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



**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 9th September 2019**

**H-I 7 (c)**

**LD 386F Disposal of freehold interest in plot of land to rear**

 **83 Hillcrest Drive, Lucan, Co. Dublin**

The houseowners of 83 Hillcrest Drive, Lucan, Co. Dublin, Liam and Nuala Reidy, have applied to purchase a plot of Council owned land to the rear of their property.

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 dispose of the plot of land measuring 0.016 hectares (160 square metres) or thereabouts to the rear of 83 Hillcrest Drive, Lucan, Co. Dublin as shown outlined in red on attached Drawing No. LA/10/19 to the respective houseowners, Liam and Nuala Reidy , 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 overall plot comprises an area of 0.016 hectares (160 square metres) or thereabouts as outlined in red on Drawing No. LA/10/19.
2. That the Council shall dispose of the subject plot for the consideration of €1,500 (one thousand five hundred euro) plus VAT (if applicable).
3. That the land is disposed of with full freehold title and vacant possession.
4. That the Applicants shall provide evidence of their legal interest in the property satisfactory to the Law Agent.
5. That the Applicants shall enter into a covenant restricting the use of the land for gardening purposes only and that no building shall be erected thereon.
6. That the Applicants shall incorporate the area and the boundary feature constructed be in accordance with the Planning & Development and the Building Control legislation.
7. That the Applicants shall pay the Council’s legal fees plus VAT and outlay.
8. That the Applicants shall pay the Council Valuer’s fees of €800 (eight hundred euro) plus VAT.
9. That in the event of any name change to Applicants prior to formal completion of the legal transfer, the Applicants must provide documentary evidence to the Council proving that the new named party is one and the same as the named Applicants heretofore to enable the transfer to complete.
10. That the Law Agent shall draft the necessary documents and include any further terms deemed appropriate in Agreements of this nature.
11. That no agreement 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 to be disposed of form part of lands acquired under the Dublin County Council Compulsory Purchase (Lucan By-Pass) Order 1983 for roads purposes.

**Daniel McLoughlin**

**Chief Executive**