

Number of Company } 30441
36

Form No. 47 (Scot.)

THE COMPANIES ACT, 1948

as amended by the Companies (Floating Charges) (Scotland) Act, 1961

PARTICULARS of a Charge created by a Company registered in Scotland.

Pursuant to section 106A.

Insert the Name of the Company.

A. & D. SUTHERLAND

LIMITED

NOTE.—A copy of the instrument (if any) creating or evidencing the charge (certified in the prescribed manner to be a correct copy) must be presented with these particulars within twenty-one days after the date of its creation. (See section 106A (1) of the above-mentioned Act and Article 4 of the Companies (Forms) Order, 1949, as amended by the Companies (Forms) (Amendment No. 2) Order, 1961.)

Section 106B (3) of the Companies Act, 1948 (as amended) provides that :—

If any company makes default in sending to the registrar for registration the particulars of any charge created by the company or of the issues of debentures of a series requiring registration as aforesaid, then, unless the registration has been effected on the application of some other person, the company and every officer of the company who is in default shall be liable to a default fine of fifty pounds.

The fee payable on registration of a Charge is 10s. if the amount secured does not exceed £200, and £1 if it exceeds £200.

Presented by—

Biggart Lumsden & Co.,

Solicitors,

105 West George Street,

Glasgow. C.2.

The Solicitors' Law Stationery Society, Limited, 14-22 Rennie Court, Glasgow, C.2. PRINTERS AND PUBLISHERS OF COMPANIES' BOOKS AND FORMS.

RECORDED
15-11-70
EFTO

(1) Date and description of the instrument creating or evidencing the Charge (a)	(2) Amount secured by the Charge	(3) Short particulars of the Property Charged
<p>Bond and Disposition in Security by A. & D. Sutherland Limited in favour of The British Linen Bank dated 21st and presented for recording G.R. of S. (Caithness) 25th November 1970</p>	<p>All sums to become due upon a Current Cash Account kept in the Books of the said Bank in name of and to be operated upon by A. & D. Sutherland Limited to the extent of £23,000</p>	<p>See Schedule annexed</p>

Note.—This margin is reserved for binding and must not be written across

Dated the *ninth* day of *December* 19*70*.

(a) A description of the Instrument, e.g. "Trust Deed", "Deed of Assignment", etc., as the case may be, should be given.

Limited, a Company registered in Scotland

(4) Names, Addresses and Descriptions of the Persons entitled to the Charge	(5) 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 absolutely or conditionally, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any of the Debentures included in this Return (b)	(6) In the case of a Floating Charge, a statement of the restrictions, if any, on the power of the Company to grant further securities ranking in priority to, or <i>pari passu</i> with, the Floating Charge.
The British Linen Bank incorporated by Royal Charter and having their Head Office in the City of Edinburgh	Nil	Not applicable

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Signature Bright Underhill
 Designation of Position Agents for the holders of the Charge
 in Relation to the Company

SCHEDULE

IN THE FIRST PLACE that lot or area of ground measuring twenty two poles and twenty four square yards being the subjects known as 69 Princes Street, Thurso ✓

IN THE SECOND PLACE that lot or area of ground known as Brownhill Quarry, Thurso ✓

IN THE THIRD PLACE that lot or area of ground at Brownhill, Thurso extending to one hundred and seventy one decimal or one thousands parts of an acre under exception of an area of ground extending to forty decimal or one thousandth parts of an acre ✓

IN THE FOURTH PLACE the subjects forming numbers 68 and 68a Princes Street, Thurso ✓

IN THE FIFTH PLACE (primo) the subjects situated on the first and second floors above ground level at 64 Princes Street, Thurso (secundo) the dwelling-house known as 62 Princes Street, Thurso ✓

IN THE SIXTH PLACE the subjects situated on the ground floor and lower ground floor at ^{64 and} 66 Princes Street, Thurso ✓

IN THE SEVENTH PLACE that rectangular lot or area of ground in Princes Street, Thurso, bounded on the north west by Princes Street along which it extends seventeen feet ✓

IN THE EIGHTH PLACE that lot or area of ground at Brownhill, Thurso extending to forty decimal or one thousandth parts of an acre. ✓

IN THE NINTH PLACE that lot of ground fronting Francis Street, Wick, bounded on the west by Francis Street, along which it extends one hundred and fourteen feet under exception of the area of ground in Francis Street, Wick, bounded on the west by Francis Street along which it extends forty two feet six inches and ✓

IN THE TENTH PLACE that lot or piece of ground in Lock Street, Wick bounded on the south by Lock Street along which it extends five hundred and thirteen feet under exception of that area of ground in Lock Street, Wick containing one acre and eighty two decimal or one thousandth parts of an acre ✓

Glasgow 10th December 1970. This is the Schedule referred to in Form 47(Scot) signed of even date herewith.

Bright Lindsay

Certificate of the Registration of a Charge

Pursuant to Section 106D (2) of the Companies Act, 1948



30441/36.

I hereby Certify that a Charge...

dated the... Twenty-fifth ... day of November ... One thousand
nine hundred and Seventy ... and created by A. & D. Sutherland Limited

for securing all moneys now due, or hereafter to become due, or from time to time accruing due from the
company to The British Linen Bank ... on any
account whatsoever not exceeding £20,000 ... was Registered

pursuant to Section 106A of the Companies Act, 1948 on the Eleventh
day of December ... One thousand nine hundred and Seventy

Given under my hand at Edinburgh, this Fourteenth ... day of
December ... One thousand nine hundred and Seventy

Certificate and Copy of Instrument received by

J. D. E. Robertson
Registrar of Companies

Date

THE COMPANIES ACT, 1948

as amended by the Companies (Floating Charges) (Scotland) Act, 1961

PARTICULARS of a Charge created by a Company registered in Scotland.

Pursuant to section 106A.

Insert the Name of the Company.

A. & D. SUTHERLAND

LIMITED

NOTE.—A copy of the instrument (if any) creating or evidencing the charge (certified in the prescribed manner to be a correct copy) must be presented with these particulars within twenty-one days after the date of its creation. (See section 106A (1) of the above-mentioned Act and Article 4 of the Companies (Forms) Order, 1949, as amended by the Companies (Forms) (Amendment No. 2) Order, 1961.)

Section 106B (3) of the Companies Act, 1948 (as amended) provides that :—

If any company makes default in sending to the registrar for registration the particulars of any charge created by the company or of the issues of debentures of a series requiring registration as aforesaid, then, unless the registration has been effected on the application of some other person, the company and every officer of the company who is in default shall be liable to a default fine of fifty pounds.

The fee payable on registration of a Charge is 10s. if the amount secured does not exceed £200, and £1 if it exceeds £200.

Presented by—

Biggart Laidan & Co.

Solicitors,

105 West George Street,

Glasgow, G.2.

REGISTERED
1 DEC 1970
REGISTRATION
OFFICE, GLASGOW
4188

(1) Date and description of the instrument creating or evidencing the Charge (a)	(2) Amount secured by the Charge	(3) Short particulars of the Property Charged
Bond of Cash Credit and Floating Charge by A. & D. Sutherland Limited in favour of The British Linen Bank dated <u>30th</u> <u>November 1970</u>	All sums to become due on a Current Cash Account kept in the Books of the British Linen Bank in name of and to be operated upon by A. & D. Sutherland Limited	Whole of the property which us or may be from time to time comprised in the property and undertaking of A. & D. Sutherland Limited

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Dated the day of December 1970

- (a) A description of the Instrument, e.g., "Trust Deed", "Debenture", etc., as the case may be should be given.
 (b) The rate of interest payable under the terms of the Debentures should not be entered.

(4) Names, Addresses and Descriptions of the Persons entitled to the Charge	(5) 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 absolutely or conditionally, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any of the Debentures included in this Return (b)	(6) In the case of a Floating Charge, a statement of the restrictions, if any, on the power of the Company to grant further securities ranking in priority to, or <i>pari passu</i> with, the Floating Charge.
<p>The British Linen Bank incorporated by Royal Charter and having their Head Office in the City of Edinburgh</p>	<p>Nil</p>	<p>A. & D. Sutherland Limited are prohibited from creating any subsequent fixed security having priority over or ranking equally with the said Floating Charge</p>

Note.—This margin is reserved for binding and must not be written across

Signature Regist Lindsay
 Designation of Position Agents for the holders of the Charge
 in relation to the Company

Limited, a Company registered in Scotland

(4) Names, Addresses and Descriptions of the Persons entitled to the Charge	(5) 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 absolutely or conditionally, or procuring, or agreeing to procure subscriptions, whether absolute or conditional, for any of the Debentures included in this Return (6)	(6) In the case of a Floating Charge, a statement of the restrictions, if any, on the power of the Company to grant further securities ranking in priority to, or <i>pari passu</i> with, the Floating Charge.
<p>The British Linen Bank incorporated by Royal Charter and having their Head Office in the City of Edinburgh</p>	<p>Nil</p>	<p>A. & D. Sutherland Limited are prohibited from creating any subsequent fixed security having priority over or ranking equally with the said Floating Charge</p>

Note.--This margin is reserved for binding and must not be written across

Signature Reginald L. ...

Designation of Position in relation to | Agents for the holders of the Charge

Limited, a Company registered in Scotland

(4) Names, Addresses and Descriptions of the Persons entitled to the Charge	(5) 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 absolutely or conditionally, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any of the Debentures included in this Return. (b)	(6) In the case of a Floating Charge, a statement of the restrictions, if any, on the power of the Company to grant further securities ranking in priority to, or <i>pari passu</i> with, the Floating Charge.
<p>The British Linen Bank incorporated by Royal Charter and having their Head Office in the City of Edinburgh</p>	<p>N11</p>	<p>A. & D. Sutherland Limited are prohibited from creating any subsequent fixed security having priority over or ranking equally with the said Floating Charge</p>

Note.—This margin is reserved for binding and must not be written across

Signature W. S. G. L. L. L. L. L.
 Designation of Position Agents for the holders of the Charge
 in relation to

Certificate of the Registration of a Charge

Pursuant to Section 106D (2) of the Companies Act, 1948



30941/37

I hereby Certify that a Charge.....
dated the..... **Thirtieth** day of..... **November** One thousand
nine hundred and **Seventy** and created by... **A. & D. Sutherland**.....
Limited

for securing all moneys now due, or hereafter to become due, or from time to time accruing due from the
company to... **The British Linen Bank** on any
account whatsoever was **Registered**

pursuant to Section 106A of the Companies Act, 1948 on the... **Eleventh** ..
day of... **December** One thousand nine hundred and **Seventy** ..

Given under my hand at Edinburgh, this **Fourteenth** day of
December One thousand nine hundred and **Seventy** ..

Certificate and Copy of Instrument received by

J. DED Robertson
Registrar of Companies

Date

No. of Company 30441 / 44

Form No. 49A (Scot)
(No registration fee payable)

THE COMPANIES ACT 1948
as amended by the Companies (Floating Charges and Receivers) (Scotland) Act 1972

Declaration on behalf of company verifying memorandum
relating to a registered charge

Pursuant to Section 106F

Name of Company A. & D. SUTHERLAND Limited

We (a) ALEXANDER LESLIE SUTHERLAND, Director, of Dale House, Westerdale, Halkirk, Caithness, and WILLIAM JOHN BUCHAN, Secretary, of Number Thirty nine, Royal Terrace, Thurso, Caithness.

do solemnly and sincerely declare that the particulars contained in the Memorandum annexed hereto are true to the best of our knowledge, information and belief. And we 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 THURSO, CAITHNESS,

the Eleventh day of January

one thousand nine hundred and seventy seven

before me, [Signature]
Notary Public (b)

[Signature]
[Signature]

(a) Here insert the names, addresses and descriptions of at least one director of the company and of the secretary of the company.

(b) or Commissioner for Oaths or Justice of the Peace.

Presented by:

GUTHRIE & MURRAY
NOTICERS,
THURSO

COMPANIES OFFICE
Presenter's reference:
and/or telephone number:
2
EDINBURGH

Ref: DGR - Entries 2043 and 3717

00265

Margin reserved for binding

Declaration on behalf of creditor verifying memorandum relating to a registered charge (c)

I _____, do solemnly and sincerely declare that the particulars contained in the Memorandum annexed hereto are true to the best of my knowledge, information and belief. 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: _____

the _____ day of _____

one thousand nine hundred and _____

before me.

Notary Public (d)

MEMORANDUM OF
(1) PARTIAL PAYMENT OR SATISFACTION OF CHARGE
(2) RELEASE OF PART OF PROPERTY OR UNDERTAKING FROM CHARGE

Name of Company A. & D. SUTHERLAND Limited

hereby gives notice that the registered charge being (e)

BOND of Cash Credit p. £28,000 and DISPOSITION in SECURITY by A. & D. Sutherland Limited in favour of The British Linen Bank dated 21st and recorded in the Division of the General Register of Sasines applicable to the County of Caithness 25th both days of November, 1970,

of which particulars were registered with the Registrar of Companies on the (f) 11th December, 1970, was satisfied on the 28th December 1973 to the extent of _____

- *1. the debt for which the charge was given having been partly paid or satisfied and
- *2. part of the property or undertaking charged having been released from the charge.

*Short particulars of the property or undertaking no longer thus charged:-

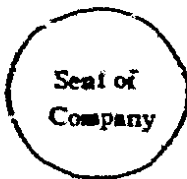
(First) the subjects forming Number 68 and 68(a) Princes Street in the Burgh and Parish of Thurst and County of Caithness: and (Second) the subjects forming the property formerly known as Numbers 64 and 66 Princes Street and now known as Number 56 Princes Street in the said Burgh Parish and County situated on the ground floor and lower ground floor
In witness whereof the common seal of the Company was hereunto affixed the Eleventh

day of January 1974

[Signature]
[Signature]
[Signature]

Directors

Secretary



(c) This Declaration MUST be made in the case of a floating charge by the creditor entitled to the benefit of the charge or by a person authorised to certify the memorandum on behalf of the creditor.

(d) or Commissioner for Oaths or Justice of the Peace.

(e) A description of the instrument(s) creating the charge eg 'Charge', 'Debenture' etc, with the date thereof should be given. If the registered charge was a 'Series of Debentures' or 'Debenture Stock' the words 'authorised by resolution' together with the date of the resolution should be added.

(f) The date of registration may be confirmed from the certificate of registration.

Margin reserved for binding