



With reference to the disposal of property at St. Mary's Mansions, Sean MacDermott Street, Dublin 1 to Cluid Housing Association

At the Monthly City Council Meeting held on the 3rd April 2017, Report No 128/2017 was deferred. This amended report is now being presented for approval, having been re – presented and assented to at the monthly Central Area meeting on the 11th April 2017. This report supersedes Report No 128/2017.

Housing and Community Services has requested the disposal of a property at St. Mary's Mansions, Sean MacDermott Street, Dublin 1 to Cluid Housing Association, an approved housing body and registered charity, who propose to redevelop the property to provide 80 units of residential accommodation. Cluid Housing Association is funding the development with private finance under the Social Housing Leasing Initiative. Dublin City Council will enter into a Payment and Availability Agreement with Cluid Housing Association and in turn the Council will have 100% nomination rights to the units. The property comprises an area of circa 6408 sq. m and is shown delineated in red on Map Index No. SM-2016-0406.

The Chief Valuer has reported that agreement has now been reached with Cluid Housing Association to dispose of the City Council's fee simple interest in this property, subject to the following terms and conditions:

1. That the fee simple in the property shall be disposed of under the terms of the Low Cost Sites Scheme.
2. That the disposal price shall be €127 (one hundred and twenty seven euro) plus VAT if applicable per residential unit (80 units in total).
3. That the development complies with the planning permission 2812/16.
4. That there is an inhibition on the title that the property can only be used for social housing purposes with 100% nomination rights from Dublin City Council.
5. That should the property cease to be used by Cluid Housing Association for social housing it will transfer free of charge to Dublin City Council subject to any outstanding borrowing from the Housing Finance Agency being discharged to the HFA in advance of such a transfer.
6. That the fee simple title to be transferred to Cluid Housing Association is subject to a Building Covenant and the execution of a Payment and Availability Agreement and a Capital Advance Agreement between Dublin City Council and Cluid Housing Association.
7. That Cluid Housing Association shall not sell, assign, sublet or part with possession of the premises or part thereof without obtaining the written consent of the City Council.
8. That each party shall be responsible for their own legal fees.

9. That Cluid Housing Association shall be liable for the payment of VAT or Stamp Duty should any payments arise from this disposal.
10. That the City Council reserves the right to re-enter the site and resume possession thereof should the purchaser fail to commence and complete the development for which planning permission has been granted within 24 months following the transfer of title or in the event of the purchaser's bankruptcy or insolvency save in the case of a Financial Institution which has entered into a mortgage with the purchaser for the purpose of financing the development.

Dublin City Council acquired this property under the Railway Street Area CPO 1933 and Dublin (Derelict Sites) CPO No. 2 1933 from Edward C. Harte, Mark A. Toomey, William Toomey, James Darley, Liam Devlin, Constance Eva Hatte, Myra Lucy Hatte, Lee Guinness Est. and by Vesting Order.

The dates for the performances of any of the requirements of the proposed agreement may be amended at the absolute discretion of the Executive Manager.

The disposal shall be subject to any such covenants and conditions as the Law Agent in his discretion shall stipulate.

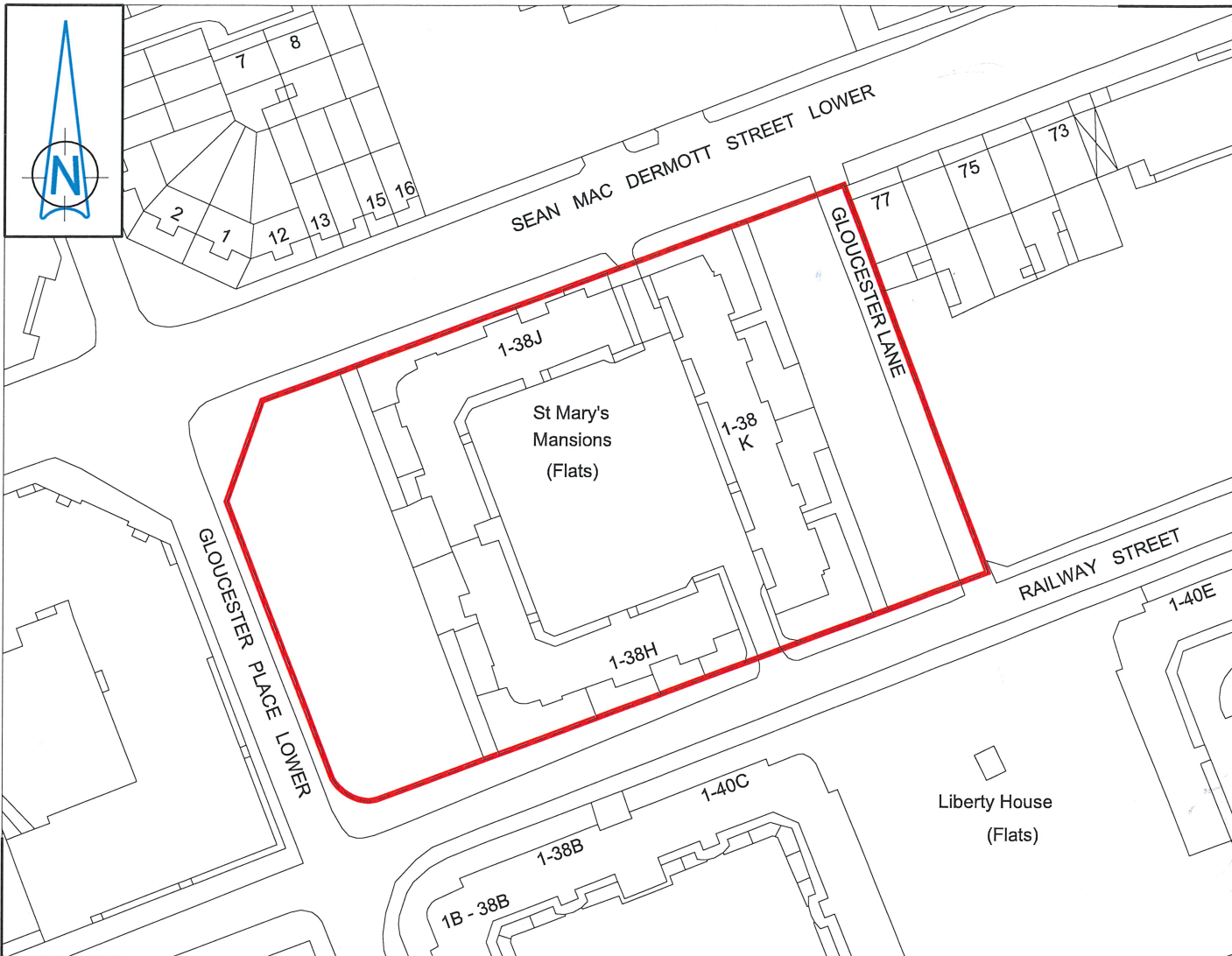
No agreement enforceable at law is created or intended to be created until an exchange of contracts has taken place.

This proposal was approved by the Central Area Committee meeting on 11th April 2017.

This report is submitted in accordance with the requirements of Section 183 of the Local Government Act, 2001.

Dated 26th day of April 2017.

Paul Clegg
Executive Manager



**ST MARY'S MANSIONS
MAP FOR DISPOSAL
DUBLIN CITY COUNCIL TO CLUID HOUSING ASSOCIATION**

----- BOUNDARY LINE BASED ON COADY ARCHITECTS SURVEY

AREA: 6408m²



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

An Roinn Comhshaoil agus Iompair
Rannán Suirbhéireachta agus Léarscáilithe
Environment and Transportation Department
Survey and Mapping Division

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ACTING CITY ENGINEER

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