

Appendix 1: Land direct ownership details

AN COIMISIÚN PLEANÁLA

25 SEP 2025

LTR DATED _____ FROM _____

LDG- _____

ACP- ~~323766-25~~

Land Registry

County Monaghan

Folio 10129

Part 2 - Ownership

Title ABSOLUTE Instrument No. D2005CS005795X

No.	The devolution of the property is subject to the provisions of Part II of the Succession Act, 1965		
1	13 FEB 1959 1271-2-59	FELIX GRANT (General Dealer) of HENRY STREET, CASTLEBLAYNEY, COUNTY MONAGHAN is full owner.	
	Cancelled	D2005CS005795X	09-MAY-2005
2	09 MAY 2005 D2005CS005795X	GOLM RICE of C/O Corrigan-Coyla Kennedy MacCormack, York Street, Castleblayney, County Monaghan is full owner.	
	Cancelled	D2009LR017521K	26-JAN-2009
3	26 JAN 2009 D2009LR017521K	NIALL KEARNEY of 1A, Ghan Road, Carlingford, County Louth and FRANCES KEARNEY of 1A, Ghan Road, Carlingford, County Louth are full owners.	
	Cancelled	D2009LR133266Q	22-JUL-2009
4	22-JUL-2009 D2009LR133266Q	HORNEBUCKLE MITCHELL TRUSTEES LIMITED of 1a Ghan Road, Carlingford, County Louth and JOHN NIALL KEARNEY of 1a Ghan Road, Carlingford, County Louth are full owners.	

- 1 22-JUL-2009 No registration under any Disposition for Value is to be made by the registered owners, or the survivor of them, except a transfer in sale is to be made.
D2009LR133266Q

Part 3 - Burdens and Notices of Burdens

No.	Particulars		
1	18-NOV-1999 D1999CS007946E	The Wayleave specified in Instrument no. D1999CS007946E in favour of Dundalk Urban District Council the registered owner of folios MN6993F and MN6978F affecting the part of the property shown coloured yellow on Plan 10129 thereof of the Registry Map (O.S. 20/14).	
2a	26 JAN 2009 D2009LR017521K	Charge for present and future advances repayable with interest. (Maximum Duty €630,000 paid). All Ireland Mortgage Bank is owner of this charge as tenant in common in undivided shares, the owner's share at any time being the proportion that the debt owing to the owner secured by the charge bears to the total debt owing to the owners in common secured by the charge.	
	Cancelled	MN10129 E2009LR001994B	08-JUN-2009
2b	26 JAN 2009 D2009LR017521K	Charge for present and future advances repayable with interest. (Maximum Duty €630,000 paid). Allied Irish Banks Plc is owner of this charge as tenant in common in undivided shares, the owner's share at any time being the proportion that the debt owing to the owner secured by the charge bears to the total debt owing to the owners in common secured by the charge.	
	Cancelled	MN10129 E2009LR001994B	08-JUN-2009

Appendix 2: Objection to CPO



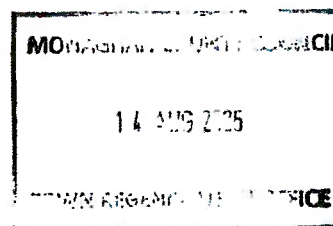
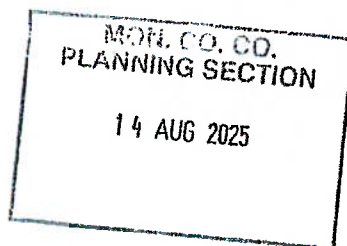
ARCHITECTS | CONSULTING ENGINEERS | BUILDING SURVEYORS

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Our ref: NMCG/MMcG/6290

12th August 2025

Monaghan Co. Co.
Town Regeneration Office,
Monaghan Co. Co.
No.1 Dublin St.
Monaghan.
H18X982



Attention Kevin Mc Nally.

Re; Derelict Sites Act 1990- Notice pursuant to Section 15 (1) (a) of the Derelict Sites Act 1990 (as amended)
Property of Niall Kearney - Folio MN 10129. Drumillard Little, Muckno Street, Castleblayney, Co. Monaghan.

Dear Kevin,

I act for Mr. Niall Kearney in relation to the property at the above address. My client wishes to object to this Derelict Sites Act 1990- Notice pursuant to Section 15 (1) (a) of the Derelict Sites Act 1990 (as amended).

The reasons for this objection are as follows.

1. In relation to the original CPO by Dundalk Augmentation Water Scheme - Dundalk UDC representatives made a serious error in the mapping of the burden placed on our clients lands. The lands were to be flooded to the 93m contour only however, it transpires that our clients lands were shown to be completely flooded right out to the boundary wall adjacent to the footpath. Maps prepared by Patrick J Tobin at the time May 1979 showed the major part of these lands to be served with a CPO. But not all of the lands. So, here are two errors between the Consultants Map and the actual CPO MAP lodged in the Land Registry. Note Irish Water are now responsible for the rectification of this error and its consequences.
2. A second CPO published on the 29th March 2017 was served on my client's lands by Irish Water. On the 25th February 2016 a compensation figure was agreed but heads of agreement on accommodation works were not completed and agreed. Irish Water moved in onto my clients lands in or around the 1st June 2018 without having any contractual agreement with my client completed. Irish Water then proceeded to take additional lands which were not part of the original CPO. On the 20th April 2023 after long and protracted negotiations with Irish Water a figure was agreed with Irish Water Valuer. To this day our client has not received one penny compensation 9 years after the first figure was agreed.

MNS Engineering & Architecture
Incorporated in Ireland
Reg No 10194
Registered Office
Monaghan Road, Castleblayney, Co.
Monaghan

ACEI
Associated
CONSULTING ENGINEERS
(I.E.)



3. The issue of the flooding and the mapping of the flood plain has seriously devalued our clients lands and have left him in a position over these years that he could not sell the lands. The area of the lands in question extend to approximately 1.676 acres. The entire site is presently showing as having a flood plain burden on this folio MN 10192. Monaghan Co. Co. Development Plans 2019-2025 and 2025 - 2031 agrees with our conclusions that this burden is in error and that only 34% of the property should be shown having this burden and not 100% of the property. The Development Plan 2025-2031 shows that this property is zoned Town Centre. We are in negotiations with Irish Water's Peadar Mc Guinness at present to have this error rectified by Deed of Rectification to show where the actual flood plain burden (the 93m contour line) transverses the property. When this is completed our clients lands will be a lot more valuable on the open market.
4. My client is amazed that he has received a Dereliction Notice which gives him until the 29th August 2025 to object to this proposal to compulsory purchase his property. However, in the mean time he is served with an invoice. My client advises that Monaghan Co. Co. should consult with Cathal Flynn who would be aware of the way that our client has been treated by Irish Water in regard to this property. Thus leaving our client in an impossible position and unable to develop the property or even sell this property.
5. Our client therefore strenuously objects to this Derelict Notice /CPO Notice and is available to discuss in more detail the expense, stress and annoyance that our client has suffered due to this error and the way that he, his family and his professionals have been treated by Irish Water since negotiations started on the second CPO in 2016.

Signed

Noel McGuigan

Noel Mc Guigan
For C S Pringle

C.C. Michael Grant
Campbell & Grant Solicitors.
17 Sugar Island,
Newry
Co. Down.
BT35 6HT



Castleblayney Town Centre (Map CYDP2)
Monaghan County Development Plan 2025 - 2031

For Legend - See Map CYDP1

Townscape 2023 Mapping OS Copyright
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