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**With reference to the proposed disposal of the Council's freehold interest in the property now known as No. 3 Sundrive Road, Kimmage, Dublin 12.**

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Under Indenture of Lease dated the 10<sup>th</sup> April 1945, Dublin City Council demised a plot of land at 3 Sundrive Road, Kimmage, Dublin 12 to May Smith for a term of 150 years from 29<sup>th</sup> September 1943, subject to an annual rent of thirty pounds, twelve shillings and six pence and the erection of a three storey residential shop premises.

Tom Collins and Company, Solicitors, acting on behalf of Richard Hogan and Signature Trustees Services Limited as Trustees of Richard Hogan Pension Scheme, who claim to hold the lessees interest therein have applied to Dublin City Council to acquire the Council's freehold interest therein. The Law Agent advises that the applicant has proved a statutory entitlement to acquire the Council's freehold interest.

Accordingly it is proposed to dispose of the Council's freehold interest in the property now known as No. 3 Sundrive Road, Kimmage, Dublin 12 to Richard Hogan and Signature Trustees Services Limited as Trustees of Richard Hogan Pension Scheme, subject to the following terms and conditions:

1. That Dublin City Council shall dispose of the Council's freehold interest in the property now known as No. 3 Sundrive Road, Dublin 12 which said property is more particularly delineated outlined red on Map index No. SM2016-0205 for the sum of €6,000 (six thousand euro).
2. That Dublin City Council shall transfer the unencumbered freehold title or equivalent in the subject property.
3. That the applicant shall pay Dublin City Council's Valuers fee of €1,250 (one thousand, two hundred and fifty euro) plus VAT.
4. That the applicant shall pay Dublin City Council's legal fees plus VAT together with legal costs of transfer which shall be agreed with the Council's Law Agent.
5. That the applicant shall be responsible for any VAT liability associated with this disposal and indemnify Dublin City Council against same.
6. That all outstanding charges, rent, rates and taxes (if any) on the subject plots, for which the applicant is liable shall be cleared prior to the completion of the transaction.
7. That this transaction shall be completed within 3 months of statutory approval being obtained.

The land proposed to be disposed of was acquired from the Passionist Fathers, Michael Perry and John, Michael and Matthew Brown on 29<sup>th</sup> May 1940.

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 South East Area Committee at its meeting on the 12<sup>th</sup> June 2017.

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

16<sup>th</sup> June 2017

**Paul Clegg**  
**Executive Manager**



### 3 Sundrive Road, Kimmage, Dublin 12

Dublin City Council to Richard Hogan & Signature Trustees Services Ltd.  
as Trustees of Richard Hogan Pension Scheme

Disposal of Freehold

Area (194 SQm) delineated red thus: ▬



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

<b>O.S REF</b> 3328-08	<b>SCALE</b> 1:1000
<b>DATE</b> 11-05-2016	<b>SURVEYED / PRODUCED BY</b> Eoin Ging

<b>FILE NO</b>	INDEX No	FOLDER No	CODE	DWG No	REV
SM-2016-0205_0204- C3 - 001 - A.dgn					

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DUBLIN CITY COUNCIL FROM ORDNANCE SURVEY DIGITAL MAPBASE

SURVEY, MAPPING AND RELATED RESEARCH APPROVED

APPROVED *Thomas Curran 11/05/2016*  
**THOMAS CURRAN**  
ACTING MANAGER LAND SURVEYING & MAPPING  
DUBLIN CITY COUNCIL

**INDEX No.**  
**SM-2016-0205**

**JOHN W. FLANAGAN**  
PhD CEng Eur Ing FIEI FICE  
**ACTING CITY ENGINEER**



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as Trustees of Richard Hogan Pension Scheme

Disposal of Freehold

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