

Ref: 2012/03582

Dated the *28th* day of *November* 2016

DUN LAOGHAIRE-RATHDOWN COUNTY COUNCIL

One Part

AND

MINISTER FOR PUBLIC EXPENDITURE AND REFORM

Second Part

AND

**MINISTER FOR HOUSING, PLANNING COMMUNITY AND LOCAL
GOVERNMENT**

Third Part

RECONVEYANCE

BATHS SITE, DUN LAOGHAIRE, COUNTY DUBLIN

Eileen Creedon

Chief State Solicitor

Osmond House

Little Ship Street

Dublin 8

Ref. 2012/03582

THIS INDENTURE made the ^{28th} day of ~~November~~ 2016 BETWEEN DUN LAOGHAIRE-RATHDOWN COUNTY COUNCIL of County Hall, Dun Laoghaire in the County of Dublin (hereinafter called "the Vendor" which expression shall where the context so admit or require include his successors) of the One Part, MINISTER FOR PUBLIC EXPENDITURE AND REFORM of Merrion Street Upper in the city of Dublin (hereinafter called "the Purchaser" which expression shall where the context so admits or require include his successors and assigns) of the Second Part, AND THE MINISTER FOR HOUSING, PLANNING, COMMUNITY AND LOCAL GOVERNMENT of the Custom House in the City of Dublin (hereinafter called "the Minister" which expression shall where the context so admits or requires include his successors and assigns) of the Third Part.

3. Recitals

- 3.1 By Indenture of Conveyance in Fee dated the 31st day of March 1909, made between The King's Most Excellent Majesty of the One Part, The Board of Trade of the Second Part and The Kingstown Urban District Council of the Third Part the premises described in the First Schedule hereto (hereinafter referred to as "the Property") were thereby granted by The Board of Trade on behalf of The King's Most Excellent Majesty unto The Urban District Council of Kingstown their successors and assigns forever in consideration of the sum of Five Pounds at the yearly rent of One Shilling if demanded (hereinafter referred to as the "Fee Farm Rent") and a royalty and subject to the covenants and the conditions therein contained (hereinafter referred to as "the Fee Farm Grant");
- 3.2 It was thereby agreed and declared by the parties to the Fee Farm Grant that if the King's Majesty, his heirs or successors or the Board of Trade shall at any time be desirous of purchasing the Property then The Kingstown Urban District Council, their successors and assigns shall sell the same to the Kings Majesty, his heirs or successors at such price as shall be agreed upon or if not agreed upon as shall be ascertained by arbitration under the provisions of the Land Clauses Consolidation Act, 1845 with respect to the purchase of lands otherwise than by agreement and on the payment of the purchase money so ascertained the Property shall be reconveyed to the Kings Majesty, his heirs or

successors.

- 3.3 By divers mesne, assignments, acts in the law and events the Vendor is entitled to a fee simple in possession subject to the Fee Farm Rent, the royalty and the covenants and conditions contained in the Fee Farm Grant but otherwise free from incumbrances.
- 3.4 By divers mesne, assignments, acts in the law and events the Purchaser is the successor to the estate and interest of His King's Most Excellent Majesty in the Fee Farm Grant.
- 3.5 By divers mesne, assignments, acts in the law and events the Minister for the Environment, Community and Local Government is the successor to the estate and interest of The Board of Trade in the Fee Farm Grant.
- 3.6 The Vendor has hereby agreed with the Minister and the Purchaser to reconvey to the Purchaser the Property in fee simple for the consideration of _____ subject to the terms and conditions herein contained but otherwise free from incumbrances.

4. Operative Part

NOW THIS INDENTURE WITNESSETH that in pursuance of the said Agreement and in consideration of the payment of the sum of _____ by the Purchaser to the Vendor (the receipt of which the Vendor hereby acknowledges) the Vendor as beneficial owner hereby **GRANTS AND RE-CONVEYS** the PROPERTY unto the Purchaser in FEE SIMPLE and for all of the Vendor's estate and interest under the Fee Farm Grant so that all the covenants and conditions contained therein shall henceforth be extinguished.

AND the Purchaser and the Minister **HEREBY AGREE** to waive and release any right accrued by reason of a breach of the Vendor's covenants and conditions contained in the Fee Farm Grant, including the non-payment of the Fee Farm Rent prior to the date hereof, but without diminution of the indemnity next expressed

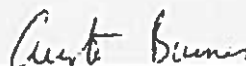
AND the Vendor **HEREBY COVENANTS** with the Purchaser and the Minister to keep the Purchaser and the Minister and their respective successors and assigns effectually indemnified against all actions, proceedings, costs, damages, expenses, claims, demands, losses, fees, penalties and other liabilities whatsoever by reason of or relating to any act by or on behalf of the Vendor on the property or any use by or on behalf of the Vendor of the property under the Fee Farm Grant or howsoever arising prior to the date hereof.

IN WITNESS whereof a person so authorised by the Purchaser and the Minister under section 15(1) of the Ministers and Secretaries Act, 1924 has each hereunto subscribed his name and the Vendor, the Purchaser and the Minister has each hereunto affixed its seal the day and year first herein **WRITTEN.**

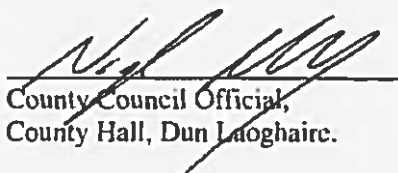
PRESENT when the Common Seal of
DUN LAOGHAIRE-RATHDOWN COUNTY COUNCIL
was affixed hereto:



Cathaoirleach na Chomhairle
Chontae Dhun Laoghaire-Rath an Duin.



Approved Officer.



County Council Official,
County Hall, Dun Laoghaire.

PRESENT WHEN THE OFFICIAL)
SEAL OF THE MINISTER FOR)
PUBLIC EXPENDITURE AND)
REFORM WAS AFFIXED HERETO:-)

Signature: Jacobson)

Address: Dept. of Public)

Expenditure & Reform,)

Winnipeg)

Occupation: Asst. Secy.)

Pate Cole

A person authorised
by Section 15(1) of
the Ministers and
Secretaries Act,
1924 to authenticate
the seal of the said
Minister.

PRESENT WHEN THE OFFICIAL)
SEAL OF THE MINISTER HOUSING,)
PLANNING, COMMUNITY)
AND LOCAL GOVERNMENT)
WAS AFFIXED HERETO:-)

Patricia Shea

A person authorised
by Section 15(1) of
the Ministers and
Secretaries Act,
1924 to authenticate
the seal of the said
Minister.

Signature: ALAN O'CONNOR)

Address: DHPLLG)

CUSTOM HOUSE)

DUBLIN 1)

Occupation: EXECUTIVE OFFICER)

Dated the 28th day of November 2016

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