 402). If the property is situated and the charge was created outside the United Kingdom delivery to the Registrar must be effected within 21 days after the date on which the instrument could in due course of post, and if dispatched with due diligence, have been received in the United Kingdom (Article 405). A copy of the instrument creating the charge will be accepted where the property charged is situated and the charge was created outside the United Kingdom (Article 405), and in such cases the copy must be verified to be a correct copy either by the company or by the person who has delivered or sent the copy to the Registrar. The verification must be signed by or on behalf of the person giving the verification and where this is given by a body corporate it must be signed by an officer of that body. A verified copy will also be accepted where Article 405(4) applies (property situated in Great Britain) and Form No. 405 is submitted.
- 2 A description of the instrument, eg "Trust Deed", "Debenture", "Mortgage" or "Legal charge", etc. as the case may be, should be given.
- 3 In this Box there should be inserted the amount or rate per cent, of the commission, allowance or discount (if any) paid or made either directly or indirectly by the company to any person in consideration of his:
  - (a) subscribing or agreeing to subscribe, whether absolutely or conditionally, or
  - (b) procuring or agreeing to procure subscriptions, whether absolute or conditional,for any of the debentures included in this return. The rate of interest payable under the terms of the debentures should not be entered.
- 4 If any of the spaces in this form are insufficient the particulars must be entered on the prescribed continuation sheet.

## **CONTINUATION SHEET 1**

The Mortgagor as Beneficial Owner hereby demises unto the Bank the Mortgaged Premises being ALL THAT the property situate at and known as 12 Cherrymount, Ballyhenry, Newtownabbey, County Antrim BT36 5NH comprised in an Indenture of Lease dated 24<sup>th</sup> August 1983 and made between Northern Ireland Housing Executive (1) and Robert John Courtney and Grace Courtney (2) held under the said Indenture of Lease for the term of 999 years from the date thereof subject to the payment of the yearly rent of £0. 05 (if demanded) thereby reserved and to the performance and observance of the covenants on the Lessee's part and conditions therein contained TO HOLD such of the same as are of freehold tenure unto the Bank for the term of 1,000 years from the date hereof and TO HOLD such of the same as are of leasehold tenure unto the Bank for the residue of the respective terms of years for which the Mortgagor now holds the same respectively (less that last day of each of such terms) subject as to all the Mortgaged Premises to the proviso for redemption hereinafter contained.

### **Note: Negative Pledge**

The Mortgagor covenanted that it shall and will not create a second or subsequent Mortgage of the Mortgaged Premises without the prior consent in writing of the Bank.



NI058873

CERTIFICATE OF THE REGISTRATION OF A MORTGAGE

Pursuant to Article 409(3) of the  
Companies (Northern Ireland) Order 1986

I HEREBY CERTIFY that a Mortgage or Charge dated  
the SECOND day of APRIL two-thousand and SEVEN and created by

**Burns Property Development Ltd**

for securing all moneys now due, or hereafter to become due,  
or from time to time accruing due from the Company to

**THE GOVERNOR AND COMPANY OF THE BANK OF IRELAND**

on any account whatsoever, was this day REGISTERED pursuant to  
Part XIII of the Companies (Northern Ireland) Order 1986.

Given under my hand at Belfast, this the ELEVENTH day of APRIL two-thousand  
and SEVEN

A handwritten signature in black ink that reads "Louise Hunter".

for the Registrar of  
Companies for Northern Ireland