

**The Chairman and Members of
North West Area Committee.**

**Planning & Property
Development Department**

Meeting: 19th May 2020

Item No: 8

With reference to the proposed disposal of a strip of ground, adjacent to 26 Cedarwood Green, Ballymun, Dublin 11.

An application has been received from Mr. Joe McGuirk to purchase a strip of ground adjoining his property at 26 Cedarwood Green, Ballymun, Dublin 11 to provide a new side passageway and boundary wall to his premises. The width of the passageway will be no more than 1.5m wide and will not provide development potential for the applicant. The plot in question, which is shown coloured pink and outlined in red on Map Index No, SM-2019-0940-005, has an area of approximately 38 square metres. The sale of this plot will not affect the development of the adjoining site which is in Council ownership.

It is proposed therefore to dispose of the City Council's fee simple interest, in this strip of ground to Joe McGuirk, subject to the following terms and conditions:

1. That the subject plot is shown outlined in red on the attached map Index No. SM-2019-0940-005.
2. The consideration shall be the sum of €5700 (five thousand seven hundred euros) based on a calculation of €150 per square metre i.e. €150 x 38 square metres.
3. That the applicant shall be responsible for any costs involved in incorporating the plot into their garden including the cost of construction of a boundary wall.
4. The boundary wall shall be constructed in an appropriate fashion in the same standard as current boundaries and not to exceed a height of more than 1.2 metres to the front or forward of the front of the house.
5. That the boundary wall proposal will be subject to approval by the Council's architect and the site will be surveyed by Dublin City Council, prior to the construction of the new boundary wall for setting out purposes.
6. That Dublin City Council shall transfer title in the subject plot upon certification by the Council's architect that all boundary requirements have been met.

7. That the applicant shall indemnify Dublin City Council against any and all claims arising from works and the applicants use of the subject plot, up to and until such a time that the disposal completes.
8. That the applicant holds the freehold title or equivalent interest in No. 26 Cedarwood Green, Ballymun, Dublin 11.
9. That the applicant shall be responsible for their own costs in this matter and shall also pay approximately €1,500.00 (plus VAT) towards the Council's legal fees.
10. That the applicants shall be responsible for any VAT liability associated with this disposal and indemnify Dublin City Council against same.

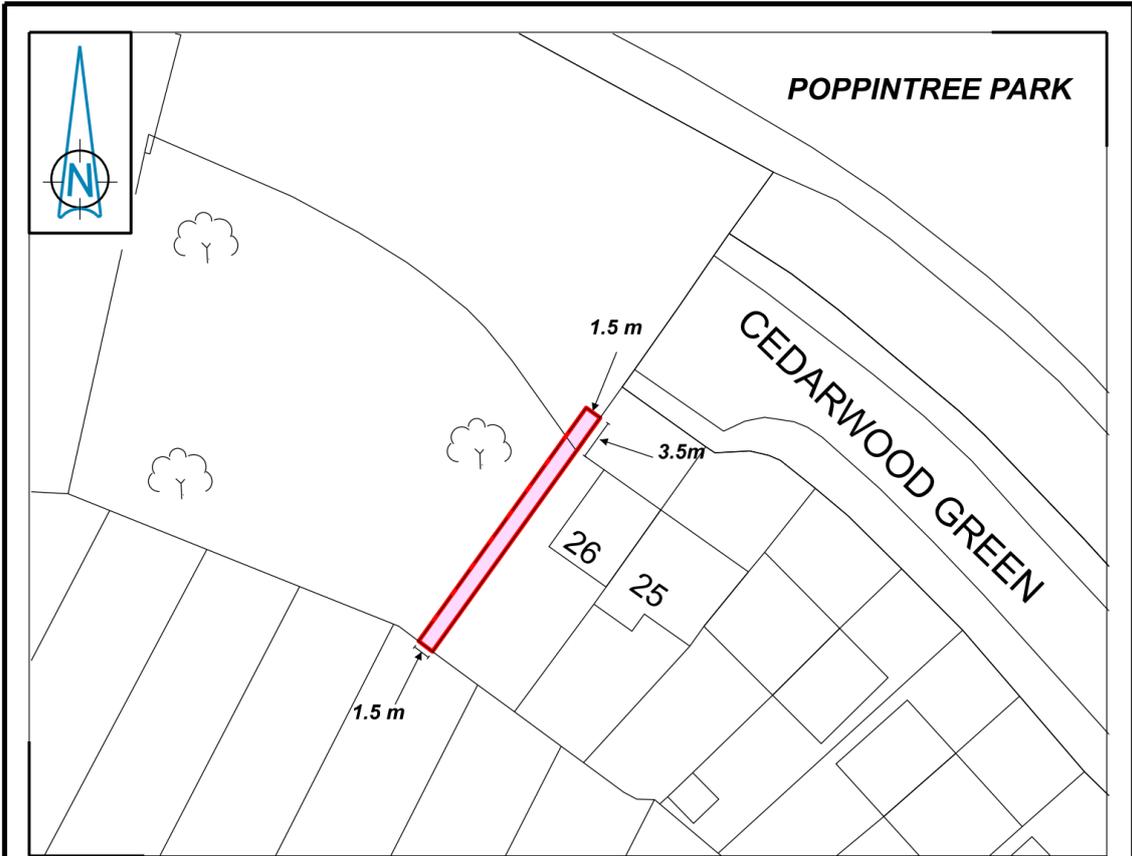
The dates for the performance of any of the requirements of the proposed disposal may be amended at the absolute discretion of the Executive Manager.

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

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

Paul Clegg

Executive Manager



CEDARWOOD GREEN, BALLYMUN, DUBLIN 11 - Lands adjoining No. 26

Dublin City Council to Joe McGuirk
Proposed disposal of freehold interest

MAP FOR AREA COMMITTEE

Area = 38 sq. metres approx.



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
 3131-08

SCALE
 1-500

DATE
 07-05-2020

**SURVEYED /
 PRODUCED BY**
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INDEX No	FOLDER No	CODE	DWG No	REV
SM-2019-0940-	0204-	C4 -	004 -	A.dgn

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 DUBLIN CITY COUNCIL FROM ORDNANCE SURVEY DIGITAL MAPBASE
 SURVEY, MAPPING AND RELATED RESEARCH APPROVED

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 CITY ENGINEER

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

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