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

**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 8th February 2016**

**ITEM NO. H – I (7) (D)**

**Proposed disposal of plot of land to the rear of 89 Hillcrest Drive, Lucan, Co. Dublin**

The recent new owners of the property at 89 Hillcrest Drive, Lucan, Co. Dublin, Mr. Chris Lawlor and Ms. Edwina McCabe, have applied to purchase a plot of Council owned land to the rear of the property.

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 Applicants.

Accordingly, I now recommend that the Council dispose of the plot of land measuring 36 square metres or thereabouts to the rear of 89 Hillcrest Drive, Lucan, Co. Dublin as shown outlined in red on the attached Drawing No. LA/05/16 to the respective houseowners, Mr. Chris Lawlor and Ms. Edwina McCabe , 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 overall plot comprises an area of 36 square metres or thereabouts as outlined in red on Drawing No. LA/05/16.
2. That the Council shall dispose of the subject plot for the consideration of €450 (four hundred and fifty euro) plus VAT (if applicable).
3. That the land is disposed of with full freehold title and vacant possession.
4. That the Applicants shall provide evidence of their legal interest in the property satisfactory to the A/County Law Agent.
5. That the Applicants shall enter into a covenant restricting the use of the land for gardening purposes only and that no building shall be erected thereon.
6. That the Applicants shall incorporate the area and the boundary feature constructed be in accordance with the Planning & Development and the Building Control legislation.
7. That the Applicants shall pay the Council’s legal fees plus VAT and outlay.
8. That the Applicants shall pay the Council’s Valuer’s fees of €250 (two hundred and fifty euro) plus VAT.
9. That the A/Law Agent shall draft the necessary legal agreements and may include further terms and conditions or make such reasonable alterations, additions and modifications thereto as deemed appropriate.
10. That no agreement enforceable at law is created or intended to be created until exchange of contracts has taken place.
11. That the disposal is subject to the necessary approvals and consents being obtained.

The lands to be disposed of form part of lands acquired under the Dublin County Council Compulsory Purchase (Lucan By-Pass) Order 1983 for roads purposes.

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**Daniel McLoughlin**

**Chief Executive**