

The Chairman and Members of
North West Area Committee.

Planning & Development Dept.

Meeting: 19th May 2020

Item No: 6

With reference to the proposed disposal of the Council's freehold interest in the properties known as 82 and 82B Ballymun Road, Glasnevin, Dublin 9.

Under Indenture of Lease dated 31st December 1934 between The Right Honourable The Lord Mayor Alderman and Burgesses of Dublin and Eugene Casey a site at the junction of the Ballymun Road and Mobhi Road was demised for 150 years from 25th March 1934 for an annual rent of £125 13s. The current assignee to the premises known as 82 Ballymun Road, Glasnevin, Dublin 9, Patrick Dunphy and the current assignees to the premises known as 82B Ballymun Road, Glasnevin, Dublin 9, Patrick Dunphy and Marian Dunphy, have applied to Dublin City Council to acquire the Council's fee simple interest in the properties.

Following an application for a judicial review by the County Registrar the Law Agent has confirmed that the applicants have the right to purchase the fee simple in the properties known as 82 and 82B Ballymun Road, Glasnevin, Dublin 9.

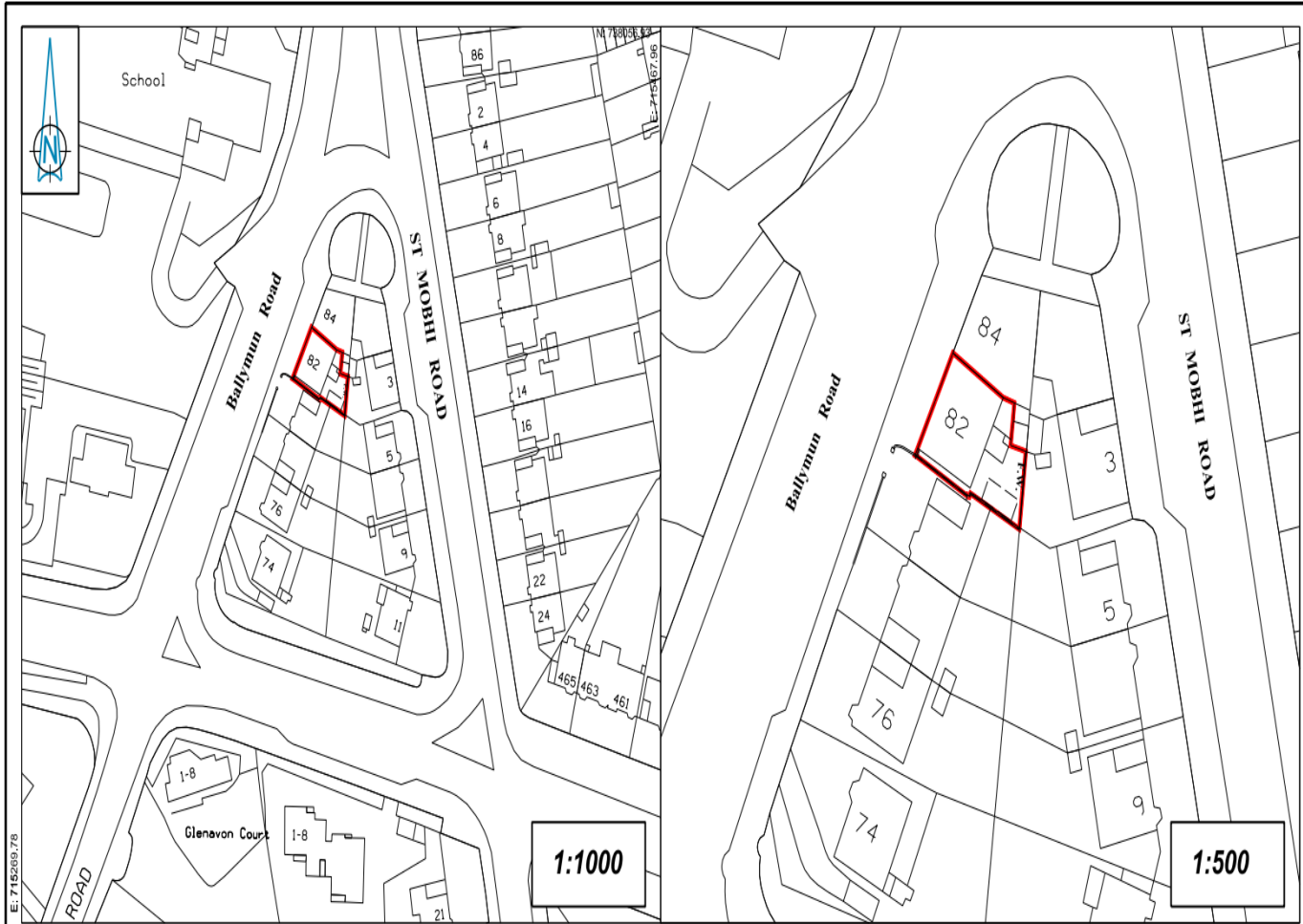
Accordingly, it is proposed to dispose of the Council's freehold interest in the property 82 Ballymun Road, Glasnevin, Dublin 9 to Patrick Dunphy and the Council's freehold interest in the property 82B Ballymun Road, Glasnevin, Dublin 9 to Patrick Dunphy and Marian Dunphy, subject to the following terms and conditions:

1. That Dublin City Council holds the Fee Simple interest in the property.
2. That the properties known as 82 and 82B Ballymun Road, Glasnevin, Dublin 9 are shown outlined in red on attached Map Index No. SM-2020-0068.
3. That 82 Ballymun Road is currently held under Indenture of Lease dated 31st December 1934 between The Right Honourable The Lord Mayor Alderman and Burgesses of Dublin and Eugene Casey for a term of 150 years from 25th March 1934 and that Patrick Dunphy currently holds the property by indenture dated 16th December 1998.
4. That 82B Ballymun Road is currently held under Indenture of Lease dated 31st December 1934 between The Right Honourable The Lord Mayor Alderman and Burgesses of Dublin and Eugene Casey for a term of 150 years from 25th March 1934 and that Patrick Dunphy and Marian Dunphy currently hold the property by indenture dated 11th September 1996.
5. That Dublin City Council shall transfer the unencumbered freehold title or equivalent in the subject plot and this proposal is subject to satisfactory proof of title.


6. That the disposal price for the City Council's freehold interest on a statutory entitlement basis for 82 Ballymun Road, Glasnevin, Dublin 9 shall be the sum of €5,500 (five thousand five hundred euro), plus VAT if applicable.
7. That the disposal price for the City Council's freehold interest on a statutory entitlement basis for 82B Ballymun Road, Glasnevin, Dublin 9 shall be the sum of €3,000 (three thousand euro), plus VAT if applicable.
8. That the applicant shall pay Dublin City Council's Valuer fee of €1200.00 (One thousand two hundred euro) plus VAT and Dublin City Council's legal fees of €1,200.00 (One thousand two hundred euro) plus VAT.
9. That all outstanding charges, rent, rates and taxes (if any) on the subject property, for which the applicant is liable shall be cleared prior to completion of the transaction.
10. That the transaction shall include any other such terms and conditions as Dublin City Council's Law Agent shall deem appropriate.
11. The dates for the performance of any requirements of the agreement may be amended at the absolute discretion of the Executive Manager.

P. Clegg

Executive Manager



82 & 82B Ballymun Road
 Dublin City Council to Patrick & Marian Dunphy
 Disposal of area (174 SQm) shown 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							
O.S REF 3197-05 3131-25	SCALE As shown	FILE NO	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: small;">INDEX No</td> <td style="font-size: small;">DWG No</td> <td style="font-size: small;">REV</td> </tr> <tr> <td colspan="3" style="text-align: center;">F:\SM-2020-0068 - 001 - A.dgn</td> </tr> </table>	INDEX No	DWG No	REV	F:\SM-2020-0068 - 001 - A.dgn		
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Dr JOHN W. FLANAGAN CEng FIEI FICE CITY ENGINEER		APPROVED THOMAS CURRAN ACTING MANAGER LAND SURVEYING & MAPPING DUBLIN CITY COUNCIL							
		INDEX No. SM-2020-0068							

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