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

**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 26 September 2016**

**ITEM NO. H-I 7 (c)**

**Proposed disposal of plot of land to rear 2 Lindisfarne Walk, Clondalkin, Dublin 22**

The houseowners of 2 Lindisfarne Walk, Clondalkin, Dublin 22, Mehdi & Frances Ahmed, applied to the Council to acquire the portion of laneway to the rear of their dwelling. The laneway is not in charge of the Council and is a source of anti-social behaviours. The remaining portion of the laneway to the rear of Council owned and tenanted properties i.e. Nos. 4 and 6 Lindisfarne Walk has been incorporated into the rear of the respective dwellings for some time.

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 disposes of the plot of land measuring 0.0016 hectares (16 square metres) or thereabouts to the rear of 2 Lindisfarne Walk, Clondalkin, Dublin 22 as shown outlined in red on the attached Drawing No. LA/24/16 to the respective houseowners, Mehdi & Frances Ahmed, 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/24/16 having a net area of 0.0016 hectares (16 square metres).
3. That the land is disposed of with full freehold title and vacant possession.
4. That the Applicants hold the freehold or equivalent interest in 2 Lindisfarne Walk, Clondalkin, Dublin 22.
5. That the Applicants shall incorporate the area and any boundary feature constructed shall be in accordance with the Planning & Development and the Building Control legislation.
6. That the Applicants shall pay the Council’s legal fees plus VAT and outlay.
7. That the Applicants shall pay the Council’s Valuer’s fees of €250 plus VAT.
8. That each party shall use their best endeavours to complete the transaction within 3 months of adoption of the disposal resolution.
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 lands acquired from Daniel and Johann Moynihan in 1974 for housing purposes.

**Daniel McLoughlin**

**Chief Executive**