

A. 根據批地文件規定須興建並提供予政府或供公眾使用的設施

在附於一份日期為 1957 年 8 月 31 日，並登記於土地註冊處摘要編號為UB265103的歸還及地役權授予契據（下稱「歸還契據」）的圖則上所劃定及以黃色顯示的範圍（下稱「黃色範圍」）。批地文件經歸還契據修改。

B. 根據批地文件規定須由發展項目中的住宅物業的擁有人出資管理、營運或維持以供公眾使用的設施

不適用。

C. 根據批地文件規定須由發展項目中的住宅物業的擁有人出資管理、營運或維持以供公眾使用的任何休憩用地的大小

不適用。

D. 發展項目所位於的土地中為施行《建築物（規劃）規例》（第123章，附屬法例F）第22(1)條而撥供公眾用途的任何部分

不適用。

E. 在切實可行的範圍內顯示上述該等設施、休憩用地及土地中的該等部分的位置；及以與批地文件或撥出私人地方供公眾使用的契據(視屬何情況而定)中相同的顏色、格式或圖案(視何者適用而定)著色或以陰影顯示該等設施、休憩用地及土地中的該等部分的圖則

在切實可行範圍內盡量顯示上文A段所述的黃色範圍之位置的圖則在本章後部附上。

F. 公眾之使用權

不適用。

G. 批地文件、撥出私人地方供公眾使用的契據及指明住宅物業的每一公契中關於上述該等設施、休憩用地及土地中的該等部分的條文

上文A段所述的黃色範圍

(I) 歸還契據的條款

歸還契據包括以下條款 :-

- 「歸還人在此授予女皇陛下、其世襲繼承人及繼任人所有自由及不受阻撓地鋪設和使用所述污水渠或排水渠的權利，以便從所述以黃色顯示的該片土地或從所有、任何或其中一片其毗鄰的土地的污水和土壤的通過或輸送，以及在上述所提及的年期持續期間，女皇陛下、其獲授權的官員、僕人和工人，均享有完全的自由及不受阻撓的權利和自主，不時及在任何時間，為重鋪、修葺及保養上述污水渠或排水渠的所有接駁，合理和適當地進入上述以黃色顯示的該片土地」；及
- 「在所述政府租契授予的年期剩餘期間，歸還人不得在上述以黃色顯示的該片土地的任何部分上豎立任何建築物或其他構築物」。

(II) 公契的條款

公契之第二附錄B部分包括以下條款 :-

「持有每份不分割份數和持有、使用、佔用與享用其單位的專有權利之擁有人，受下列地役權、權利和特權所規限 :-

(a) 政府在政府租契下的權利

政府租契內特別例外及保留予政府完全的權利和特權，包括但不限於歸還契據所述政府自由及不受阻撓地(i)鋪設和使用已經或將要在附於歸還契據的圖則上劃定及以黃色顯示的該片土地（下稱「黃色範圍」）的表面之下建造的污水渠或排水渠，以便從黃色範圍或從所有、任何或其中一片其毗鄰的土地的污水和土壤的通過或輸送，及(ii)為重鋪、修葺及保養上述污水渠或排水渠的所有接駁，合理和適當地進入黃色範圍的權利」。

A. FACILITIES THAT ARE REQUIRED UNDER THE LAND GRANT TO BE CONSTRUCTED AND PROVIDED FOR THE GOVERNMENT, OR FOR PUBLIC USE

The area as delineated and coloured yellow ("Yellow Area") on the plan annexed to a Deed of Surrender and Grant of Easement dated 31st August 1957 and registered in the Land Registry by Memorial No. UB265103 ("Deed of Surrender") by which the Land Grant is modified.

B. FACILITIES THAT ARE REQUIRED UNDER THE LAND GRANT TO BE MANAGED, OPERATED OR MAINTAINED FOR PUBLIC USE AT THE EXPENSE OF THE OWNERS OF THE RESIDENTIAL PROPERTIES IN THE DEVELOPMENT

Not applicable.

C. THE SIZE OF ANY OPEN SPACE THAT IS REQUIRED UNDER THE LAND GRANT TO BE MANAGED, OPERATED OR MAINTAINED FOR PUBLIC USE AT THE EXPENSE OF THE OWNERS OF THE RESIDENTIAL PROPERTIES IN THE DEVELOPMENT

Not applicable.

D. ANY PART OF THE LAND (ON WHICH THE DEVELOPMENT IS SITUATED) THAT IS DEDICATED TO THE PUBLIC FOR THE PURPOSES OF REGULATION 22(1) OF THE BUILDING (PLANNING) REGULATIONS (CAP. 123 SUB. LEG. F)

Not applicable.

E. A PLAN THAT SHOWS THE LOCATION OF THOSE FACILITIES AND OPEN SPACES, AND THOSE PARTS OF THE LAND MENTIONED ABOVE AS FAR AS IT IS PRACTICABLE TO DO SO; AND THAT HAS THOSE FACILITIES AND OPEN SPACES, AND THOSE PARTS OF THE LAND, COLOURED OR SHADED IN THE SAME COLOUR, FORMAT OR PATTERN (AS APPLICABLE) AS IN THE LAND GRANT OR THE DEED OF DEDICATION (AS THE CASE MAY BE)

A plan showing the location of the Yellow Area mentioned in paragraph A above as far as it is practicable to do so is appended hereto at the end of this Section.

F. GENERAL PUBLIC'S RIGHT TO USE

Not applicable.

G. PROVISIONS OF THE LAND GRANT AND DEED OF DEDICATION, AND OF EVERY DEED OF MUTUAL COVENANT IN RESPECT OF THE SPECIFIED RESIDENTIAL PROPERTY, THAT CONCERN THOSE FACILITIES AND OPEN SPACES, AND THOSE PARTS OF THE LAND MENTIONED ABOVE

The Yellow Area mentioned in paragraph A above

(I) Provisions of the Deed of Surrender

The Deed of Surrender contains the following provisions:-

- "the Surrenderor doth hereby grant unto Her said Majesty Her Heirs and Successors ALL THAT the free and uninterrupted right of laying and using the said sewer or drain for the passage or conveyance of sewage water and soil from the said piece of land coloured yellow aforesaid or from all any or either of the lands adjoining the same AND ALSO full free and uninterrupted right and liberty for Her Majesty Her authorized officers servants and workmen from time to time and at all times during the continuance of the term of years hereinbefore mentioned to enter into and upon the said piece of land coloured yellow aforesaid for the purposes of relaying repairing and maintaining all such connections with the said sewer or drain as may be reasonable and proper in that behalf"; and
- "the Surrenderor shall not during the residue of the term of years granted by the said Crown Lease erect any buildings or other structures on any part of the said piece of land coloured yellow aforesaid".

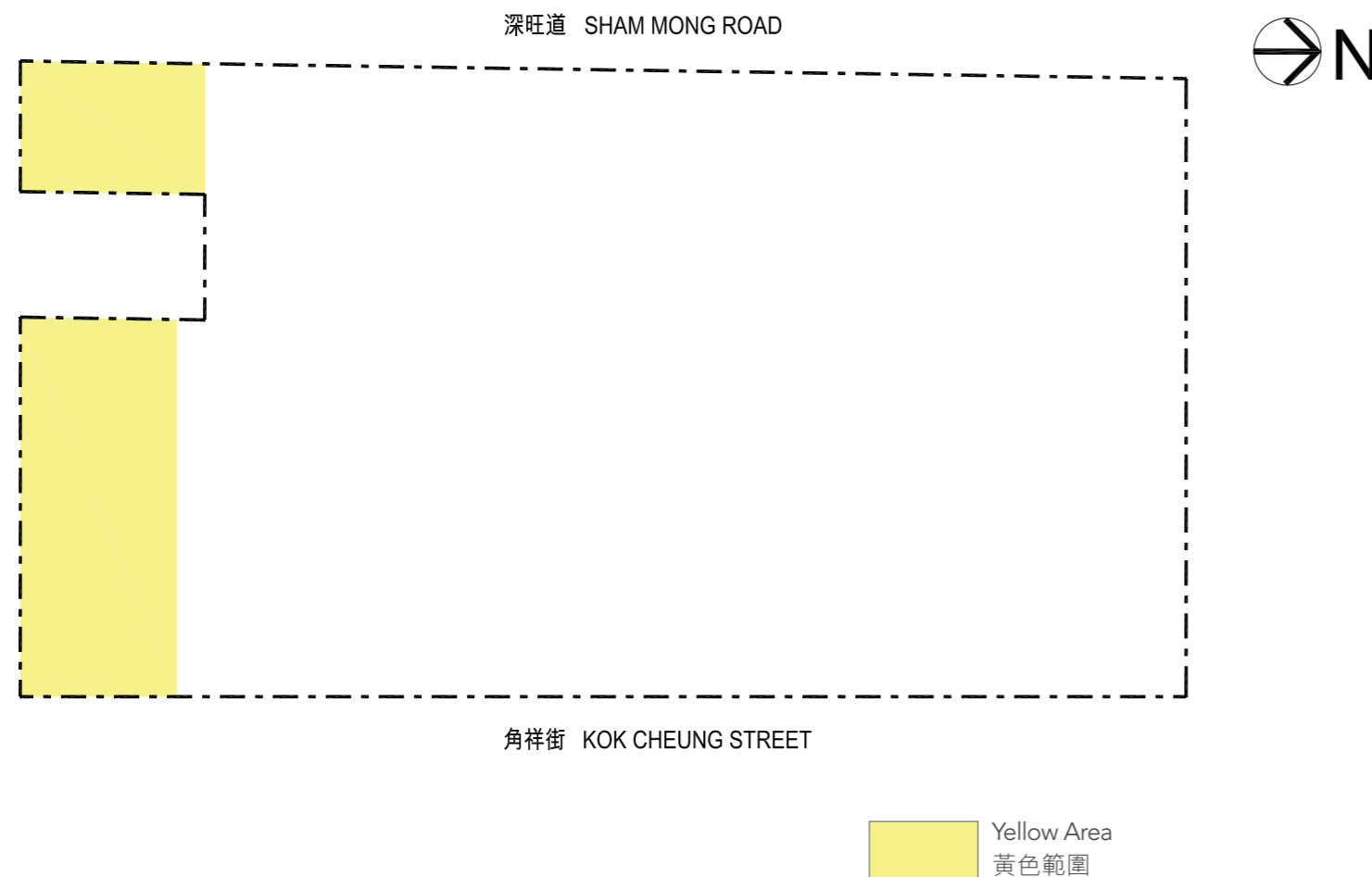
(II) Provisions of the Deed of Mutual Covenant

Part B of the Second Schedule to the Deed of Mutual Covenant contains the following provisions:-

"The following are the easements, rights and privileges subject to which the Owner of each Undivided Share and the exclusive right to hold, use, occupy and enjoy his Unit is held :-

(a) Government's right under Government Grant

The full rights and privileges of the Government specifically excepted and reserved in the Government Grant, including but not limited to the free and uninterrupted rights of the Government as set forth in the Deed of Surrender to (i) lay and use the sewer or drain which has been or is to be constructed beneath the surface of the piece of land as delineated and coloured yellow on the plan annexed thereto ("Yellow Area") for the passage or conveyance of sewage water and soil from the Yellow Area or from all any or either of the lands adjoining the same and (ii) enter into and upon the Yellow Area for the purposes of relaying, repairing, and maintaining all such connections with the said sewer and drain as may be reasonable and proper in that behalf".



Note : Not to scale. This plan is for identification purpose only.
備註：不按比例，圖則僅供識別用途。