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

**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 26 September 2016**

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

**Proposed disposal of plot of land adjacent to Dunmore Grove, Kingswood, Dublin 24 and dwelling at ‘Suncroft’, Ballymount Road, Dublin 24**

At a meeting of the Council on 13/10/14, approval was granted for disposal, by way of lease, of the above named plot of land as outlined in red on Drawing No. LA/38/14 to Catherina Donnelly, being the owner of ‘Suncroft’ – minute reference H7b)/1014 refers.

The disposal to Ms. Donnelly did not proceed as the property ‘Suncroft’ was sold. The new owner, Derek McDonnell, has now applied to acquire the subject plot on a freehold basis. The matter was referred for consideration to the Council’s Valuer who has recommended the terms and conditions as set out hereunder which are considered fair and reasonable and which have been accepted by the Applicant, Derek McDonnell.

Accordingly, I recommend that the Council disposes of the freehold interest in a plot of land measuring 0.024 hectares (240 square metres) or thereabouts adjacent to ‘Suncroft’, Ballymount Road, Dublin 24 as shown outlined in red on Drawing No. LA/38/14 to Derek McDonnell 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 €30,000 (thirty thousand euro) plus VAT (if applicable).
2. That the subject plot is shown outlined in red on the attached Drawing No. LA/38/14 having a net area of 0.024 hectares (240 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 into his existing property and any boundary feature constructed shall be in accordance with the Planning & Development and the Building Control legislation.
5. That the above proposal is subject to satisfactory title being held.
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 €800 (eight hundred euro) 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 Acting Law Agent shall draft the necessary legal agreements and 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 Crampton Housing Ltd in 2000 for open space purposes.

**Daniel McLoughlin**

**Chief Executive**