

14 公契的摘要

SUMMARY OF DEED OF MUTUAL COVENANT

(a) 期數的公用部分

- (i) **「公用地方」** 指發展項目公用地方、住宅停車場公用地方及住宅公用地方。
- (ii) **「公用設施」** 指發展項目公用設施、住宅停車場公用設施及住宅公用設施。
- (iii) **「發展項目公用地方」** 指整個該地段及發展項目中沒有特別轉讓給或供個別業主獨家使用的，並設計或擬供業主公用及共享之部分(但不包括構成單位、住宅停車場公用地方或住宅公用地方的部分)，包括但不限於：-
- (I) 該地段內之斜坡及擋土結構之部分(如有)；
 - (II) 消防升降機大堂及通往所需樓梯的防護門廊、車道、加壓風機房、排氣風機房及管道、垃圾收集車停車位、總錶房、高電壓電線立管房、花灑控制閥房、業主委員會辦公室、通風管道、設備運輸通道區域、特低電壓房及管道、管道槽、水錶櫃、各類建築服務之泵房及缸房(不包括構成住宅停車場公用地方或住宅公用地方的部分)、垃圾儲存及物料回收室、電房及管道、電錶房、頂層天台(平台)、電訊及廣播房、沖廁水錶房、水錶房、自動讀錶房、新鮮空氣管槽、消防控制室及管槽、緊急發電機房、消防喉轆空間、變壓器房、煤氣房、低壓開關房、樓梯加壓房及管槽、大堂加壓管槽、排氣管道、樓梯、升降機大堂、混凝土填充、加壓大堂及樓梯之排煙系統、電纜管道房、風道、電錶櫃、消防喉轆噴嘴及部分保養和維修通道；
 - (III) 停車資訊系統區域；
 - (IV) 發展項目的外牆(不包括構成住宅公用地方或非住宅地方一部分之外牆)；

以及該地段及發展項目內設計或擬供業主公用及共享而非特別轉讓給或供個別業主獨家使用的《建築物管理條例》(第 344 章)附表 1 所指明的所有其他公用部分(如有)(不屬於單位、住宅停車場公用地方或住宅公用地方的部分)。發展項目公用地方在公契附錄的圖則(經認可人士核證為準)上為識別目的以黃色顯示。

- (iv) **「發展項目公用設施」** 指：
- (I) 該等變壓器房設施(定義見下文)、電纜管道、有蓋明渠、排水渠、管道、溝渠、集水泵、集水溝氣隔、隔油池、有蓋沙井、有蓋集水坑、井(如有)、污水渠、電線及電纜、轉台、裝卸升降台、水缸、天線廣播分導設施、電訊網絡設施、地下電纜管槽、電纜引線井、吊船系統、為發展項目公用地方服務之機電裝置及目前或任何時候在該地段內、下、上或穿過該地段及發展項目將水、污水、煤氣、電力和任何其他服務提供給該地段及發展項目或其任何一個或多個部分的其他服務設施(不論以管道或其他方式)；
 - (II) 發展項目內供該地段及發展項目使用及享用而非供個別單位使用或享用的照明設施，包括燈柱及外牆照明；
 - (III) 發展項目內供該地段及發展項目使用及享用而非供個別單位使用或享用的防火及滅火裝置及設備；
 - (IV) 保安系統裝置及設備；
 - (V) 升降機裝置及設備；
 - (VI) 設施、裝置及設備；

以及供該地段及發展項目公用及共享而非供個別單位獨家使用或享用的其他設施及系統。

為免存疑，「發展項目公用設施」一詞並不包括構成住宅停車場公用設施或住宅公用設施一部分的設施、設備及其他類似的構築物。

- (v) **「住宅停車場公用地方」** 指該地段及發展項目內設計或擬供住宅停車位業主公用及共享而非特別轉讓給或供個別住宅停車位業主獨家使用的該地段及發展項目的該等部分(不包括在建築事務監督批准的停車場佈局圖上顯示和劃定的該等停車位)以及《建築物管理條例》(第 344 章)附表 1 所指明的所有其他公用部分(如有)(不包括構成單位、住宅公用地方或發展項目公用地方的一部分)，包括但不限於消防升降機大堂及通往所需樓梯的防護門廊、迴旋處和機動空間、電錶房、大堂加壓管槽、樓梯加壓管槽、坡道、風道、樓梯、大堂及車道。住宅停車場公用地方在公契附錄的圖則(經認可人士核證為準)上為識別目的以靛藍色顯示。
- (vi) **「住宅停車場公用設施」** 指供住宅停車位的業主公用及共享的該等設施和設備，而非發展項目其他部分及並非供個別住宅停車位獨家使用及享用的該等設施和設備，包括但不限於機電裝置、設備及機器、吊閘、機械通風系統及保安系統(但不包括住宅公用設施及發展項目公用設施)。
- (vii) **「住宅公用地方」** 指該地段及發展項目內設計或擬供發展項目住宅單位的業主公用及共享而非特別轉讓給或供個別住宅單位的業主獨家使用之部分(不包括構成單位、住宅停車場公用地方或發展項目公用地方的部分)，包括但不限於：-

- (I) 康樂區；
- (II) 訪客停車位；
- (III) 根據政府批地文件特別條款第(30)(a)(i)條提供之上落貨停車位；
- (IV) 根據政府批地文件特別條款第(29)(c)(i)條於訪客停車位中提供之一個供殘疾人士停泊車輛的停車位(**「住宅殘疾人士停車位」**)；
- (V) 消防升降機大堂及通往所需樓梯的防護門廊、隔音簷、入口大堂、升降機大堂、升降機底坑、升降機井、升降機緩衝、信箱、樓梯、轉換層、護牆、臨時避難空間、平台、天台、電錶房及櫃、水錶櫃、垃圾儲存及物料回收房、建築裝飾、露台頂部、庇護層、電氣槽、管道槽房及管道槽、消防喉轆空間、升降機機房、頂層天台、花槽、草坪、園景區、特低電壓房及管道槽、各類建築服務之泵房及缸房(不包括構成單位、住宅停車場公用地方或發展項目公用地方的部分)、風機房、電訊及廣播房、食水及沖廁水加壓設備房、管理員櫃檯、管理處辦公室(包括無障礙洗手間)、管理員宿舍、低電壓開關房、煤氣房、有蓋園景區、電纜管槽、公用地方維修區、露台鋼筋混凝土頂部、工作平台及空調機平台置下、轉換層頂部、水景、行人天橋、室外游泳池、池畔平台、按摩池、緊急發電機房及部分保養和維修通道；
- (VI) 部分外牆，即於地面層及以上的部分(於公契附錄的立面圖(經認可人士核證為準)上為識別目的以綠色顯示)；
- (VII) 僅服務或支撐住宅單位(或任何或部分住宅單位)的發展項目結構或承重元件及附於該結構或承重元件的發展項目外部裝修物料；及
- (VIII) 部分綠化區(於公契附錄的圖則(經認可人士核證為準)上為識別目的以靛藍色虛線及綠色加黑點及綠色加黑點及黑交叉線標示)

以及該地段及發展項目內設計或擬供住宅單位業主公用及共享而非特別轉讓給或供個別住宅單位的業主獨家使用的《建築物管理條例》(第344章)附表 1 所指明的所有其他公用部分(如有)。住宅公用地方在公契附錄的圖則(經認可人士核證為準)上為識別目的以靛藍虛線及/或綠色、綠色加黑點、綠色加黑交叉線及綠色加黑點及黑交叉線顯示。

- (viii) **「住宅公用設施」** 指供住宅單位的業主公用及共享而非供個別住宅單位獨家使用及享用的該等設施和輔助設備，包括但不限於訪客停車位電動車設施、住宅殘疾人士停車位電動車設施、康樂設施、水箱、水泵、排水渠、管道、溝渠、污水渠、防火及滅火系統、電線及電纜、電力設備、空調或機械通風裝置、照明、保安系統、煤氣管道、空調系統、電訊網絡設施、升降機、扶手電梯及供住宅單位使用及享用的衛生設備和裝置，但不包括住宅停車場公用設施及發展項目公用設施。

(b) 分配予期數中的每個住宅物業的不分割份數的數目

座數 樓層* 單位	第5座			
	3樓	5樓-17樓	18樓-29樓	30樓
A	592	543	543	566
B	313	313	313	313
C	319	319	319	319
D	318	318	318	318
E	318	318	318	318
F	317	317	317	317
G	314	314	314	314
H	339	362	362	377
J	360	367	362	377
K	-	-	314	314
L	-	-	318	318
M	436	435	435	451

*註: 第5座不設4/F、13/F、14/F、24/F及I單位。

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(c) 有關期數的管理人的委任年期:

受制於《建築物管理條例》(第344章)，管理公司作為該地段及發展項目(包括期數)的管理人的委任，首屆任期由公契的日期起計兩(2)年，其後繼續任職至根據公契的規定終止委任。

(d) 管理開支按甚麼基準在期數中的住宅物業的擁有人之間分擔:

每個單位的業主應按公契第二附表列明管理份數之比例每月提前向管理人支付管理費，但是任何業主無須支付超過他的適當份額的管理費用，如下所述：

- (i) 如果任何開支涉及或有利於該地段及發展項目(但並非僅涉及或僅有利於任何單位、住宅公用地方、住宅停車場公用地方、住宅公用設施及/或住宅停車場公用設施)、發展項目公用地方及/或發展項目公用設施，該等開支的全部金額應在發展項目的所有業主之間按他們持有的管理份數數目之比例進行分攤；
- (ii) 如果任何開支僅涉及或僅有利於住宅單位(但並非僅涉及或僅有利於任何個別住宅單位)、住宅公用地方及/或住宅公用設施，該等開支的全部金額應在住宅單位的業主之間按他們持有的管理份數數目之比例進行分攤；
- (iii) 如果任何開支僅涉及或僅有利於住宅停車位(但並非僅涉及或僅有利於任何個別住宅停車位)、住宅停車場公用地方及/或住宅停車場公用設施，該等開支的全部金額應在住宅停車位業主之間按他們持有的管理份數數目之比例進行分攤，但是由管理人根據公契附表3的第(1)(h)條決定，並以住宅殘疾人士停車位及訪客停車位的總樓面面積相對於住宅停車位、訪客停車位及住宅殘疾人士停車位的總樓面面積的比例計出關乎住宅停車場公用地方及/或住宅停車場公用設施的部分開支，應由住宅單位的業主承擔，並在住宅單位的業主之間按他們持有的管理份數數目之比例進行分攤，而剩餘的該等開支則由住宅停車位的業主承擔，並在住宅停車位的業主之間按他們持有的管理份數數目之比例進行分攤；
- (iv) 如果任何開支僅涉及或僅有利於某個單位，該等開支的全部金額應由該單位的業主承擔；

但是，如果任何開支僅為有利於某位業主或若干業主而招致，則即使上述列明公用地方及公用設施的區分及管理費用的繳納方式，管理人可按其合理決定的比例直接向該業主或該等業主收取該等開支。

(e) 計算管理費按金的基準:

期數每個住宅物業的管理費按金應相當於該物業三(3)個月的管理費。

(f) 擁有人在期數中保留作自用的範圍(如有的話):

不適用

備註:

1. 「公契」指該地段及發展項目(包括期數)的公共契約暨管理協議的最新擬稿。
2. 除非售樓說明書另行定義，否則本節所採用之專有詞彙與公契所界定者具備相同涵義(除非另有指明)。詳情請參閱公契。
3. 請參閱公契的最新擬稿以了解全部詳情。公契的最新擬稿在售樓處的開放時間內可供免費查閱，並可在要求及支付所需的影印費用後獲取公契最新擬稿的副本。

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(a) The common parts of the Phase:

- (i) **"Common Areas"** means collectively the Development Common Areas, the Residential Car Park Common Areas and the Residential Common Areas.
- (ii) **"Common Facilities"** means the Development Common Facilities, the Residential Car Park Common Facilities and the Residential Common Facilities.
- (iii) **"Development Common Areas"** means the whole of the Lot and the Development which are not otherwise specifically assigned to or for the exclusive use of an Owner and are designed or intended for common use and benefit of the Owners (which do not form part of the Units, the Residential Car Park Common Areas or the Residential Common Areas) and shall include but not limited to:-
 - (I) such part of the Slope and Retaining Structures (if any) within the Lot;
 - (II) the fireman's lift lobby and protected lobby to a required staircase, driveways, pressurization fan rooms, air release fan room and ducts, parking space for refuse collection vehicle, master meter room, high voltage cable riser room, sprinkler control valve room, owner's committee office, vent duct, plant delivery access areas, extra low voltage rooms and ducts, pipe ducts, water meter cabinets, pump rooms and tank rooms for various building services (which do not form part of the Residential Car Park Common Areas or the Residential Common Areas), refuse storage and material recovery chambers, electrical rooms and ducts, electrical meter rooms, top roofs (flat roofs), telecommunications and broadcasting rooms, flushing water meter room, water meter room, automatic meter reading room, fresh air ducts, fire service control room and ducts, emergency generator rooms, space for hose reels, transformer rooms, town gas rooms, low voltage switch rooms, staircase pressurization room and ducts, lobby pressurization ducts, exhaust air duct, staircases, lift lobby, concrete fill, smoke extraction system for pressurized lobby and staircase, electrical duct room, air duct, electrical meter cabinet, hose reel nozzle and part of the Maintenance and Repair Access;
 - (III) the Parking Information System Area;
 - (IV) the External Walls of the Development (excluding those forming parts of the Residential Common Areas or parts of the Non-residential Areas);

and all other common parts specified in Schedule 1 to the Building Management Ordinance (Cap.344) (if any) within the Lot and the Development designed or intended for common use and benefit of the Owners and not otherwise specifically assigned to or for the exclusive use of an Owner (which do not form part of the Units, the Residential Car Park Common Areas or the Residential Common Areas). The Development Common Areas are for the purpose of identification shown and coloured Yellow on the plans (certified as to their accuracy by the Authorized Person) annexed to the DMC.

- (iv) **"Development Common Facilities"** means:
 - (I) Such of the Transformer Room Facilities (as defined hereinafter), cable accommodations, surface channel with cover, drains, pipes, gutters, sump pumps, trap gullies, grease trap, manholes with covers, sump pits with covers, wells (if any), sewers, wires and cables, turn-table, lifting platform for loading and unloading, water tanks, aerial broadcast distribution facilities, telecommunications network facilities, underground cable ducts, cable draw pits, gondola system, electrical and mechanical installation servicing the Development Common Areas and other services facilities whether ducted or otherwise which are or at any time may be in, under or over or passing through the Lot and the Development through which water, sewage, gas, electricity and any other services are supplied to the Lot and the Development or any part or parts thereof;
 - (II) lighting facilities including lamp posts and façade lighting within the Development which are for the use and benefit of the Lot and the Development and not for the use or benefit of a particular Unit;
 - (III) fire prevention and fire fighting installations and equipment within the Development which are for the use and benefit of the Lot and the Development and not for the use or benefit of a particular Unit;
 - (IV) security system installations and equipment;
 - (V) lift installations and equipment;
 - (VI) the Facilities, Installations and Equipment;

and other facilities and systems for the common use and benefit of the Lot and the Development and not for the use or benefit of a particular Unit exclusively.

For the avoidance of doubt, the term "Development Common Facilities" shall not include those facilities, equipment and other like structures forming part of the Residential Car Park Common Facilities or the Residential Common Facilities.

- (v) **"Residential Car Park Common Areas"** means those parts of the Lot and the Development (excluding those parking spaces shown and delineated on the car park layout plan approved by the Building Authority) and all other common parts specified in Schedule 1 to the Building Management Ordinance (Cap.344) (if any) within the Lot and the Development designed or intended for the common use and benefit of the Owners of the Residential Car Parks (which do not form part of the Units, the Residential Common Areas or the Development Common Areas) and not otherwise specifically assigned to or for the exclusive use of the Owner of a particular Residential Car Park and shall include but not limited to the fireman's lift lobby and protected lobby to a required staircase, circulation and manoeuvring spaces, electrical meter rooms, lobby pressurization duct, staircase pressurization duct, ramp, air duct, staircases, lobbies and driveways. The Residential Car Park Common Areas are for the purpose of identification shown and coloured Indigo on the plans (certified as to their accuracy by the Authorized Person) annexed to the DMC.
- (vi) **"Residential Car Park Common Facilities"** means those facilities and equipment for the common use and benefit of the Owners of the Residential Car Parks but not other parts of the Development and not for the use and benefit of a particular Residential Car Park exclusively and shall include but not limited to electrical and mechanical installation, plant and machinery, drop-gate, mechanical ventilation system and security system but shall exclude the Residential Common Facilities and the Development Common Facilities.
- (vii) **"Residential Common Areas"** means those parts of the Lot and the Development designed or intended for the common use and benefit of the Owners of the Residential Units of the Development (which do not form part of the Units, the Residential Car Park Common Areas or the Development Common Areas) and not otherwise specifically assigned to or for the exclusive use of an Owner of a Residential Unit and shall include but not limited to:-
 - (I) the Recreational Areas;
 - (II) the Visitors' Car Parks;
 - (III) loading and unloading spaces provided pursuant to Special Condition No. (30)(a)(i) of the Government Grant;
 - (IV) one space for parking of motor vehicles by disabled persons provided out of the Visitors' Car Parks pursuant to Special Condition No. (29)(c)(i) of the Government Grant ("**Residential Car Parking Space for Disabled Persons**");
 - (V) the fireman's lift lobby and protected lobby to a required staircase, acoustic fin, entrance lobbies, lift lobbies, lift pits, lift shafts, lift overruns, mail boxes, staircases, transfer plates, parapet walls, temporary refuge spaces, flat roofs, roofs, electrical meter rooms and cabinets, water meter cabinets, refuse storage and material recovery rooms, architectural features, top of balconies, refuge roofs, electrical ducts, pipe duct rooms and pipe ducts, space for hose reels, lift machine rooms, top roofs, planters, lawns, landscaped areas, extra low voltage rooms and ducts, pump rooms and tank rooms for various building services (which do not form part of the Units, the Residential Car Park Common Areas or the Development Common Areas), fan rooms, telecommunications and broadcasting room, potable and flushing water upfeed plant room, caretaker's counters, management office (including accessible toilet), caretakers quarters, low voltage switch rooms, town gas rooms, covered landscape area, cable duct, common area for maintenance, reinforced concrete cover for balcony, utility platform and air-conditioner platform below, top of transfer plate, water features, footbridges, outdoor swimming pools, pool decks, jacuzzi, emergency generator rooms and part of the Maintenance and Repair Access;
 - (VI) portions of the External Walls being at the Ground Floor level and above (as for the purpose of identification shown and coloured Green on the elevation plans (certified as to their accuracy by the Authorized Person) annexed to the DMC);
 - (VII) any structural or load bearing element of the Development which only serves or supports the Residential Units (or any or some of them) and external finishes of the Development attached to such structural or load bearing element; and
 - (VIII) part of the Greenery for the purpose of identification as shown by Indigo Dashed Line and coloured Green Stippled Black and Green Stippled Black Cross Black on the plans (certified as to their accuracy by the Authorized Person) annexed to the DMC.

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SUMMARY OF DEED OF MUTUAL COVENANT

and all other common parts specified in Schedule 1 to the Building Management Ordinance (Cap.344) (if any) within the Lot and the Development designed or intended for the common use and benefit of the Owners of the Residential Units and not otherwise specifically assigned to or for the exclusive use of an Owner of a Residential Unit. The Residential Common Areas are for the purpose of identification shown by Indigo Dashed Line and/or coloured Green, Green Stippled Black, Green Cross Black and Green Stippled Black Cross Black on the plans (certified as to their accuracy by the Authorized Person) annexed to the DMC.

(viii) **"Residential Common Facilities"** means those facilities and ancillary equipment for the common use and benefit of the Owners of the Residential Units and not for the use and benefit of a particular Residential Unit exclusively and shall include but not limited to the EV Facilities for Visitors' Car Parks, EV Facilities for Residential Car Parking Space for Disabled Persons, Recreational Facilities, water tanks, water pumps, drains, pipes, gutters, sewers, fire prevention and firefighting system, wires and cables, electrical equipment, air-conditioning or mechanical ventilation installation, lighting, security system, gas pipes, air-conditioning system, telecommunications network facilities, lifts, escalators and sanitary fittings and installations for the use and benefit of the Residential Units but shall exclude the Residential Car Park Common Facilities and the Development Common Facilities.

(b) The number of undivided shares assigned to each residential property in the Phase:

Tower	Tower 5			
Floor* Flat	3/F	5/F-17/F	18/F-29/F	30/F
A	592	543	543	566
B	313	313	313	313
C	319	319	319	319
D	318	318	318	318
E	318	318	318	318
F	317	317	317	317
G	314	314	314	314
H	339	362	362	377
J	360	367	362	377
K	-	-	314	314
L	-	-	318	318
M	436	435	435	451

*Note: There is no designation of 4/F, 13/F, 14/F and 24/F and no designation of Flat I in Tower 5.

(c) The term of years for which the manager of the Phase is appointed:

Subject to the provisions of the Building Management Ordinance (Cap.344), the appointment of the Management Company as the Manager of the Lot and the Development (comprising the Phase) shall be for an initial period of two (2) years from the date of the DMC and shall continue thereafter until termination of the appointment in accordance with the provisions of the DMC.

(d) The basis on which the management expenses are shared among the owners of the residential properties in the Phase:

The Owners of each of the Units shall pay to the Manager monthly in advance the Management Fee in proportion to the Management Shares as set out in the Second Schedule to the DMC PROVIDED THAT no Owner shall be called upon to pay more than his appropriate shares of the Management Expenses as stated in the following:

- (i) where any expenditure relates to or is for the benefit of the Lot and the Development (but does not relate solely to or is not solely for the benefit of any Unit, Residential Common Areas, Residential Car Park Common Areas, Residential Common Facilities and/or Residential Car Park Common Facilities), the Development Common Areas and/or the Development Common Facilities the full amount of such expenditure shall be apportioned between all the Owners of the Development in proportion to the number of Management Shares held by them;
- (ii) where any expenditure relates solely to or is solely for the benefit of the Residential Units (but does not relate solely to or is not solely for the benefit of any particular Residential Unit), the Residential Common Areas and/or the Residential Common Facilities the full amount of such expenditure shall be apportioned between the Owners of the Residential Units in proportion to the number of Management Shares held by them;
- (iii) where any expenditure relates solely to or is solely for the benefit of the Residential Car Parks (but does not relate solely to or is not solely for the benefit of any particular Residential Car Park), the Residential Car Park Common Areas and/or the Residential Car Park Common Facilities the full amount of such expenditure shall be apportioned between the Owners of the Residential Car Parks in proportion to the number of Management Shares held by them provided that a proportion of the expenditure relating to the Residential Car Park Common Areas and/or the Residential Car Park Common Facilities as determined by the Manager pursuant to Clause (1)(h) of the Third Schedule to the DMC by reference to the proportion of the total gross floor areas of the Residential Car Parking Space for Disabled Persons and the Visitors' Car Parks bears to the total gross floor areas of the Residential Car Parks, the Visitors' Car Parks and the Residential Car Parking Space for Disabled Persons in the Development shall be borne by and apportioned between the Owners of the Residential Units in proportion to the number of Management Shares held by them and the remaining proportion of such expenditure shall be borne by and apportioned between the Owners of the Residential Car Parks in proportion to the number of Management Shares held by them;
- (iv) where any expenditure relates solely to or is solely for the benefit of a Unit, the full amount of such expenditure shall be borne by the Owner of such Unit;

Provided that where any expenditure has been incurred solely for the benefit of an Owner or group of Owners and notwithstanding the classification of the Common Areas and the Common Facilities and the manner of the contribution to the Management Expenses set out above, the Manager may charge that expenditure directly to that Owner or those Owners in such proportion as it may reasonably determine.

(e) The basis on which the management fee deposit is fixed:

The management fee deposit of a residential property in the Phase is the sum equivalent to three (3) months' Management Fee for such property.

(f) The area (if any) in the Phase retained by the owner for that owner's own use:

Not applicable.

Notes:

1. "DMC" means the latest draft Deed of Mutual Covenant and Management Agreement in respect of the Lot and the Development (comprising the Phase).
2. Unless otherwise defined in the sales brochure, capitalized terms used in this section shall (save as expressly defined therein) have the same meaning of such capitalized terms used in the DMC. Please refer to the DMC for details.
3. For full details, please refer to the latest draft of the DMC which is free for inspection during opening hours at the sales office. A copy of the latest draft DMC is available upon request and payment of the necessary photocopying charges.