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COMPANIES FORM No. 402

## Particulars of a mortgage or charge

CR 53

# 402



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

Please do not  
write in  
this marginPlease complete  
legibly, preferably  
in black type, or  
bold black lettering\* insert full name  
of company

To the Registrar of Companies

For official use

Company number

[4 13717]

NI 33484

Name of company

Aughnacloy Golf Properties Ltd (the "Company")

Date of creation of the charge

2nd April 2003

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

Assignment of Rents (the "Assignment of Rents")

Amount secured by the mortgage or charge

All monies which are due at the date of the Assignment of Rents or which thereafter are or become due or owing by the Company to the Bank in any manner whatsoever. The Assignment of Rents is supplemental to a Debenture dated 10<sup>th</sup> March 2003 (the "Principal Indenture") between the Company and the Bank.

DEPARTMENT OF ENTERPRISE  
TRADE AND INVESTMENT  
REGISTERED  
17 APR 2003

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

The Governor and Company of the Bank of Ireland, Lower Baggot Street,  
Dublin 2 ("the Bank")

Postcode

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

Arthur Cox Northern Ireland  
Capital House  
3 Upper Queen Street  
Belfast BT1 6PU

JB/MM

For official use

Public Office

Mortgage Section

DEPARTMENT OF ENTERPRISE  
TRADE AND INVESTMENT  
COMPANIES REGISTRY  
17 APR 2003

COUNTER RECEIVED

Short particulars of all the property mortgaged or charged

See Continuation

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 *Arthur Cox N.P.*

Date *15<sup>th</sup> April 2003*

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 situate 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.

- (i) by way of assignment and charge the Rental Income (as defined below) and all powers, rights and remedies for the recovery of the Rental Income and relating thereto;
- (ii) by way of fixed charge all the Company's its rights, benefits, title and interests present and future in (but not obligations under) all leases, all agreements for lease all licences and tenancy arrangements including, without prejudice to the generality of the foregoing, the leases and agreements for lease and tenancy arrangements listed in the Second Schedule, together with the full benefit of all remedies and powers of recovery relating thereto.

"Rental Income" means the rents insurance rents and service charge rents licence fees, surrender fees, and other monies receivable at any time by the Company in respect of or arising out of any lease, agreement for lease or licence of the Premises (as defined below), including without limitation, the leases and agreements for lease referred to in the Second Schedule, or otherwise derived by the Company from the Premises or otherwise paid to or received by the Company in respect of the Premises (including without limitation all mesne profits)

"Premises" mean the premises described in the First Schedule.

#### First Schedule

The premises situate at and known as Aughnacloy Golf Club, 99 Tullyvar Road, Aughnacloy, County Tyrone, and more particularly described in the Schedule to the Principal Indenture.

#### Second Schedule

- 1 Lease dated 2<sup>nd</sup> September 2001 made between the Company of the one part and Jennifer Margaret Wilson of the other part, for a term of 3 years from 15<sup>th</sup> May 2001 (as the same may be extended, replaced or varied);
- 2 All lease/tenancy arrangements with Aughnacloy Golf Club



NI33484

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 THIRD day of APRIL Two Thousand and THREE and created by

AUGHNACLOY GOLF PROPERTIES 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 SEVENTEENTH day of APRIL  
Two Thousand and THREE

*meRobb*

for the Registrar of Companies for  
Northern Ireland

Certificate  
received by

*A. Ballin*

Date

*29/4/2003*