**8COMHAIRLE CHONTAE ÁTHA CLIATH THEAS
SOUTH DUBLIN COUNTY COUNCIL**



**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 8th May 2023**

**H-I 7 (a)**

**LD 1551 Proposed disposal of plot of land adjacent to 20 Elm Close, Griffeen Valley, Lucan, Co Dublin to Aisling Dee and Carl Geoghegan**

Aisling Dee and Carl Geoghegan have applied to purchase a plot of Council owned land adjacent to their dwelling at 20 Elm Close, Griffeen Valley, Lucan, CoDublinto incorporate into their garden.

The matter was examined in consultation with the Council 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 its interest in the plot of land measuring 52.22 square metres or thereabouts adjacent to 20 Elm Close, Griffeen Valley, Lucan as outlined in red on the attached Drawing No. LR/09/22 to Aisling Dee and Carl Geoghegan in accordance with Section 211 & 212 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 Valuer:-

1. That the subject plot comprises an area of 55.22 square metres or thereabouts as shown outlined in red on attached Drawing No. LR/09/22.
2. That the Council disposes of the subject plot for the consideration of €10,000 (ten thousand euro) plus VAT (if applicable).
3. That the land is disposed of with full freehold title and vacant possession.
4. That the Applicants hold the freehold or equivalent interest in No. 20 Elm Close, Griffeen Valley, Lucan, Co. Dublin.
5. That the Council retains a wayleave over the portion of the subject plot shown coloured yellow on attached Drawing No. LR/09/22 and no construction works of any kind are permitted on the wayleave area.
6. That the Applicants incorporate the subject plot into the curtilage of their property and boundary feature constructed to be in accordance with the Planning and Development and the Building Control legislation. The boundary feature to be similar to the existing boundary wall and to be agreed to the written satisfaction of the Council’s Public Realm Section before commencement of works.
7. That all trees in the open space area be adequately protected and relevant measures to ensure this to be agreed with Council’s Public Realm Section prior to commencement of works.
8. That the Applicants pay €1,500 as contribution to the Council’s legal fees.
9. That the Applicants pay Council Valuer fees of €1,200 plus VAT.
10. That the Applicants are responsible for any VAT and stamp duty liability associated with this disposal.
11. That in the event of any name change to the 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.
12. That each party shall use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
13. That the Law Agent shall draft the necessary legal agreements and shall include any further terms deemed appropriate in Agreements of this nature.
14. That no contract enforceable at Law is created or intended to be created until such time as contracts have been exchanged.
15. That the disposal is subject to the necessary approvals and consents being obtained.
16. That each party shall use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
17. That the Law Agent shall draft the necessary legal agreements and shall include any further terms deemed appropriate in Agreements of this nature.
18. That no contract enforceable at Law is created or intended to be created until such time as contracts have been exchanged.
19. That the disposal is subject to the necessary approvals and consents being obtained.

The lands being disposed of form part of lands acquired by Deed of Dedication from Jetview Property Developments LTD in 1999 for the purposes of open space.

**Daniel McLoughlin**

**Chief Executive**