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

**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 10 April 2017**

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

**Proposed disposal of plot of land adjacent to The Lake Field, Greenogue, Rathcoole, Co. Dublin**

Con and Emer McCarthy have applied to the Council to regularise title to a plot of Council owned land, adjacent to The Lake Field, Greenogue, Rathcoole, Co. Dublin, contained within the boundary of their property for many years.

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 0.032 hectares (320 square metres) or thereabouts adjacent to The Lake Field, Greenogue, Rathcoole, Co. Dublin as outlined in red on Indicative Drawing No. D1502 LR-01A to the Applicants, Con & Emer McCarthy, 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 €3,000 (three thousand euro) plus VAT (if applicable).
2. That the subject plot is outlined in red on Indicative Drawing No. D1502 LR-01A having a net area of 0.032 hectares (320 square metres).
3. That the land is disposed of with full freehold title and vacant possession.
4. That all boundary features shall be in accordance with the Planning & Development and the Building Control legislation.
5. That the Applicant shall pay the Council’s legal fees plus VAT and outlay.
6. That the Applicant shall pay the Council’s Valuer’s fees of €250 (two hundred and fifty euro) plus VAT.
7. That each party shall use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
8. That the Law Agent shall draft the necessary legal agreements and shall include any further terms deemed appropriate in Agreements of this nature.
9. That no contract enforceable at Law is created or intended to be created until such time as contracts have been exchanged.
10. That the disposal is subject to the necessary approvals and consents being obtained.

The lands being disposed of were acquired from John Gargan in 1965 for roads purposes.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Daniel McLoughlin**

**Chief Executive**