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**With reference to the proposed disposal of a plot of land at Malahide Road, Clare Hall, Dublin 17**

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Dublin City Council is the registered freehold owner of a plot of land at Malahide Road, Clare Hall, Dublin 17, shown on Map index SM-2020-0249. An application to purchase the freehold in the aforementioned plot has been received from Claregrove Development Limited.

Claregrove Development Limited were granted Planning Permission by An Bord Pleanála, Reference – ABP 305943-19 for a larger site (which includes the aforementioned plot). This grant of Planning Permission includes the construction of 331 No. build to rent apartments and childcare facility. Due to the existing surface water sewer and manhole running through the aforementioned plot, the said plot has no development potential.

It is proposed to dispose of the City Council's freehold interest in the plot of land to Claregrove Development Limited, as shown outlined red on Map Index Number SM-2020-0249, subject to the following terms and conditions which the Chief Valuer considers fair and reasonable:

1. That Dublin City Council holds the Fee Simple Interest in the subject plot at Malahide Road, Dublin 17, as indicated on the attached map Index no SM-2020-0249 with an area of approximately 55m<sup>2</sup>.
2. That the purchase price for the fee simple interest shall be the sum of €10,000 (Ten thousand euro), plus VAT if applicable.
3. That the proposed disposal is subject to the following:
  - a) That no structure is to be built within a 3.15m distance either side of the sewer/manhole contained within the plot. (For measuring purposes – measure 3.15m step back from centre line of sewer, unless otherwise agreed with the Drainage Division.)
  - b) That DCC Drainage Division will maintain unhindered access to the sewer and manhole for maintenance purposes and that the applicant will agree to remove promptly any obstruction placed above the existing surface water sewer and manhole (SO20409402) as required by DCC Drainage Division so as to allow for future maintenance of said sewer/manhole.
4. That the applicant shall pay the City Council's professional Valuers fees of €1,000 plus VAT and the Council's legal costs plus VAT.

The property to be disposed of was acquired from Fingal County Council.

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

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

This proposal was approved by the North Central Area Committee at its meeting on 19<sup>th</sup> October 2020.

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

**Resolution:**

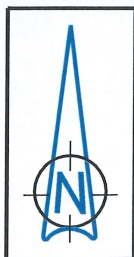
"That Dublin City Council notes the contents of Report No. 301/2020 and assents to the proposal outlined therein".

**Helen McNamara**  
**Senior Executive Officer**

**Date: 20/10/2020**

N: 740505.439

E: 720864.970



MALAHIDE ROAD

E: 720791.425

N: 740433.455

**MALAHIDE ROAD**  
Lands at  
**Dublin City Council to Claregrove Developments Limited**  
Disposal of Fee Simple  
Area: 55m<sup>2</sup>

NOTE: Wayleave over Irish Water Pipelines/Manhole shown thus 



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

3133-02

SCALE

1:1000

DATE

06-10-2020

SURVEYED /  
PRODUCED BY

T. Curran

INDEX No

DWG  
No

REV

FILE NO

F:\SM-2020-0249 - 001 - B.dgn

THIS MAP IS CERTIFIED TO BE COMPUTER GENERATED BY  
DUBLIN CITY COUNCIL FROM ORDNANCE SURVEY DIGITAL MAPBASE

SURVEY, MAPPING AND RELATED RESEARCH APPROVED

APPROVED

THOMAS CURRAN

ACTING MANAGER LAND SURVEYING & MAPPING  
DUBLIN CITY COUNCIL

INDEX No.

SM-2020-0249

**Dr JOHN W. FLANAGAN**

CEng FIEI FICE  
CITY ENGINEER