**COMHAIRLE CHONTAE ÁTHA CLIATH THEAS
SOUTH DUBLIN COUNTY COUNCIL**

**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 12th October 2015**

**ITEM NO. H – I (8) (a)**

**Re: Disposal of laneway to rear of 1 Drumcairn Drive, Fettercairn,**

 **Tallaght, Dublin 24**

The owner of the property at 1 Drumcairn Drive, Fettercairn, Tallaght, Dublin 24, Ms. Carol Stamps, applied to the Council to purchase a portion of the laneway located to the rear of both her own dwelling and that of 17 Kilcarrig Close. The houseowner in 17 Kilcarrig Close has no objection to the proposed disposal.

The matter was referred to the Council’s Valuer for examination and he has recommended the following terms which he considers to be fair and reasonable and which have been accepted by the Applicant.

Accordingly, I now recommend that the Council disposes of the portion of laneway comprising an area of 15 square metres or thereabouts to the rear of 1 Drumcairn Drive, Fettercairn, Tallaght, Dublin 24 as shown outlined in red on the attached Drawing No. LA/24/15 to the respective houseowner, Ms. Carol Stamps, in accordance with Section 211 of the Planning and Development Act, 2000 and subject to the provisions of Section 183 of the Local Government Act, 2001 subject to the following terms and conditions as recommended by the Council’s Valuer:-

1. That the Council disposes of the subject plot for the consideration of €250 (two hundred and fifty euro) plus VAT (if applicable).
2. That the subject plot is shown outlined in red on the attached Drawing No. LA/24/15 having a net area of 15 square metres or thereabouts.
3. That the land is disposed of with full freehold title and vacant possession.
4. That the Applicant shall incorporate the area and any boundary feature constructed shall be in accordance with the Planning & Development and the Building Control legislation.
5. That the subject plot is not encumbered by services.
6. That the Applicant shall pay the Council’s legal fees plus VAT and outlay.
7. That the Applicant shall pay the Council’s Valuer’s fees of €250 plus VAT.
8. That the transaction is completed within 3 months of the date of the Council’s approval of the disposal.
9. That the A/Law Agent shall draft the necessary legal agreements and shall include any further terms deemed appropriate in Agreements of this nature.
10. That no contract enforceable at Law is created or intended to be created until such time as contracts have been exchanged.
11. That the disposal is subject to the necessary approvals and consents being obtained.

The lands being disposed of form part of the lands acquired from Dublin City Council (formerly Dublin Corporation) in 1997 under the Scheme of Transfer of Lands pursuant to the Local Government (Dublin) Act, 1993.

Chief Executive