

Dated: 20/10/2010

**DECLARATION OF TRUST
EVERGREEN CONTRACTED OUT PENSION SCHEME**

Parties

1. **GREEN GALE LIMITED** (company number **07044502**) in this deed called the 'Principal Employer' whose registered office is situate at HAWTHORN HOUSE, NORTH RODDYMOOR FARM, BILLY ROW, CROOK, DURHAM. DL15 9TB
2. **THOMAS ALAN RACE** of HAWTHORN HOUSE, NORTH RODDYMOOR FARM, BILLY ROW, CROOK, DURHAM. DL15 9TB and **JAMES BENJAMIN RACE** of 5 INSTITUTE TERRACE, BILLY ROW, DURHAM. DL15 9TB (in this deed called the 'Trustees')

Recitals

- (A) The Principal Company wishes to establish a pension scheme to be known as **EVERGREEN CONTRACTED OUT PENSION SCHEME** (in this deed called the 'Scheme') intended to qualify as a registered pension scheme for all the purposes of Part 4 of the Finance Act 2004.
- (B) The Trustees have agreed to be the first Trustees of the Scheme

Operative provisions

- 1 The Principal Company establishes the Scheme under this Deed and appoints the Trustees as the first Trustees of the Scheme
- 2 The Trustees accept appointment as trustees of the Scheme and will hold all sums and assets they receive, property representing them and income on irrevocable trust to pay the benefits of, and otherwise comply with, the Scheme
- 3 The Trustees accept appointment as the Scheme Administrator, unless the Trustees appoint some other person or corporate body to be the Scheme Administrator and such other person or corporate body agrees to act
- 4 All costs charges and expenses of and incidental to the administration and management of the Scheme shall be borne by the Fund except to the extent that, in the opinion of the Trustees and with the consent of the Principal Company they are borne by the Participating Company
- 5 The power to amend and/or alter the Rules of the Scheme may be exercised by Deed and by the Principal Company with the unanimous consent of all the Trustees.
- 6 The power to remove the Trustees may be exercised by Deed by the Principal Company alone

The provisions of this deed shall have effect on and from the tax registration date of the scheme.

IN WITNESS OF WHICH this document is executed as a deed and is delivered on the date stated above.

SIGNED as a deed, and delivered when dated, by
GREEN GALE LIMITED acting by

Director

Signature :

Name :



J. B. RACE

Director/
Secretary

Signature :

Name :



T. A. RACE

SIGNED as a deed, and delivered when dated, by
THOMAS ALAN RACE in the presence of:

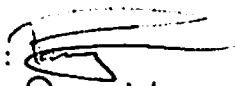
 (signature)

Witness

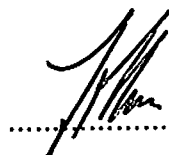
Signature :

Name :

Address :


PAUL MCKAY
14 INSTITUTE TER,
BILLY ROW,
CROOK,
CO. DURHAM

SIGNED as a deed, and delivered when dated, by
JAMES BENJAMIN RACE in the presence of:

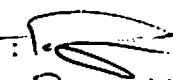
 (signature)

Witness

Signature :

Name :

Address :


PAUL MCKAY
14 INSTITUTE TER,
BILLY ROW,
CROOK,
CO. DURHAM.

Rules of the Evergreen Contracted Out Pension Scheme

These are the Rules referred to in the attached Declaration of Trust and which are signed by the Principal Company and the Trustees as follows

The Trustees of the Scheme are:

THOMAS ALAN RACE of HAWTHORN HOUSE, NORTH RODDYMoor FARM, BILLY ROW, CROOK, DURHAM. DL15 9TB and **JAMES BENJAMIN RACE** of 5 INSTITUTE TERRACE, BILLY ROW, DURHAM. DL15 9TB

The Principal Employer for the scheme is:

GREEN GALE LIMITED whose registered office is situate at HAWTHORN HOUSE, NORTH RODDYMoor FARM, BILLY ROW, CROOK, DURHAM. DL15 9TB

These are the Rules referred to in the attached Declaration of Trust and which are signed by the Principal Company and the Trustees as follows:

For and behalf of
GREEN GALE LIMITED by

Director Name
Signature

J B RACE


Director Name
Signature

T. A. RACE


For and on behalf of the
Trustees by **THOMAS ALAN RACE**
Signature



For and on behalf of the
Trustees by **JAMES BENJAMIN RACE**
Signature



Rules of the:
Name of Scheme

These are the Rules referred to in the attached Declaration of Trust and which are signed by the Principal Company and the Trustees as follows:

For and behalf of the Principal Company by:
Signature



J. B. RACE

20/10/2010

J. B. RACE

T. A. RACE

20/10/2010

For and on behalf of the Trustees by:
Signature



J. B. RACE

20/10/2010

J. B. RACE

T. A. RACE

20/10/2010