

**Development Department,  
Civic Offices**

9<sup>th</sup> February 2018

**To: The Chairman and Members of  
North Central Area Committee**

Meeting: 19th February 2018

Item No.

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**With reference to the proposed disposal of the Council's fee simple interest in the premises known as No. 122 Upper Drumcondra Road, Dublin 9.**

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Under Indenture of lease dated 25th July 1929, Dublin City Council demised a site at Upper Drumcondra Road to Joseph J. Flanagan for a term of 150 years from the 29<sup>th</sup> September 1928 subject to a yearly rent of £26.18.10 and the erection of two semi detached properties now known as Nos. 122 and 124 Upper Drumcondra Road, Dublin 9.

By Indenture of sub-Lease dated the 6<sup>th</sup> June 1931, the premises now known as No. 122 Upper Drumcondra Road was demised by Joseph J. Flanagan to Joseph Plunkett for a term of 147 years from the 29<sup>th</sup> September 1930.

Duncan Grehan & Partners, Solicitors acting on behalf of Eamonn and Irene Plunkett who claim to hold the sub-lessee's interest as successors to Joseph Plunkett have applied to acquire the Council's fee simple interest in No. 122 Upper Drumcondra Road, Dublin 9 which premises comprises a commercial unit on the ground floor with residential accommodation on the first floor level.

The Law Agent has advised that there is a statutory entitlement to purchase the fee simple.

Accordingly it is proposed to dispose of the Council's fee simple interest in the premises No. 122 Upper Drumcondra Road, Dublin 9 which said premises is more particularly shown outlined red on Map Index No. SM-2018-0054, to Eamonn and Irene Plunkett subject to the following terms and conditions:

1. The purchase price shall be the sum of €6,000 (six thousand euro) plus V.A.T. (if applicable).
2. That the applicants shall pay any charges which they are liable for under relevant legislation and shall clear all outstanding rent, rates and taxes (if any) on the property prior to completion of sale.
3. That the above proposal is subject to satisfactory proof of title.

4. That the applicant shall pay Valuers' Fees of €800 (eight hundred euro) plus V.A.T. together with the Council's legal fee's which will be agreed with the Council's Law Agent.
5. That the vendor shall transfer unencumbered freehold title of the lands.

The property proposed to be disposed of is City Estate property.

The proposed disposal shall be subject to such conditions as to title to be furnished, 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.

**Paul Clegg**

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**Executive Manager**

**9<sup>th</sup> August 2018**

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**Date**