

2/5/2018

To the Chairperson and Members of  
The Central Area Committee

**With reference to a proposed exchange of lands at O'Devaney Gardens, Dublin 7 with the ESB.**

---

The Housing Department are in the process of redeveloping O'Devaney Gardens and in order to facilitate the project it is necessary for the Council to exchange lands with the ESB for the construction of a new substation and the retirement of an existing one as shown on map index number SM-2018-0096.

It is proposed to exchange lands with the ESB subject to the following terms and conditions which the Chief Valuer considers fair and reasonable:

1. The ESB shall surrender (without fine or premium) the 150 year lease they hold from Dublin City Council in the site, with an area of approximately 62 square metres, coloured blue on the map index number SM-2018-0096.
2. The City Council shall transfer to the ESB (without fine or premium), the fee simple interest in the site, with an area of approximately 28 square metres, outlined red and coloured pink on map index number SM-2018-0096.
3. The City Council shall grant the ESB a right of way over the area coloured yellow on map index number SM-2018-0096 for the duration that the substation remains at this location.
4. Each party shall bear their own legal costs in the transaction.
5. There shall be no consideration.

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.

**Paul Clegg**  
Executive Manager

**2/5/2018**  
Date