

## REPORT ON TITLE

TO: Proplend Security Limited

FROM: Paris Smith LLP

FULL NAME OF BORROWER: Property Tab Limited

COMPANY NUMBER (if appropriate): 08239934

DESCRIPTION OF PROPERTY: 25 Wharton Street Industrial Estate Wharton Street Birmingham B7 5TR

IS BORROWER THE SAME AS OWNER? Yes

FULL NAME OF OWNER IF DIFFERENT (Where property is being transferred state intended owner): Not applicable

1. **TITLE**

a. We certify that the property is:

Tenure:	Freehold
Title number (if registered) or if not confirm whether it is unregistered and/or subject to first registration:	WM155654
Class of title (if registered):	Title Absolute

b. We certify that the Title to the Property is good and marketable and can be accepted by you as security.

c. We annex hereto a copy of the Title Plan (or in the case of a property that is not registered, a plan) showing the Property edged red.

d. The Property will be registered in the name of the Borrower on completion.

e. We confirm that the only Restrictive Covenants which affect the Property are set out in the attached Schedule.

f. We confirm that the only Adverse interests affecting the Property are referred to in the Schedule.

g. No person other than the Borrower has an equitable or overriding interest in the Property.

h. The Property is subject to the Leases referred to in separate Lease Reports.

i. Proplend Security Limited will obtain a First Legal Charge over the Property.

2. **SEARCHES:** We confirm we hold:-

a. Clear Land Registry Search giving Proplend Security Limited priority beyond the date of completion.

b. You have agreed to accept local authority indemnity cover in place of a local authority search for the value of the Property.

c. Bankruptcy Search giving Proplend Security Limited priority beyond the date of completion against the Guarantor.

All other appropriate Searches have been carried out and, save as referred to below, reveal no Entries adverse to Proplend Security Limited's security.

3. **VALUATION:**

We have read the Valuation Survey Report dated 19 July 2017 prepared by GJS Dillon and confirm that:-

- i) there are no discrepancies between the report, the title documentation and the results of our searches.
- ii) we are satisfied that Proplend Security Limited will obtain a legal mortgage over the whole of the land shown edged red on the Title Plan

4. **PURCHASE CONTRACT:**

- i. Purchase Price: Not applicable - property already owned by Borrower.
  - a. Property:
  - b. Fixtures and Fittings: £N/A

5. **SECURITY DOCUMENTATION:**

The following security documentation has been properly executed and witnessed and is held by ourselves. (Please delete if not applicable).

- a. Legal Charge: The Legal Charge will be dated upon completion.
- b. Debenture: The Debenture will be dated upon completion.
- c. Guarantee The Guarantees will be dated on completion.

6. **COMPLETION ARRANGEMENTS**

We now request you to pay to us the Advance Amount and undertake that if you pay to us the said sum and we shall use the same only to effect the remortgage of the Property by the Borrower.

We confirm we hold an irrevocable undertaking from a firm of solicitors that following completion they will send a completed AP1 in respect of the remortgage of the Property and registration of Proplend Security Limited's Charge, any necessary supporting documentation, and any title documents that are received from the Seller's solicitors.

Our banking details are:

Account Name: Paris Smith LLP Client Account

Account Number: 37559583

Bank: National Westminster Bank plc

Branch: 12 High Street Southampton

Sorting Code No: 56-00-68

Completion date: TBA

## SCHEDULE

### RESTRICTIVE COVENANTS

(please confirm whether or not the restrictive Covenants are onerous)

The Property is subject to covenants in a Conveyance of 15 December 1978 for the benefit of the property on the north side of Wharton Street that no objection would be made to the drop stamping operations carried on from that property. This is not considered to be onerous.

### ADVERSE INTERESTS

(please confirm whether or not the Adverse Interests are onerous)

- 1 The Property is subject to various leases and licences as to which, see the separate Lease Report. It should be noted that one unit is apparently vacant and one is let on a licence which is incomplete and therefore should be considered to be of limited value. All the leases are tenant friendly and should not be considered as institutional type leases.
- 2 I understand you have agreed with the Borrowers that they are to provide an Asbestos Risk Management and Fire Risk Assessment report no later than 2 months from the date of completion.
- 3 It appears that the Property was acquired together with an additional property under Title Number WM541530. We have referred this to the Borrower's solicitors who have produced a copy of the title to the adjacent piece of land. This is not included within your security.
- 4 The Property appears to be attached to an adjoining property. We have asked for confirmation that there have been no alterations or works which would have required party wall awards and the Borrower's solicitors say that there have been no alterations or work carried out on either side which would require party wall awards. We have also asked for confirmation that there have been no problems with regard to maintenance and repair of the adjoining property and the Borrower's solicitors say again that no works have been required.
- 5 The drainage search indicates that there is no mains drainage or water to the Property. We have raised this with the Borrower's solicitors who say that mains drainage and water is connected and we have asked them to confirm this with the search provider.  
  
The drainage search also indicates that there is a sewer going through the Property. We have asked for confirmation that there are no buildings on the route of the sewer and the Borrower's solicitors say that so far as they are aware, there are no buildings constructed over the public sewer.
- 6 There is a potential liability for chancel repair. A policy for the value of the Property will be on risk at completion.
- 7 The property insurance details exclude flooding and subsidence in respect of this Property. Please refer below to the results of the environmental search.
- 8 It has been agreed that you will accept no search indemnity insurance in respect of the local search for the value of the Property which will be on risk at completion.
- 9 It is now standard procedure to undertake environmental desktop searches in transactions of this nature. However please note the limited nature of the search. The search is undertaken by independent search consultants at a limited cost and is compiled by the search consultants on the basis of inspection of documentary records only accessed by means of a "desk top" search. It does not, of course, arise from a physical inspection of the site. Clearly it will not reveal information which is not recorded in public documentation. The search should therefore be regarded as a general guide only. If you have concerns as to possible contamination of the site then you should discuss further with us the need for a more detailed survey (possibly including a site survey). You will understand that we are not qualified to advise on whether or not the search results are acceptable (or the level of risk involved) but we would be happy to discuss any particular queries with you and to consider with

you whether further expert advice should be obtained on any matters arising from the search result itself and/or with regard to the site or your proposals generally.

Subject to the comments above we would point out that the report has been referred for further assessment which means that in the opinion of the provider, Groundsure Screening, the Property is at risk and is being treated as contaminated land and may not be suitable for investment. This requires further assessment.

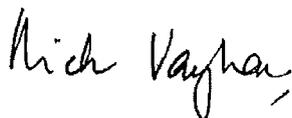
The report suggests that there are previous land uses on the site which are of significant concern including various tanks, a drop forging works, an edge tool works and tanks as well as the current use for car vehicle repairs.

There is also a significant risk of flooding. The canal is 10 metres to the east of the Property. As noted above, flooding has been excluded from the insurance risks on the site. We have raised this with the Borrowers' solicitors who say that the Borrowers have confirmed they have not experienced any problems with obtaining flood cover, the Property has not flooded and there are no flood defence works in place.

- 10 The Borrowers' solicitors have produced a letter from the local authority dated 15 September 2017 confirming that the Property is used for the erection of single storey warehouses which was approved in 1972. The area is currently trading as Wharton Street Industrial Estate with several industrial units trading under a mix of user classifications.

Signed by: Paris Smith LLP

Signature:



Name: Nick Vaughan

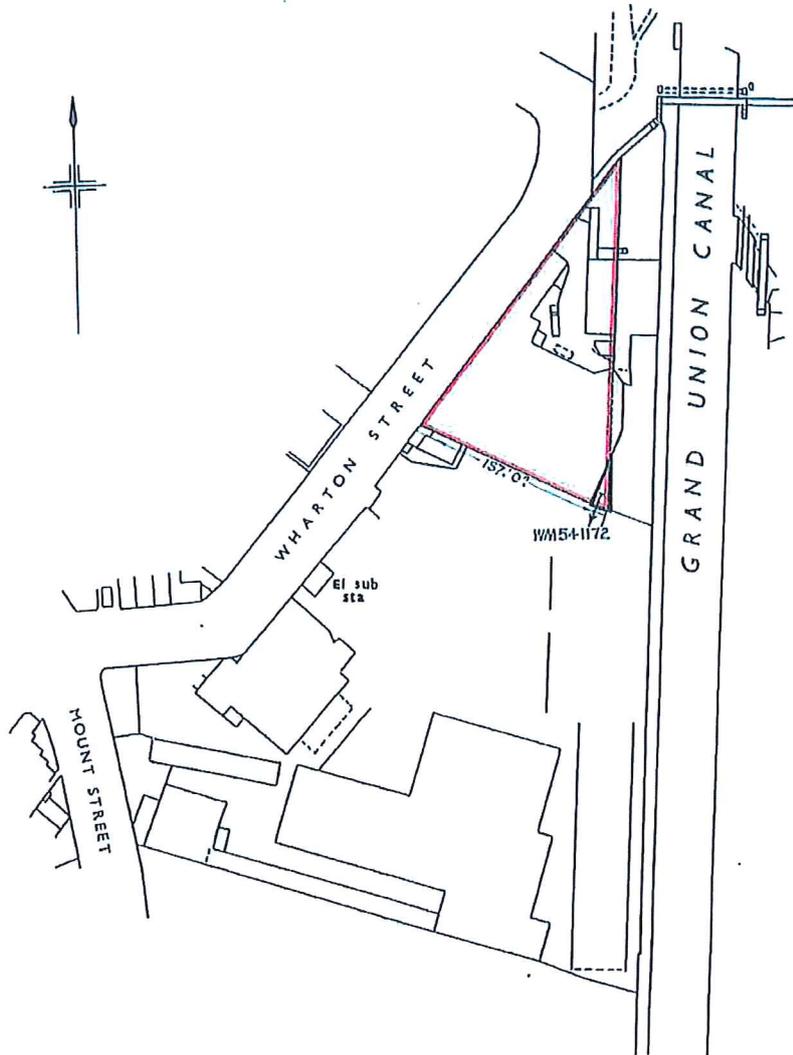
Position: Senior LLP Partner

authorised to sign for and on behalf of Paris Smith LLP

Date: 19 September 2017

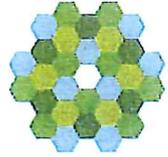
H.M. LAND REGISTRY		TITLE NUMBER	
		WM 155654	
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID
	WEST MIDLANDS		SP0989 NE
Scale: 1/1250	BIRMINGHAM DISTRICT		© Crown copyright 1972

CITY OF BIRMINGHAM



HM Land Registry  
Official copy of  
title plan

Title number **WM541530**  
Ordnance Survey map reference **SP0989NE**  
Scale **1:1250**  
Administrative area **West Midlands :**  
**Birmingham**



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