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



**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 12 February 2018**

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

**Re: Proposed disposal of plot of land adjacent to 124 Palmerstown Woods, Clondalkin, Dublin 22**

The houseowners of 124 Palmerstown Woods, Clondalkin, Dublin 22 wish to regularise title to a plot of Council owned land located within the curtilage of their property.

The matter was referred to the Council’s Valuer for examination and he has recommended the following terms and conditions 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 0.019 hectares (190 square metres) or thereabouts at 124 Palmerstown Woods, Clondalkin, Dublin 22 as outlined in red on the attached Drawing No. LA/10/17 to the Applicants, Nisha Alexander and Shibu Koshy Thoppilazhikethu, 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 0.019 hectares (190 square metres) or thereabouts and is outlined in red on the attached Drawing No. LA/10/17.
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 124 Palmerstown Woods, Clondalkin, Dublin 22.
5. That the Council shall retain a wayleave over the area coloured yellow on Drawing No. LA/10/17.
6. That all boundary features shall be in accordance with the Planning & Development and the Building Control legislation.
7. That the Applicants pay the Council’s legal fees plus VAT and outlay.
8. That the Applicants pay the Council’s Valuer’s fees of €800 plus VAT.
9. That all parties use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
10. That the Law Agent drafts the necessary legal agreements and includes any further terms deemed appropriate in Agreements of this nature.
11. That no contract enforceable at Law is created or intended to be created until such time as contracts have been exchanged.
12. That the disposal is subject to the necessary approvals and consents being obtained.

The lands being disposed of were dedicated to South Dublin County Council in 1984 as open space and later acquired by the Council in 2006 by a Deed of Waiver from the Chief State Solicitor’s Office.

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**Daniel McLoughlin**

**Chief Executive**