



With reference to the proposed grant of a Wayleave to existing services situated in the laneway at Kimmage road West, Dublin 12.

Dublin City Council is the owner the fee simple to the area of the laneway shown coloured yellow on map index No. SM-2017-0394 attached. Ben Dunne has made an application to the Council for the grant to Ben Dunne of a wayleave to any existing services situated in the area coloured yellow on Map Index No. SM-2017-0394.

It is proposed to grant a wayleave to Ben Dunne, (the Applicant), to existing services situated in the laneway at Kimmage Road West, Dublin 12 subject to the following terms and conditions which the Chief Valuer considers fair and reasonable:

1. That the Applicant shall pay the Council the sum of €3,000 (three thousand euro), plus VAT, if applicable.
2. That the Council shall grant the Applicant a wayleave to any existing services situated in the area coloured yellow on the attached Map Index No. SM-2017-0394.
3. That the Applicant holds the freehold interest in the area shown coloured pink and a right of way over the area coloured yellow on the attached Map Index No. SM-2017-0394.
4. That the Council holds the freehold interest in the area coloured yellow on the attached Map Index No. SM-2017-0394.
5. That should the Applicant require access to services situated in the area coloured yellow on Map Index No. SM-2017-0394 he shall notify the Council and agree details of the proposed works. The Applicant should he carryout works shall reinstate the area to the satisfaction of the Council.
6. That the wayleave agreement is subject to terms and conditions to be drafted by the Council's Law Agent.
7. That the Applicant shall pay the Councils valuers fees of €1,500 (one thousand five hundred euro) plus VAT and the Council legal costs which shall be agreed with the Council's Law Agent.

Dublin City Council acquired the freehold in the area coloured yellow on Map Index No. SM-2017-0394 from Mary and Myles Farrington on 24 October 1949 as part of the Crumlin South Section 2 Captains Lane CPO 1945.

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.

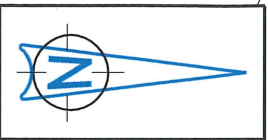
No agreement enforceable at law is created or intended to be created until an exchange of contracts has taken place.

This proposal was approved by the South Central Area Committee meeting on 19th July 2017.

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

Dated 21st July 2017.

Paul Clegg
Executive Manager



CRESENT PARK

33
34

Health and Fitness Centre

Pitch Putt Course

CAPTAINS ROAD

87 85

134

132

104 102

30

29

26

25

22

21

18

2

1

85 84

27

26

16

17

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56

KIMMAGE ROAD WEST

47

45

78

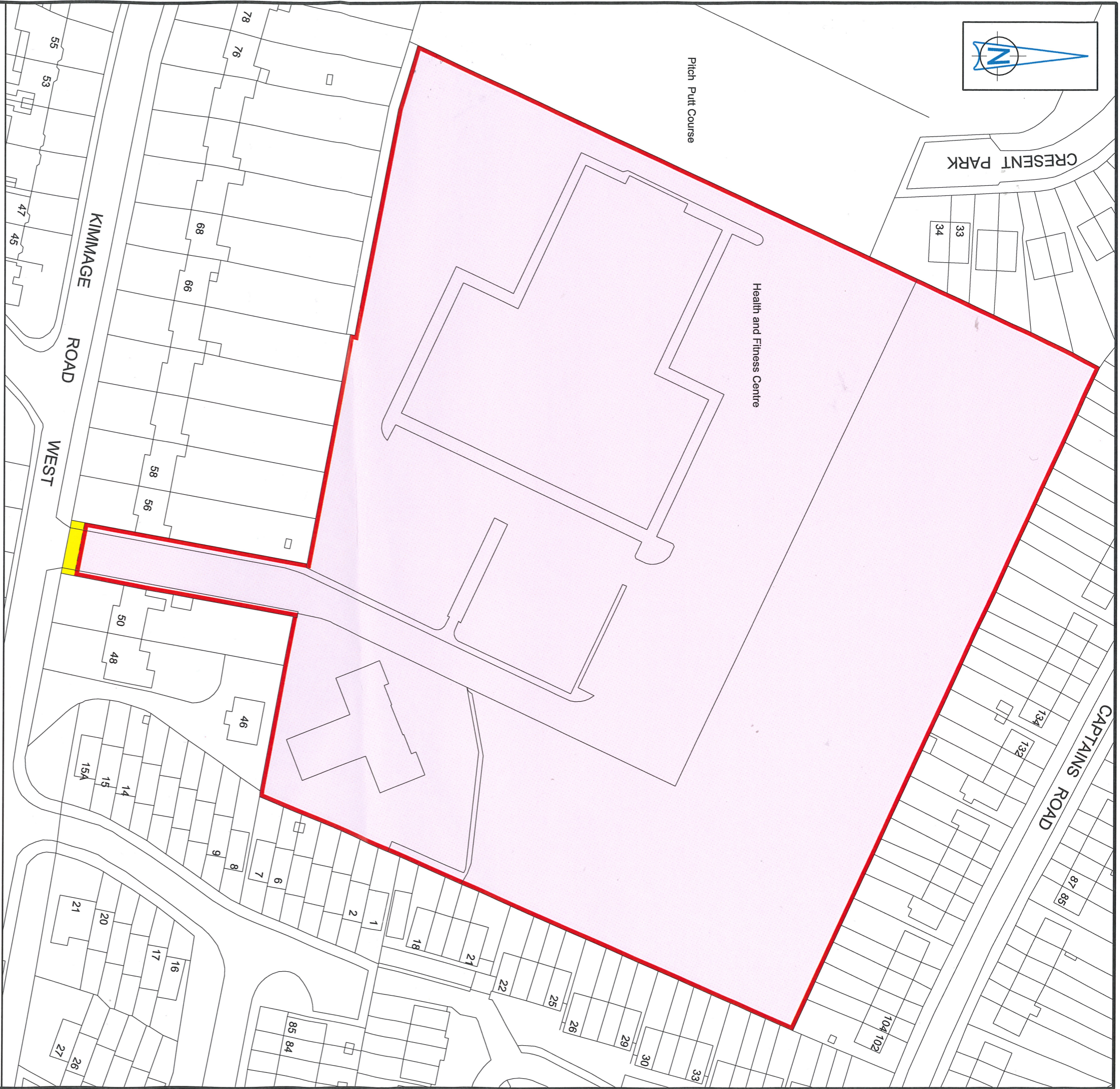
76

68

66

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53



Site at Kimmage Road West Dublin City Council to Ben Dunne

Grant of wayleave to existing services in the area coloured yellow

Right of way shown coloured yellow


Comhairle Cathrach
Bhaile Atha Cliath
Dublin City Council

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

O.S REF 3328-12	SCALE 1:1000
DATE 27-06-2017	SURVEYED / PRODUCED BY T. Curran

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

FILE NO SM-2017-0394_0204-C3-001-A.dgn	INDEX No	FOLDER No	CODE	DWG No	REV
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THIS MAP IS CERTIFIED TO BE COMPUTER GENERATED BY
DUBLIN CITY COUNCIL FROM ORDNANCE SURVEY DIGITAL MAPBASE
SURVEY, MAPPING AND RELATED RESEARCH APPROVED

INDEX No.
SM-2017-0394
(ref to 11877)

APPROVED
THOMAS CURRAN
ACTING MANAGER LAND SURVEYING & MAPPING
DUBLIN CITY COUNCIL