



地政總署
法律諮詢及田土轉易處
LEGAL ADVISORY AND CONVEYANCING OFFICE
LANDS DEPARTMENT

電話 Tel: 2231 3725
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本署檔號 Our Ref: LACO 11/316/2002 SF4
來函檔號 Your Ref:

11 March 2005

By fax (2845 3467) & By Post

Messrs Cheung, Chan & Chung
Solicitors & Notaries
Unit 5505, 55th Floor, Hopewell Centre
No. 183 Queen's Road East, Wanchai
Hong Kong

Dear Sirs,

KIL 11076
Hunghom Peninsula

I am instructed to write to you as follows.

It was noted from the 1 February issue of the Hong Kong Economic Journal that your client proposes to carry out works which would involve combining smaller residential units into bigger units. I am also informed that your client's representative met with the Buildings Department on 16 February 2005. The Buildings Department was informed of proposals for the combining of flats into duplex flats and of other works.

The Conditions of Grant as they currently stand mean that any deviation from the Master Layout Plan ("the original Plan") and/or the Approved Landscaping Proposals would require a modification to the Conditions of Grant. The original Plan includes a Typical Floor Plan which shows, amongst other things, the internal and external dimensions of residential units. The combining of one or more residential units into one unit would result in a non-compliance with the Typical Floor Plan necessitating a lease modification. Additionally, the original Plan contains plans for each of the First to the 7th Floors in the development. Those plans also show internal and external walls for flats. Any deviation from them would require a lease modification.

On 7th March 2005, District Lands Office/Kowloon West received a revised Master Layout Plan ("the revised Plan") for KIL 11076 from Sun Hung Kai Real Estate Agency Ltd on behalf of your client. The revised Plan differs from the original Plan. The revised Plan contains a Typical Floor Plan and Plans for the First to the Seventh Floors not showing any internal or external divisions or walls.

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It may be that the revised Plan differs from the original Plan in other aspects.

In the absence of a lease modification, deviation from the original Plan or the Approved Landscaping Proposals would constitute a breach of the Conditions of Grant.

Should your client wish to effect any deviations from the original Plan or the Approved Landscaping Proposals an application for lease modification should be made to the District Lands Officer, Kowloon West. Although time has not allowed for the Valuation Section of this Department to assess the premium that would be payable for the modification, it would be a condition of Government agreeing to a modification that premium is paid for any increase in value on account of the modification.

Should you and/or your client wish to have a meeting to discuss aspects of your proposals, please let me know. Depending on the nature of your enquiries, we could arrange for other interested departments to be represented at such a meeting if you think that worthwhile.

Yours faithfully,



(A.L. Robertson)
Assistant Director/Legal
for Director of Lands

c.c. SHPL (Attn : Ms Mable Chan) - 2537 5139
D of H (Attn : Miss Joey Lam) - 2761 7445

Internal

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