

28/08/2020

To the Chairperson and Members of
The Central Area Committee

Meeting: 8th September 2020

With reference to the proposed disposal of a plot at 60/61 King Street North, Dublin 7.

In 1949 Dublin City Council acquired the fee simple and other interests in part of the premises 60/61 North King Street in advance of a proposed road widening CPO for the street. The road widening scheme did not proceed and there is no record of Dublin City Council ever taking possession of the part of the premises it acquired.

The Council's title is encumbered by a long standing claim of adverse possession by the owner of the rear portion of Nos. 60/61 which was not included in the property acquired in 1949.

The adjoining premises and the rear portion of Nos. 60/61 have now been acquired by Yellowline Limited and this company has applied to formally acquire the Council's title in the remainder of the premises which is currently in a state of advanced dilapidation.

Taking into consideration the limited potential of the plot in its own right, the matter of adverse possession and the lack of evidence that the Council ever took possession of the premises it is therefore proposed to dispose of the Council's interest subject to the following terms and conditions which the Chief Valuer has recommended as fair and reasonable:

1. The plot is shown delineated in red on Map Index No. SM-2020-0260 and has an area of approximately 107 m².
2. That consideration for the proposed disposal of the Councils Fee Simple Interest or equivalent shall be in the amount of €35,000 (thirty five thousand euro) plus VAT if applicable.
3. That the applicant shall pay the City Councils Valuer fees of €1,000 plus VAT and the Councils reasonable legal costs plus VAT.

The disposal shall contain such other covenants and conditions as deemed appropriate by Dublin City Council's Law Agent.

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

Helen McNamara

31/08/2020

Senior Executive Officer

Date