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Particulars of a mortgage or charge created by a company registered in Scotland

Pursuant to Section 106A
of the COMPANIES ACT 1948 (note 1)

47

(Scot.)

Please do not
write in this
binding
margin

For official use

Company Number

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79988

Name of Company

BERWICK-UPON-TWEED GARDEN CENTRE ✓

Limited*

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

*delete
if
inappropri-
ate

Particulars of a mortgage or charge created by the above-named company

Date and description of the instrument creating or evidencing the mortgage or charge (note 1)

Bond and Floating Charge dated 23 August 1983
by BERWICK-UPON-TWEED GARDEN CENTRE LIMITED
in favour of the Governor and Company of the Bank
of Scotland

Amount secured by the mortgage or charge

All sums due and ^{or} to become due to the Governor and
Company of the Bank of Scotland by
BERWICK-UPON-TWEED GARDEN CENTRE LIMITED

Presenter's name, address, telephone number and
reference (if any)

The Governor and Company
of the Bank of Scotland
P.O. Box 12, Uberior House,
61, Grassmarket, EDINBURGH
EH1 2JF.

Reference: S.MN.JB
Telephone: 229 2555 Ext 5798

Time Critical reference

For official use
Mortgage Section

Post room



Short particulars of all the property mortgaged or charged (For statement as to restriction on power to grant further securities or ranking provisions see note 3)

Please do not write in this binding margin

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

The Whole Assets of the Company

The Instrument contains a clause prohibiting the creation of any fixed security as defined by the Companies (Floating Charges and Receivers) (Scotland) Act 1972 having priority over or ranking equally with this Floating Charge.

Excepting from this prohibition any fixed security which may subsistent to the date of the Bond and Floating Charge be granted by the Company in favour of the Bank which shall have priority over the Floating Charge hereby created.

Names, addresses and descriptions of the mortgagees or persons entitled to charge

^{the} THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND,

Incorporated by Act of Parliament and having their Head Office at

The Mound, Edinburgh

Particulars as to commission, allowance or discount (note 4)

Signed

M. J. Noble

Date 30.8.83

Designation of position in relation to the company Manager, Law Department.

- Notes**
1. Section 106A was originally inserted into the Companies Act 1948 by the Companies (Floating Charges) (Scotland) Act, 1961, and subsequently amended by the Companies (Floating Charges & Receivers) (Scotland) Act 1972.
 2. A description of the instrument eg, "Trust Deed", "Debenture", etc, as the case may be, should be given. In the case of an instrument recorded in the General Register of Sasines the date of recording should be given.
 3. In the case of a floating charge a statement of (1) the restrictions, if any, on the power of the company to grant further securities ranking in priority to, or pari passu with the floating charge and/or (2) of the provisions, if any, regulating the order in which the floating charge shall rank with any other subsisting or future floating charges or fixed securities over the property which is the subject of the floating charge or any part of it should be given.
 4. In this column 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 subscribing or agreeing to subscribe, whether or conditionally, or 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.
 5. A certified copy of the instrument creating the charge, together with this form must be delivered to the Registrar of Companies within 21 days after the date of the creation of the mortgage or charge. Certified copies of any other documents relevant to the charge should also be delivered.
 6. A copy instrument should be verified or certified to be a true copy under the seal of the Company or under the hand of some person interested therein otherwise than on behalf of the Company (Regulation 6 of the Companies (Forms) Regulation 1979, S1 1979 1546 refers)

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COMPANIES FORM No. 410(Scot)

**Particulars of a charge created
by a company registered in Scotland****410**Please do not
write in
this margin

Pursuant to section 410 of the Companies Act 1985

003161Please complete
legibly, preferably
in black type, or
bold black letteringTo the Registrar of Companies
(Address overleaf - Note 5)

For official use

Company number

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79988

Name of company

* BERWICK - UPON - TWEED GARDEN CENTRE LIMITED

* Insert full name
of company

Date of creation of the charge (note 1)

7th March 1989

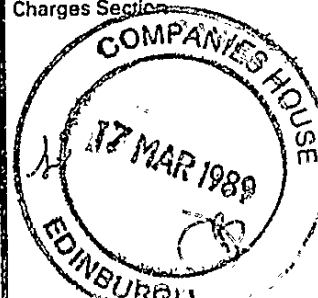
Description of the instrument (if any) creating or evidencing the charge (note 1)

Bond and floating Charge

Amount secured by the charge

All sums due or to become due by the Company.

Names and addresses of the persons entitled to the charge

The Royal Bank of Scotland plc having their head office at 42 St Andrew
Square, EdinburghPresentor's name address telephone
number and reference (if any):Lindsays W.S.,
11 Atholl Crescent,
EdinburghBE637001
WMC/NAKFor official Use
Charges Section

Post room

Short particulars of all the property charged.

Please do not
write in
this margin

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

The whole assets of the Company (including any uncalled capital)

Statement, in the case of a floating charge, as to any restrictions on power to grant further securities and any ranking provision (note 2)

The Floating Charge shall, except as may otherwise be previously agreed in writing by the Bank and subject to Sub-section (2) of Section 464 of the Companies Act 1985 (or any amendment or re-enactment thereof) rank in priority to any fixed security within the meaning of Sub-section (1) of Section 486 of the Act last mentioned (as so amended or re-enacted) other than a fixed security in favour of the Bank which shall be created by the Company, after execution of this charge and in priority to any other floating charge, subject to the above, no fixed security or other Floating Charge shall (except with the previous agreement of the Bank in writing) rank in priority to or equally with the Floating Charge hereby created.

Particulars as to commission, allowance or discount paid (see section 413(3))

N/A

Signed

Lundberg

Date

17/3/89

On behalf of [company][chargee]†

Notes

† delete as
appropriate

1. A description of the instrument e.g. "Standard Security" "Floating Charge" etc, should be given. For the date of creation of a charge see section 410(5) of the Act. (Examples — date of signing of an Instrument of Charge; date of recording/registration of a Standard Security; date of intimation of an Assignment.)

2. In the case of a floating charge a statement should be given of (1) the restrictions, if any, on the power of the company to grant further securities ranking in priority to, or pari passu with the floating charge; and/or (2) the provisions, if any, regulating the order in which the floating charge shall rank with any other subsisting or future floating charges or fixed securities over the property which is the subject of the floating charge or any part of it.

3. A certified copy of the instrument, if any, creating or evidencing the charge, together with this form with the prescribed particulars correctly completed must be delivered to the Registrar of Companies within 21 days after the date of the creation of the charge. In the case of a charge created out of the United Kingdom comprising property situated outside the U.K., within 21 days after the date on which the copy of the instrument creating it could, in due course of post, and if despatched with due diligence, have been received in the U.K. Certified copies of any other documents relevant to the charge should also be delivered.

4. A certified copy must be signed by or on behalf of the person giving the certification and where this is a body corporate it must be signed by an officer of that body.

5. The address of the Registrar of Companies is:-

Companies Registration Office
102 George Street
Edinburgh EH2 3DJ



CERTIFICATE OF THE REGISTRATION OF A CHARGE

Company Number

79988

I hereby certify that a charge created by

BERWICK - UPON - TWEED GARDEN CENTRE LIMITED

on

7 March 1989

for securing

all sums due or to become due

in favour of


The Royal Bank of Scotland plc

**was delivered pursuant to section 410 of the Companies Act,
1985, on**

17 March 1989

Signed at Edinburgh

29 March 1989


Registrar of Companies

M

COMPANIES FORM No. 419a (Scot)

**Application for registration of a
memorandum of satisfaction
in full or in part of a registered charge****419a**Please do not
write in
this margin

Pursuant to section 419(1)(a) of the Companies Act 1985

004962

Please complete
legibly, preferably
in black type or,
bold block letteringTo the Registrar of Companies
(Address overleaf)

For official use

Company number

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SC79988

Name of company

* BERWICK-UPON-TWEED GARDEN CENTRE LIMITED

* Insert full name
of companyI, NICHOLAS GEORGE CRABBIE
of WESTERSIDE FARM, COLDINGHAM† delete as
appropriate

[a director] ~~[the secretary]~~ ~~[the liquidator]~~ ~~[the receiver]~~ ~~[the administrator]~~ of the company,
do solemnly and sincerely declare that the debt for which the charge described overleaf was given has
been paid or satisfied in ~~[full]~~ ~~[part]~~ ~~[]~~

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the
provisions of the Statutory Declarations Act 1835.

Declared at

Berwick upon Tweed

Declarant sign below

N. G. Crabbie

the

14th

day of

Decemberone thousand nine hundred and ninety

before me

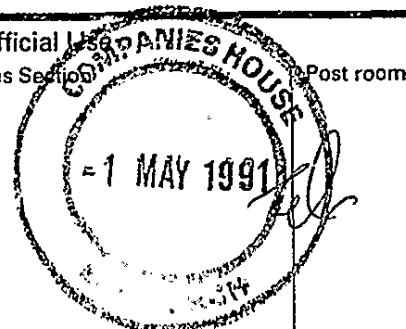
Colin S. Foster

A Commissioner for Oaths or Notary Public or Justice of
the Peace or Solicitor having the powers conferred on a
Commissioner for Oaths

COLIN S. FOSTER
Solicitor
Berwick-upon-Tweed

Presentor's name address and
reference (if any):

Lindsays W.S.
11 Atholl Crescent
EDINBURGH
EH3 8HE
CMM/NAK/BE637002

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Charges Section

Post room

Particulars of the charge to which the application overleat refers

Date of creation of the charge

23rd August 1983

Please do not
write in
this margin

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

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

Floating Charge granted by the Company in favour of The Governor and Company
of The Bank of Scotland

† insert a description
of the instrument(s)
creating or
evidencing the
charge, eg
'Charge',
'Debenture' etc.

Date of Registrations

1st September 1983

the date of
registration may
be confirmed from
the certificate

Short particulars of property charged

The whole assets of the Company

Where a FLOATING CHARGE is being satisfied, the following Certificate MUST be completed:

CERTIFICATE

I, Nick Crabtree
of Berwick upon Tweed Garden Centre, East Old Berwick, Berwick upon Tweed

being [the creditor][a person authorised to act on behalf of the creditor]† entitled to the benefit of the
floating charge, specified above certify that the particulars above relating to the charge and its
satisfaction are correct.

Signature N. G. Crabtree Date 14/12/90

† delete as
appropriate

Note

The address of the Registrar of Companies is:-

Companies House
100-102 George Street
Edinburgh
EH2 3DJ

**Particulars of a charge created
by a company registered in Scotland****410**

000163

Please do not
write in
this margin

Pursuant to section 410 of the Companies Act 1985

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

To the Registrar of Companies

For official use

Company number

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SC 79988

Name of company

* BERWICK-UPON-TWEED GARDEN CENTRE LIMITED

* insert full name
of company

Date of creation of the charge (note 1)

2nd December 1991

Description of the instrument (if any) creating or evidencing the charge (note 1)

LEGAL CHARGE

Amount secured by the charge

All the Company's liabilities to The Royal Bank of Scotland Plc
of any kind (whether present or future actual or contingent and
whether incurred alone or jointly with another) including banking
charges and commission

Names and addresses of the persons entitled to the charge

The Royal Bank of Scotland Plc

36 St. Andrew Square

EDINBURGH EH2 2YB.

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JordansJORDAN & SONS LIMITED
JORDAN HOUSE
BRUNSWICK PLACE
LONDON W1T 6EE
TELEPHONE 01 253 3030
TELEX 261010Presentor's name address telephone
number and reference (if any):Sanderson McCreath & Edney
4 Quay Walls
Berwick-upon-Tweed
TD15 1HDFor official use
Charges Section

Post room



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

Leasehold land situated at East Ord Berwick-upon-Tweed in the County of Northumberland more particularly described in a Lease made the 24th June 1986 between The Council of the Borough of Berwick-upon-Tweed (1) and The Company (2)

Statement, in the case of a floating charge, as to any restrictions on power to grant further securities and any ranking provision (note 2)

N/A.

Particulars as to commission, allowance or discount paid (see section 413(3))

None

Signed Sandra Hawthorn Date 10.12.91

On behalf of [company][chargee]†

Notes

† delete as
appropriate

1. A description of the instrument e.g. "Standard Security" "Floating Charge" etc, should be given. For the date of creation of a charge see section 410(5) of the Act. (Examples — date of signing of an Instrument of Charge; date of recording/registration of a Standard Security; date of intimation of an Assignment.)

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4. A certified copy must be signed by or on behalf of the person giving the certification and where this is a body corporate it must be signed by an officer of that body.



CERTIFICATE OF THE REGISTRATION OF A CHARGE

Company Number

79988

I hereby certify that a charge created by

BERWICK-UPON-TWEED GARDEN CENTRE LIMITED

On
2 December 1991

for securing

all sums due or to become due

in favour of

The Royal Bank of Scotland plc

was delivered pursuant to section 410 of the Companies Act,
1985, on

11 December 1991

Signed at Edinburgh

17 December 1991


Stuart S Smith

for Registrar of Companies