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



**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 13th January 2020**

**H-I 8 (a)**

**LD 526 Proposed freehold disposal of plot of land to the rear of 12 Wellington Park, Templeogue, Dublin 6**

At its meeting on 13th July 2015 the Council approved the leasehold disposal of a plot of land to the rear of 12 Wellington Park, Templeogue, Dublin 6 as outlined in red on attached Drawing No. LA/37/08 to houseowners Seamus and Veronica Lawless – CEO Dev/45/15 and Certified Minute No. H8b/0715 refer.

The houseowners are now considering selling their property and have been advised to purchase the freehold interest in the plot of land above.

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 its freehold interest in the plot of land measuring 325 square metres or thereabouts to the rear of 12 Wellington Park, Templeogue, Dublin 6 as outlined in red on attached Drawing No. LA/37/08 to the respective houseowners, Seamus and Veronica Lawless, 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 of approximately 325 square metres is shown outlined in red on the attached Drawing No. LA/37/08.
2. That the subject plot is held under indenture of lease dated 28 July 2016 between Seamus and Veronica Lawless and the Council for a term of 999 years, subject to a yearly rent of €1.
3. That the Council dispose of the freehold interest in the subject plot for the consideration of €5,000 (five thousand euro) plus VAT (if applicable).
4. That the Applicants hold the freehold or equivalent interest in 12 Wellington Park, Templeogue, Dublin 6.
5. That the use of the subject plot is for gardening purposes only.
6. That any boundary feature constructed shall be in accordance with the Planning & Development and the Building Control legislation.

1. That the Applicants pay the Council Valuer fee of €800 (eight hundred euro) plus VAT.
2. That the Applicants pay the Council’s legal fees plus VAT and outlay.
3. That the Applicants shall be responsible for any VAT and stamp duty liability associated with this disposal.
4. 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.
5. That each party shall use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
6. That the Law Agent shall draft the necessary legal agreements and shall include any further terms deemed appropriate in Agreements of this nature.
7. That no contract enforceable at Law is created or intended to be created until such time as contracts have been exchanged.
8. That the disposal is subject to the necessary approvals and consents being obtained.

The lands being disposed of form part of the lands acquired from Mountdown Holdings in 1986 for open space purposes and registered in Council ownership in 1992.

**Daniel McLoughlin**

**Chief Executive**