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



**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 9th July 2018**

**H-I 7 (a)**

**LD 1471 Proposed disposal of plot of land at Owendoher Grove, Rathfarnham, Dublin 16 to ESB**

The Council at its meeting on 12th October 2015 approved a Part 8 infill housing development currently under construction on lands at Owendoher Grove, Ballyboden Road, Dublin 16,– Certified Minute No. H10a/1015 refers.

An application has been received from the ESB to acquire a plot of Council owned land adjacent the housing development for the erection of a substation to serve the development.

I recommend that the Council dispose of its interest in the plot of land coloured blue on Drawing No. 5000350844 comprising 7 sq. m. or thereabouts, 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:-

1. That the Council dispose of its interest in the plot of land coloured blue on Drawing No. 5000350844 comprising 7 sq. m. or thereabouts for the consideration of €10 (ten euro).
2. That the ESB shall pay a contribution in respect of the Council’s legal fees.
3. That in the event of any name change to applicant prior to formal completion of the legal transfer, the applicant must provide documentary evidence to the Council proving that the new named party is one and the same as the named applicant heretofore to enable the transfer to complete.
4. That each party shall use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
5. That the Law Agent shall draft the necessary documents and shall include any further terms deemed appropriate in Agreements of this nature.
6. That no contract enforceable at law is created or intended to be created until such time as contracts have been exchanged.
7. That the disposal is subject to the necessary approvals and consents being obtained.

The lands being disposed of were acquired from Mary Gilmore on 6th December 2000 for roads purposes.

D. McLoughlin

Chief Executive