

MG01s

Particulars of a charge created by a company  
registered in Scotland

13/100351



iris  
LASERFORM

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 charge created by a  
Scottish company.

✗ **What this form is NOT for**  
You cannot use this form to register  
particulars of a mortgage  
created by a company in  
and Wales or Northern Ireland.  
If this, please use form MG01.

TUESDAY



SCT

\*S1CV4NBM\*

10/07/2012

#643

COMPANIES HOUSE

**1** Company details

Company number S C 2 5 8 6 4 3

Company name in full AC&H 181 Limited (the "Chargor")

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** Date of creation of charge

Date of creation d0 d4 m0 m7 y2 y0 y1 y2

**3** Description

Please give a description of the instrument (if any) creating or evidencing the  
charge e.g. 'Standard security', 'Floating charge' etc.

Description Assignment of Rents dated 27 June 2012 and intimated on 4 July 2012 (being the date of the  
creation of the charge)

**4** Amount secured

Please give us details of the amount secured by the charge.

Amount secured All sums of principal, interest and charges due and that may become  
due to the Bank (as hereinafter defined) by the Chargor whether  
solely or jointly with any other person or persons, corporation, firm or  
other body and whether as principal or surety, together with all  
interest accruing on such moneys and liabilities and all costs,  
charges and expenses incurred by the Bank.

**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

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 HSBC Bank plc (the "Bank")

Address 8 Canada Square, London

Postcode E 1 4 5 H Q

Name

Address

Postcode

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## Short particulars of all the property charged

Please give the short particulars of the property charged.

### Continuation page

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

Short particulars

All the Chargor's right, title, interest, and benefit in and to the Rents.

Capitalised terms used in this Form MG01s and not otherwise defined shall have the meaning given to them in the attached Continuation Pages.

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## 7 Statement, in the case of a floating charge, as to any restrictions on power to grant further securities and any ranking provision ①

N/A

① 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.

### Continuation page

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

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## 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.

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## Delivery of instrument

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 (UK), comprising property situated outside the UK, 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 UK. Certified copies of any other documents relevant to the charge should also be delivered.

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## Signature ②

Please sign the form here.

Signature

Signature

☒ For and on behalf of Shepherd and Wedderburn LLP (acting ☒ on behalf of the Bank)

### ② Signature

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

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## 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 Andrew Kinnes

Company name Shepherd and Wedderburn LLP

Address 1 Exchange Crescent

Conference Square

Post town Edinburgh

County/Region

Postcode E H 3 8 U L

Country UK

DX DX 551970 Edinburgh 53

Telephone 0131 228 9900



## 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 deed (if any) 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 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 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 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,  
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.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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## Short particulars of all the property charged

Please give the short particulars of the property charged.

Short particulars

### Definitions

**"Leases"** means the leases or any other rights of occupancy granted by the Chargor from time to time of the Property or any part of it including without prejudice to the foregoing generality the Lease between K/S Howard Street, Somerfield Stores Limited and Somerfield Limited dated 11 August and 14 September 2006 and registered in the Books of Council and Session on 24 October 2006 as amended from time to time;

**"Property"** means ALL and WHOLE those subjects known as 12 to 38 (even numbers) Howard Street, Glasgow G1 4AZ and 19 Dixon Street, Glasgow G1 4AL being the subjects registered in the Land Register of Scotland under Title Number GLA43069;

**"Rents"** means the aggregate of all amounts payable to or for the benefit or account of the Chargor in connection with the letting of the Property or any part thereof, including (without duplication or limiting the generality of the foregoing) each of the following amounts so payable:

- (a) rent (and any amount equivalent thereto) payable whether it is variable or not and however or whenever it is described, reserved or made payable;
- (b) sums received from any deposit held as security for the performance of any Tenants' obligations;
- (c) any other monies payable in respect of the occupation and/or usage of the Property and every fixture and fitting therein and any and every fixture thereof for display or advertisement, on licence or otherwise;
- (d) any profits awarded or agreed to be payable as a result of any proceedings taken or claim made for the same;
- (e) any damages, compensation, settlement or expenses for or representing loss of rent or interest thereon awarded or agreed to be payable as a result of any proceedings taken or claim made for the same net of any costs, fees and expenses paid (and which have not been reimbursed to, and which are not recoverable by, the Chargor from any party) in furtherance of such proceedings so taken or claim so made;
- (f) any monies payable under any policy of insurance in respect of loss of rent or interest thereon;
- (g) any sum payable or the value of any consideration to be given by or on behalf of a Tenant for the surrender or variation of any Lease or occupancy agreement; and
- (h) any interest payable on any sum referred to above and any damages, compensation or settlement payable in respect of the same,

but after deducting the following amounts:

- (i) those amounts (if any) (together with any value added or similar taxes charged thereon) due to the Chargor from any Tenants under a Lease or other occupiers of the Property or any part thereof by way of contribution to insurance premiums and the cost of insurance valuations or by way of service charges in respect of costs incurred or to be incurred by the Chargor under any repairing or similar obligations or in providing services to such Tenants or occupiers;
- (ii) any contribution to a sinking fund paid by any Tenant or other occupier of the Property; and
- (iii) any value added tax or similar taxes payable on any of the items listed in paragraphs (a) to (h) above; and

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### Short particulars of all the property charged

Please give the short particulars of the property charged.

Short particulars

"**Tenants**" means the tenants for the time being under the Leases and includes any guarantors, trustees in sequestration, receivers, liquidators, administrators or similar persons in relation to the Tenants.



**FILE COPY**

**CERTIFICATE OF THE REGISTRATION  
OF A CHARGE**

COMPANY NO. 258643

CHARGE NO. 5

I HEREBY CERTIFY THAT A CHARGE CREATED BY AC&H 181  
LIMITED

ON 4 JULY 2012

FOR SECURING ALL SUMS DUE OR TO BECOME DUE

IN FAVOUR OF HSBC BANK PLC

WAS DELIVERED PURSUANT TO SECTION 878 OF THE  
COMPANIES ACT 2006 ON 10 JULY 2012

GIVEN AT COMPANIES HOUSE, EDINBURGH 10 JULY 2012



*Companies House*  
— for the record —



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES