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

**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 14th March 2016**

**ITEM NO. H – I (13) (e)**

**Proposed disposal of plot of land adjacent to 2 Lealand Walk, Clondalkin, Dublin 22**

The houseowner at 2 Lealand Walk, Clondalkin, Dublin 22, Mr. James Fleming, applied to the Council to acquire a plot of Council owned land adjacent to his 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 Applicant.

Accordingly, I now recommend that the Council dispose of the plot of land measuring 0.015 hectares (150 square metres) or thereabouts adjacent to 2 Lealand Walk, Clondalkin, Dublin 22 as shown outlined in red on the attached Drawing No. LA/11/15 to the respective houseowner, Mr. James Fleming, 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 subject plot comprises an area of circa 0.015 hectares (150 square metres) as shown outlined in red on the attached Drawing No. LA/11/15.
2. That the Council dispose of the subject plot for the consideration of €5,000 (five thousand euro) plus VAT (if applicable).
3. That the land is disposed of with full freehold title and vacant possession.
4. That any proposed building will be set back a minimum of 2 metres from foul sewer located on footpath adjacent to subject site.
5. That the Applicant shall incorporate the area and construct a 1.8m high boundary wall of solid blocks laid on the flat, suitably rendered and capped in situ. All works to be carried out in accordance with the Planning & Development and the Building Control legislation.
6. That the Applicant holds the freehold or equivalent interest in No. 2 Lealand Walk.
7. That the Applicant shall pay the Council’s legal fees plus VAT and outlay.
8. That the Applicant shall pay the Council’s Valuer’s fees of €800 (eight hundred euro) plus VAT.
9. That each party shall use their best endeavours to complete the transaction within 3 months of adoption of the disposal resolution.
10. That the A/Law Agent shall draft the necessary legal agreements and shall include any further terms deemed appropriate in Agreements of this nature.
11. That no contract enforceable at Law is created or intended to be created until such time as contracts have been exchanged.
12. That the disposal is subject to the necessary approvals and consents being obtained.

The lands to be disposed of were acquired from Deansrath Investment Company Limited for housing purposes in 1972.

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**Daniel McLoughlin**

**Chief Executive**