



With reference to the proposed disposal and acquisition of lands at Balbutcher Lane, Ballymun, Dublin 11.

To facilitate the road realignment at Balbutcher Lane under Part 8 of the Planning and Development Act an agreement has been reached between Dublin City Council and Mr. Edward O'Dwyer of St. Margaret's Property Limited for an exchange of land subject to the following terms and conditions:

1. That Dublin City Council shall dispose of its fee simple interest in Plot A which is shown coloured blue on attached Map Index Number **SM-2017-0041-001** for no consideration.
2. That Dublin City Council shall acquire the fee simple interest in Plot B which is shown coloured pink on attached Map Index Number **SM-2017-0041-001**, for no consideration.
3. That this transaction is subject to satisfactory proof of title by the applicant and Dublin City Council.
4. That prior to the completion of this transaction, the applicant shall complete all snagging works to the existing part of Hampton Wood Drive (shown coloured yellow on Map Index Number **SM-2017-0041-001**), to the written satisfaction of Dublin City Council's Roads and Drainage Services Departments.
5. That Dublin City Council shall complete the surface course to the existing part of Hampton Wood Drive - shown coloured yellow on Map Index Number **SM-2017-0041-001**
6. That in order to facilitate the completion of Hampton Wood Drive and the construction of a new junction at Balbutcher Lane/Hampton Wood Drive ("**the road construction works**"), the applicant shall permit Dublin City Council and its nominees access to the areas shown hatched in green on Map Index Number **SM-2017-0041-003** for the purposes of carrying out site investigation works.
7. That in order to facilitate the road construction works, the applicant shall permit Dublin City Council and its nominees access to the areas shown hatched orange on Map Index Number **SM-2017-0041-002** for the purposes of completing site surveys and road construction works. The final boundary of the working areas shall be confirmed and agreed between the parties prior to the commencement of construction works.
8. That prior to the commencement of the road construction works, the applicant and Dublin City Council shall engage with a view to agreeing a road

construction timeline and approximate construction period. Dublin City Council and its nominees shall complete all road construction works in an efficient and reasonable timeframe once entry is made on the applicant's land.

9. That all outstanding charges, rates and taxes (if any) on the plots shall be cleared prior to the completion of the transaction.
10. That each party shall be responsible for their own costs (including any VAT and stamp duty liability) in this matter.
11. That no agreement enforceable at law is created or intended to be created until exchange of contracts has taken place.

The land to be disposed of was acquired from Richard Warner Wilkinson in 1965.

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

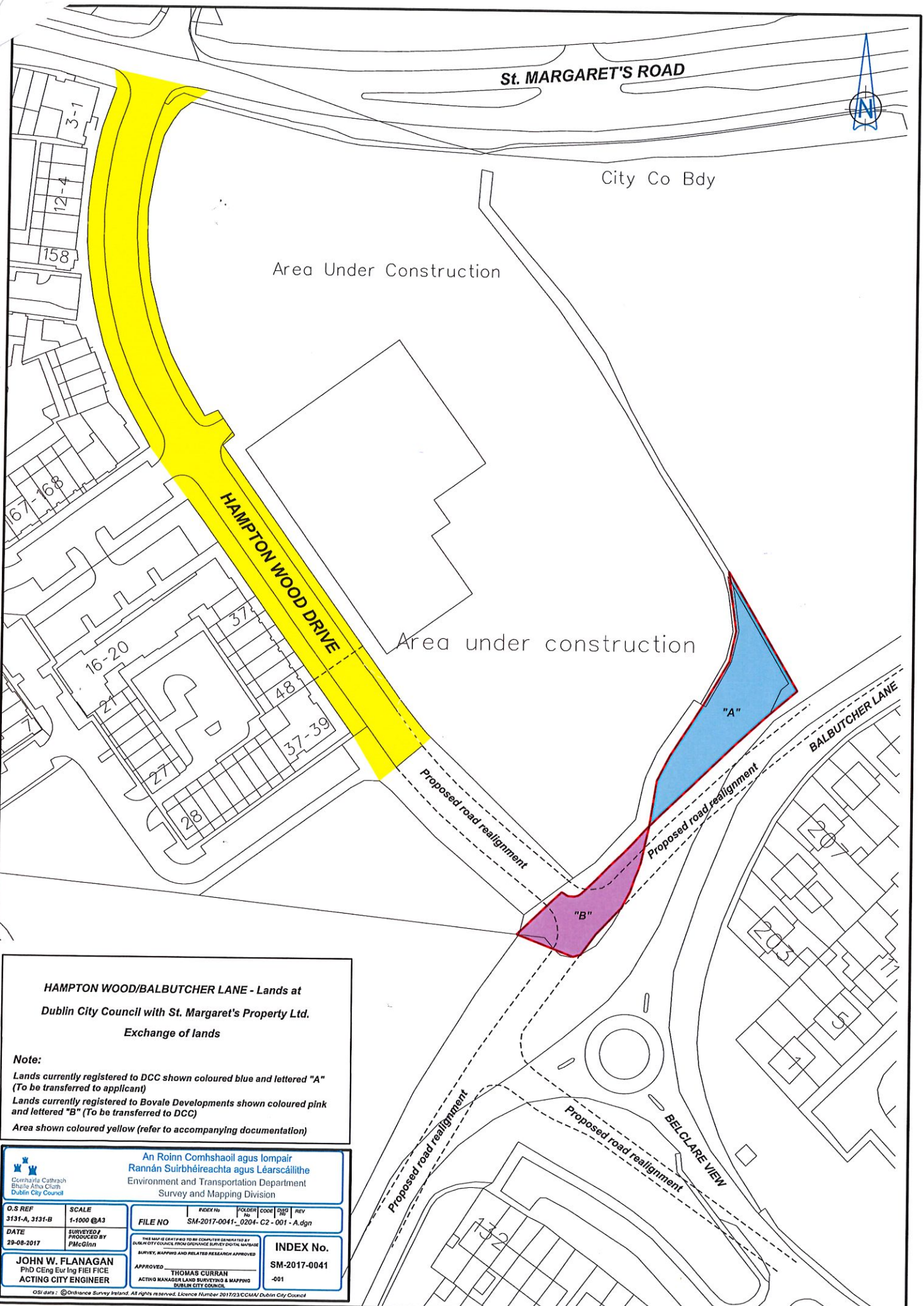
The disposal shall be subject to any such covenants and conditions as the Law Agent in his discretion shall stipulate.

This proposal was approved by the North West Area Committee at its meeting on 19th Sept 2017.

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

Dated this 20th day of September 2017.

Paul Clegg
Executive Manager



St. MARGARET'S ROAD

City Co Bdy

Area Under Construction

Area under construction

HAMPTON WOOD DRIVE

BALBUTCHER LANE

BELCLARE VIEW

Proposed road realignment

Proposed road realignment

Proposed road realignment

Proposed road realignment

**HAMPTON WOOD/BALBUTCHER LANE - Lands at
Dublin City Council with St. Margaret's Property Ltd.
Exchange of lands**

Note:
Lands currently registered to DCC shown coloured blue and lettered "A"
(To be transferred to applicant)
Lands currently registered to Bovale Developments shown coloured pink
and lettered "B" (To be transferred to DCC)
Area shown coloured yellow (refer to accompanying documentation)

<p>An Roinn Comhshaoil agus Iompair Rannán Suirbhéireachta agus Léarscáilithe Environment and Transportation Department Survey and Mapping Division</p>				
<p>O.S REF 3131-A, 3131-B</p>	<p>SCALE 1:1000 @A3</p>	<p>INDEX No SM-2017-0041_0204-C2-001-A.dgn</p>	<p>FOLDER CODE 0204</p>	<p>REV 01</p>
<p>DATE 29-08-2017</p>	<p>SURVEYED BY P.McGlinn</p>	<p>THIS MAP IS CERTIFIED TO BE CORRECTLY GENERATED BY OS/PROPERTY SOURCE FROM ORIGINATE SURVEY DATA. HARVEST SURVEY, MAPPING AND RELATED RESEARCH APPROVED</p>		
<p>JOHN W. FLANAGAN PhD CEng Eur Ing FIEI FICE ACTING CITY ENGINEER</p>		<p>APPROVED THOMAS CURRAN ACTING MANAGER LAND SURVEYING & MAPPING DUBLIN CITY COUNCIL</p>	<p>INDEX No. SM-2017-0041 -001</p>	
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St. MARGARET'S ROAD



Area Under Construction

Area under construction

HAMPTON WOOD DRIVE

BALBUTCHER LANE

BELCLARE VIEW

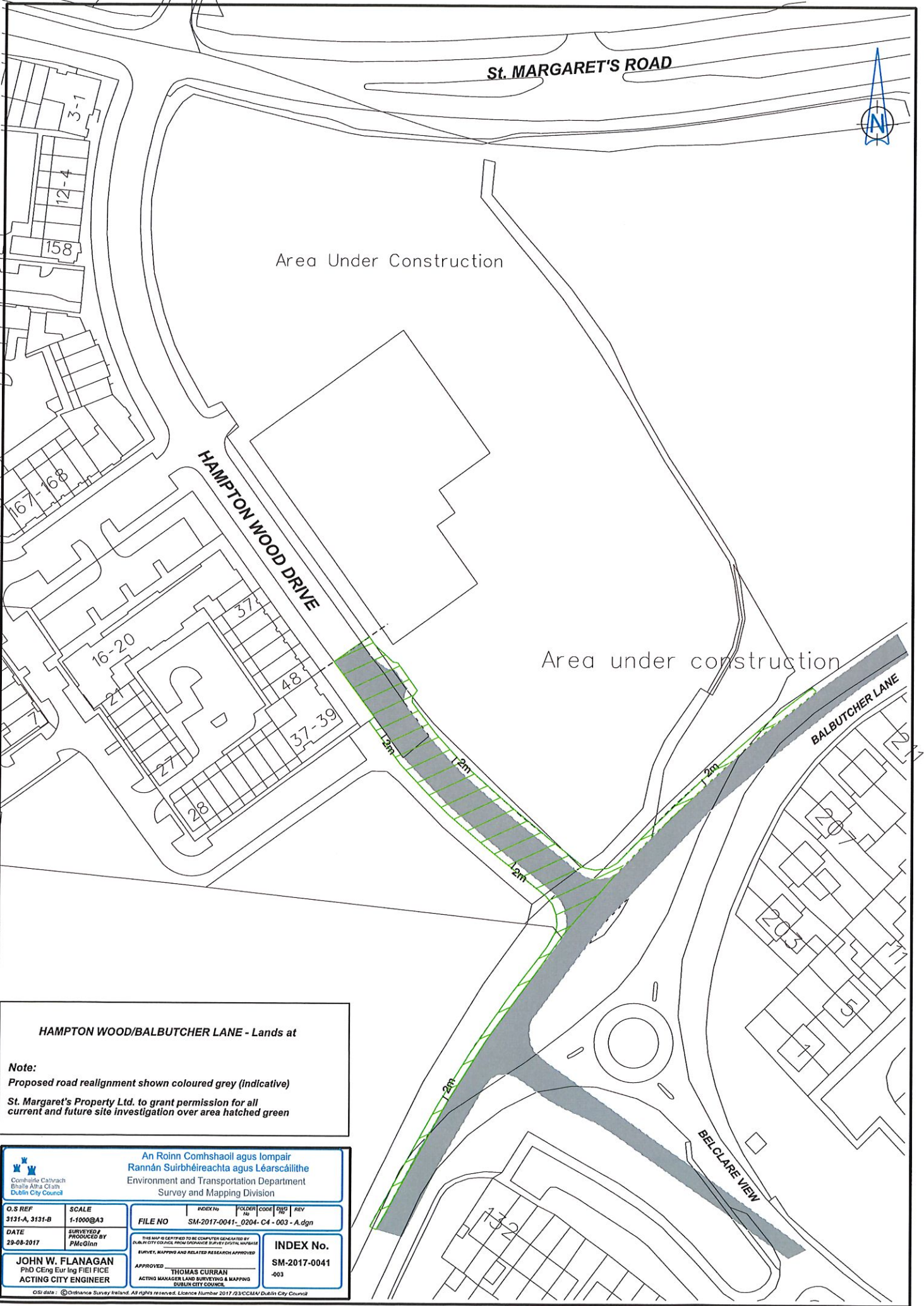
HAMPTON WOOD/BALBUTCHER LANE - Lands at

Note:
Proposed road realignment shown coloured grey (indicative)

St. Margaret's Property Ltd. to grant permission for all topographical, GPR surveys and working space for construction (dependent on development constructed) over area hatched orange

<p>An Roinn Comhshaoil agus Iompair Rannán Suirbhéireachta agus Léarscáilithe Environment and Transportation Department Survey and Mapping Division</p>			
O.S REF 3131-A, 3131-B	SCALE 1:1000@A3	FILE NO SM-2017-0041_0204- C4 - 002 - A.dgn	INDEX No. SM-2017-0041
DATE 29-08-2017	SURVEYED / PRODUCED BY FMcGlinn	APPROVED THOMAS CURRAN ACTING MANAGER SURVEYING & MAPPING DUBLIN CITY COUNCIL	INDEX No. -002
<p>JOHN W. FLANAGAN PhD CEng Eur Ing FIEI FICE ACTING CITY ENGINEER</p>			

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Area Under Construction

Area under construction

HAMPTON WOOD/BALBUTCHER LANE - Lands at

Note:
 Proposed road realignment shown coloured grey (indicative)
 St. Margaret's Property Ltd. to grant permission for all
 current and future site investigation over area hatched green

 <p>An Roinn Comhshaoil agus Iompair Rannán Suirbhéireachta agus Léarscáilithe Environment and Transportation Department Survey and Mapping Division</p>			
O.S REF 3131-A, 3131-B	SCALE 1:1000@A3	FILE NO SM-2017-0041 - 0204 - C4 - 003 - A.dgn	INDEX No. SM-2017-0041
DATE 23-08-2017	SURVEYED BY PMcGinn	APPROVED THOMAS CURRAN ACTING MANAGER LAND SURVEYING & MAPPING DUBLIN CITY COUNCIL	INDEX No. -003
<p>JOHN W. FLANAGAN PRD CEng Eur Ing FIEI FICE ACTING CITY ENGINEER</p>			

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