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



**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 25 September 2017**

**ITEM NO. H-I (9) D**

**LD 1368 Proposed disposal of plot of land adjacent to 19 Sylvan Close,**

 **Kingswood Heights, Tallaght, Dublin 24**

The houseowners of 19 Sylvan Close, Kingswood Heights, Tallaght, Dublin 24 have applied to acquire a plot of Council owned land adjacent to their property.

Following consultation with Public Realm, the matter was referred to the Council’s Valuer who has recommended the following terms and conditions which are considered 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 0.0112 hectares (112 square metres) or thereabouts at 19 Sylvan Close, Kingswood Heights, Tallaght, Dublin 24 as outlined in red on the attached Drawing No. LA/08/17 to the Applicants, Caroline and Patrick Burke, 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 0.0112 hectares (112 square metres) or thereabouts and is outlined in red on the attached Drawing No. LA/08/17.
2. That the Council disposes of the subject plot for the consideration of €8,000 (eight thousand euro) plus VAT (if applicable).
3. That the subject plot is disposed of with full freehold title and vacant possession.
4. That the Applicants hold the freehold or equivalent interest in 19 Sylvan Close, Kingswood Heights, Tallaght, Dublin 24.
5. That the Applicants incorporate the area and construct a boundary feature satisfactory to South Dublin County Council’s requirements in accordance with the Planning & Development and the Building Control legislation. The new boundary wall to be built similar in scale and materials to the existing boundary to the house and the exact line to be agreed with Public Realm Department prior to construction.
6. That the Applicants pay the Council’s legal fees plus VAT and outlay.
7. That the Applicants pay the Council’s Valuer’s fees of €800 plus VAT.
8. That all parties use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
9. That the Law Agent drafts the necessary legal agreements and includes 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 to be disposed of form part of lands acquired from Owenabue Limited on 28 June 1985 for operation of the Luas network.

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**Daniel McLoughlin**

**Chief Executive**