

Date: 23rd March, 2017

To: **Each Member of Westmeath County Council**

Re: **Proposed rectification of title/exchange of lands with Mullingar Hardware Stores Ltd.**

Dear Chairman & Members,

The current boundaries of the Mullingar Hardware Stores Ltd. property in Mullingar Business Park do not entirely accord with the area the company originally acquired from Westmeath County Council in 1970's and the company now wish to rectify this title issue.

The rectification of title requires the transfer of a strip of land comprising circa 0.153 acres from the Council to the company.

The company have agreed to transfer an area of 0.027 acres at the corner of the Mullingar Hardware Stores Ltd. to the Council to improve sight distance at junction.

I recommend the Members approval to the proposed rectification of title/exchange of lands, under the provisions of Section 183 of the Local Government Act, 2001.

Mise le meas,



Pat Gallagher,
Chief Executive

Designated Public Official under the Regulation of Lobbying Act

Date: 13th March, 2017

To: **Each Member of Westmeath County Council**

Re: **Proposed exchange of lands with Mullingar Hardware Stores Ltd.**

A Chara,

I set out below, in compliance with the provisions of Section 183(1) of the Local Government Act, 2001, particulars of the proposed disposal of lands which are the property of Westmeath County Council and which are not required for the purposes of the powers and duties of the Council.

The text of Section 183(1) of the Local Government Act, 2001 is as follows:-

183(1) *The following provisions have effect in relation to any proposed disposal (not being by demise for a term not exceeding one year) of land which is held by a local authority:-*

(a) *notices shall be sent or delivered to the members of the local authority giving particulars of:-*

- (i) the land,*
- (ii) the name of the person from whom such land was acquired, if this can be ascertained by reasonable inquiries,*
- (iii) the person to whom the land is to be disposed of,*
- (iv) the consideration proposed in respect of the disposal,*
- (v) any covenants, conditions or agreements to have effect in connection with the disposal;*

(b) *at the first meeting of the local authority held after the expiration of 10 days after the day on which such notices are sent or delivered, the local authority may resolve that the disposal shall not be carried out or that it shall be carried out in accordance with terms specified in the resolution;*

(c) *if the local authority resolves by virtue of paragraph (b) that the disposal shall not be carried out, it shall not be carried out;*

(d) *if the local authority does not pass a resolution pursuant to paragraph (b), the disposal may be carried out;*

- (e) if the local authority resolves by virtue of paragraph (b) that the disposal shall be carried out in accordance with terms specified in the resolution, the disposal may be carried out in accordance with those terms;
- (f) the disposal shall not be carried out otherwise than in accordance with paragraph (d) or (e) and subject to the consent of the Minister where consent is required under Section 211 (2) of the Act of 2000.

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PARTICULARS OF PROPOSED DISPOSAL BY EXCHANGE

1.	Description of Property:	0.153 acres at Mullingar Business Park , Lynn, Mullingar , Co. Westmeath .
2.	Persons from whom the property was acquired:	Cahill Estate
3.	Persons to whom the property is to be disposed of:-	Mullingar Hardware Stores Ltd., Austin Friars St., Mullingar, Co. Westmeath.
4.	Consideration of sale:	In exchange for 0.027 acres at Mullingar Business Park required for junction improvement .
5.	Particulars of any covenants or agreements to have effect in connection with the disposal :	Purchaser to also set back fence line to enhance sight distance.

Mise le meas,


Billy Coughlan,
Meetings Administrator,
Corporate Services.