



With reference to the proposed disposal of the Council's freehold interest in a site adjacent 50 Stella Gardens (Aikenhead Terrace) Irishtown, Dublin 4.

By way of Indenture of Lease dated 27th November 1978 the property known as No. 50 Stella Gardens (Aikenhead Terrace) Irishtown, Dublin 4 was demised by Dublin City Council to Mary and Cecelia Lester for a term of 150 years from 14th June 1976 subject to an annual rent of £0.05p. In 1978 the applicants acquired the freehold for No. 50 Stella Gardens via a Transfer Order from the Housing Department.

The plot adjacent to No. 50 Stella Gardens, shown outlined in red and shaded pink on Map Index No. 10424 was also demised by Dublin City Council to Mary and Cecelia Lester in consideration of the sum of £150 and a yearly rent of £0.05p if demanded, for the term of 150 years from 14th June 1976. The applicants now wish to acquire the freehold for this plot adjacent to their property at No. 50 Stella Gardens.

The Law Department has confirmed that the applicants do not have a statutory entitlement to purchase of the freehold in this plot in accordance with the Landlord and Tenant (Ground Rents) No.2 Act 1978. Negotiations were entered into with the Chief Valuer based on a non-entitlement basis.

Accordingly it is proposed to dispose of the Council's freehold interest in the plot adjacent to 50 Stella Gardens (Aikenhead Terrace) Irishtown, Dublin 4 shown outlined in red and shaded pink on Map Index No. 10424 subject to the following terms and conditions:

1. That Dublin City Council holds the Fee Simple Interest in the property.
2. That the property is currently held under Indenture of a Lease dated 27th January 1978 to Mary Lester and Cecelia Lester for a term of 150 years, effective 14th June 1976.
3. That the disposal price for the City Council's interest shall be the sum of €12,000 (twelve thousand euro), plus VAT if applicable.
4. That the applicant shall be prepared to pay all rent, rates and charges outstanding up to and including the date of sale.
5. That the applicant shall pay the City Council's Valuer's fees of €800 plus VAT and legal costs of transfer plus VAT.

The property proposed to be disposed of is City Estate property.

The proposed disposal shall be subject to such conditions as to title to be furnished, as the Law Agent in her discretion shall stipulate.

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

This proposal was approved by the South East Area Committee at its meeting on the 9th December 2019.

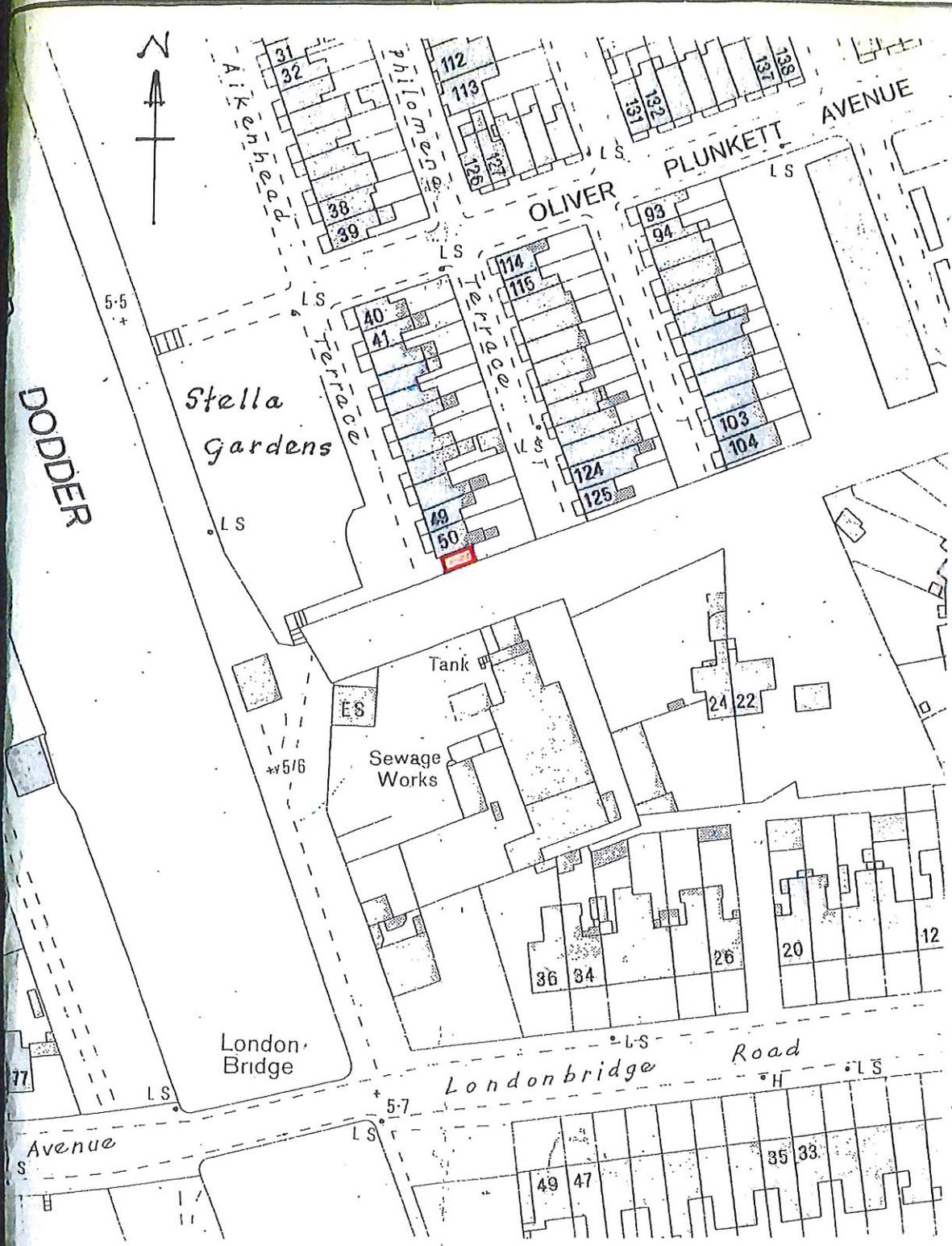
This report is submitted in accordance with the requirement of Section 183 of the Local Government Act 2001.

Resolution to be adopted:

“That Dublin City Council notes the contents of Report No 22/2020 and assents to the proposal outlined therein.”

Dated the 12th day of December 2019.

Paul Clegg
Executive Manager



The adjoining dwelling at 50 Stella Gardens

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PERMISSION
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MENT.
No 339.



BARDAS ÁTHA CLIATH

ENGINEERING DEPARTMENT
DRAWING OFFICE

SCALE
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K. O'DONNELL
DUBLIN CHIEF ENGINEER (SANITARY SERVICES)

MADE BY
L.C.

DATE
9.5.78

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