



With reference to the proposed disposal of the Council's freehold interest in the plot adjacent to 1 Pembroke Cottages Donnybrook, Dublin 4.

Under Indenture of Lease dated 29th September 1966 Dublin City Council demised a plot comprising 14.5m² adjacent to No. 1 Pembroke Cottages, Donnybrook, Dublin 4 as outlined in red on Map Index SM-2019-1131 to the ESB for a term of 150 years from the 29th September 1965 at an annual rent of 0.05p (one shilling).

On the 3rd June 1992, the ESB assigned the residue of the lease to Charles Carroll who on the 14th October 1993, in turn assigned it to Donnybrook Inns Limited.

In order to facilitate the inclusion of the plot in a proposed adjoining development the Lessee requested the release of a Restrictive Covenant contained in the Lease and the execution of a Deed of Release was approved by Order of the Executive Manager D319 dated 13th August 2019.

The subject leasehold interest has now been acquired by Domhnach Limited who have sought to purchase the Council's Freehold interest in the plot adjacent to 1 Pembroke Cottages, Donnybrook, Dublin 4.

The Law Agent's advice is that there is no statutory entitlement to purchase the fee simple in this property and the matter was referred to the Chief Valuer for negotiation on a non-entitlement basis.

It is now proposed to dispose of the Council's fee simple interest in this plot subject to the following terms and conditions which the Chief Valuer considers to be fair and reasonable:

1. The purchase price shall be the sum of €98,188 (ninety eight thousand one hundred and eighty eight euros) plus V.A.T if applicable.
2. That the applicant shall pay any charges which they are liable for and shall clear all outstanding rent, rates and taxes (if any) on the property prior to the completion of sale.
3. That the above proposal is subject to satisfactory proof of title.
4. That the subject site is shown outlined in red on attached Map Index SM-2019-1131.
5. That the applicant shall pay Valuers Fees of €1,500 (one thousand five hundred euro) plus V.A.T together with the Council's legal fee's which shall be agreed with the Council's Law Agent.

The property proposed to be disposed of was acquired by Dublin City Council in 1930 as successor in title to The Pembroke Township Commission.

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 South East Area Committee at its meeting on the 9th March 2020.

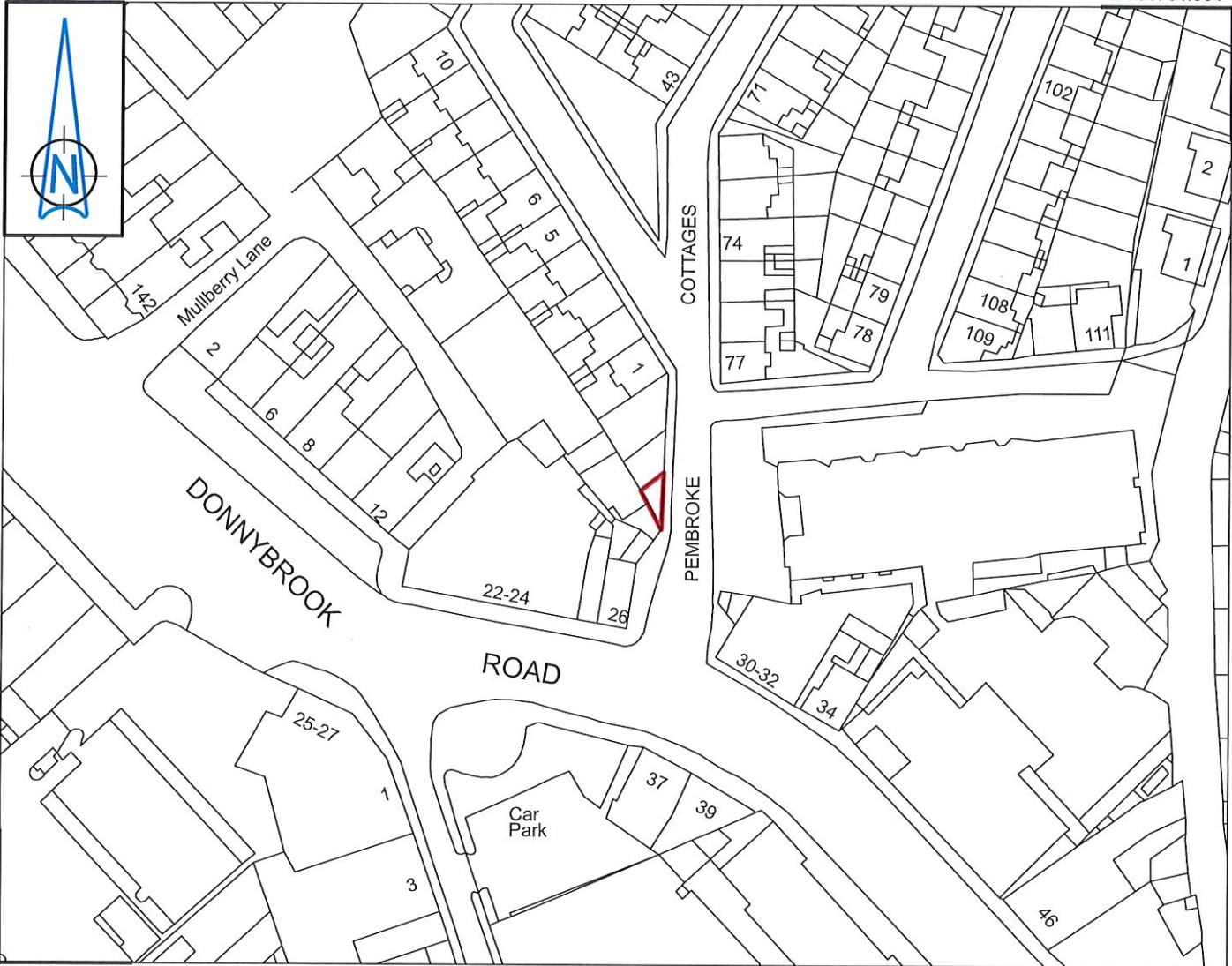
This report is submitted in accordance with the requirement of Section 183 of the Local Government Act 2001.

Resolution:

“That Dublin City Council notes the contents of this report and assents to the proposal outlined therein.”

Dated this the 23^r day of March 2020.

Paul Clegg
Executive Manager



PEMBROKE COTTAGES - (Site at)
Dublin City Council to Domhnach Limited
 Disposal of Fee Simple
 Area: 14.5m²



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 3329- 02, 03	SCALE 1:1000
DATE 09-12-2019	SURVEYED / PRODUCED BY T. Curran

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ACTING CITY ENGINEER

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 DUBLIN CITY COUNCIL FROM ORDNANCE SURVEY DIGITAL MAPBASE
 SURVEY, MAPPING AND RELATED RESEARCH APPROVED
 APPROVED *Thomas Curran 09/12/2019*
THOMAS CURRAN
 ACTING MANAGER LAND SURVEYING & MAPPING
 DUBLIN CITY COUNCIL

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