

27th October 2021

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

Meeting: 9th November 2021

With reference to the proposed disposal of the Council's freehold interest in the property known as 70/70a Fassaugh Avenue, Dublin 7.

Under Indenture of Lease dated 28th May 1945 a premises now known as 70/70a Fassaugh Avenue, Cabra, Dublin 7 was demised by Dublin City Council to Patrick Freeney for a term of 150 years from 29th September 1944. The current assignees Xia Ping He & Xun Xiang Chen have applied to Dublin City Council to acquire the Council's fee simple interest in the property.

The Law Department has confirmed that the lessee has a statutory entitlement to purchase of the freehold in this property in accordance with the Landlord and Tenant (Ground Rents) No.2 Act 1978. Accordingly, it is proposed to dispose of the Council's freehold interest in the property known as 70/70a Fassaugh Avenue, Cabra, Dublin 7 to Xia Ping He & Xun Xiang Chen, subject to the following terms and conditions:

1. That Dublin City Council holds the Fee Simple Interest in the property as outlined in red on Map Index No: SM-2019-1097.
2. That the property is currently held under Indenture of a Lease dated 28th May 1945 to Patrick Freeney for a term of 150 years, effective 29th September 1944.
3. That Xia Ping He & Xun Xiang Chen acquired the lease by Deed of Assignment dated 18th July 2017.
4. That the disposal price for the City Council's interest shall be the sum of €8,000 (eight thousand euro), plus VAT if applicable.
5. That the applicant is statutorily entitled to purchase the Fee Simple Interest and shall be prepared to pay all rent, rates and charges outstanding up to and including the date of sale.
6. That the applicant shall pay the City Council's Valuer's fees of €800 plus VAT and legal costs of transfer plus VAT.
7. That the transaction shall include any other such terms and conditions as Dublin City Council's Law Agent shall deem appropriate.

Paul Clegg
Executive Manager