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

**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 8th May 2017**

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

**Proposed disposal of 1A St. Patrick’s Road, Clondalkin, Dublin 22 to Patrick Costello & Theresa Gilson**

At a meeting of the Council, 9th January 2017, the elected members voted to place the Council owned property at 1A St. Patrick’s Road, Clondalkin, Dublin 22 on the market for sale by private treaty.

The matter was referred to the Council Valuer for management and co-ordination of the sale. Following a marketing process, the Valuer has recommended disposal to Patrick Costello & Theresa Gilson in accordance with agreed terms and conditions which he considers fair and reasonable.

Accordingly, I now recommend that the Council disposes of the property and site at 1a St Patricks Road, Clondalkin, Dublin 22 as outlined in red on drawing LA/1/17 to Patrick Costello & Theresa Gilson 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 property comprises a four bedroom detached residential dwelling, identified as 1A St Patricks Road, and the overall site area is shown outlined in red on drawing LA/01/17.
2. The property to be disposed of in its current condition. It is a matter for the purchaser to satisfy themselves as to the condition of the property.
3. That the disposal price in full and final settlement shall be €400,000 (four hundred thousand euro) inclusive of VAT.
4. That the Council shall transfer the full freehold title with vacant possession.
5. That the area shown coloured yellow on drawing LA/01/17 shall be retained as a wayleave by South Dublin County Council.
6. That both parties shall be responsible for their own legal fees.
7. That the disposal is subject to receipt of necessary approvals and consents, and in particular, the approval of the members at a meeting of the full Council.
8. Legal contracts cannot issue until such time as the disposal is approved by the Council
9. That the 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 each party shall use their best endeavours to complete the transfer within a reasonable time frame following the approval of the elected members.

The plot being disposed of is a combination of lands ceded to the Council by Mr Cornelius Moynihan in 2005 and a further plot acquired from Mr Cornelius Moynihan in 2016 following a Compulsory Purchase process

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**Daniel McLoughlin**

**Chief Executive**