

Woodpark
Newmarket on Fergus
Co. Clare
086-8153911

1 October 2025

Property Management Unit
Clare County Council
New Road
Ennis
Co. Clare
REGISTERED POST



Received by
Customer Service
on 3/10/2025
- see envelope
CP Greene

Your Ref.: DS-24-09 (a)
Apartment No. 8 Willow House, Drumgeely, Shannon, Co. Clare

Dear Sir/Madam,

In reference to the Notice of Intention to Acquire Derelict Site, which Notice is dated 12th September 2025, please note that I wish to lodge an objection to the proposed compulsory acquisition of the property.

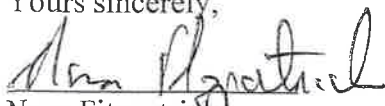
- ① My late husband acquired this property in 2005 and was the beneficial owner of the property until the time of his death in January 2023. During the course of his ownership he was in undisputed occupation of the property and was the sole beneficiary of any rents and profits arising. I am the sole beneficiary of my late husband's estate and on his death I acquired his interest in this property and accordingly, since 2023, I am the beneficial owner of the property and also in undisputed occupation.

My late husband's or my legal interest in the property have not been recognised and the statutory notices were not served on me in accordance with the provisions of the Derelict Sites Act 1990, they are therefore invalid. As you will appreciate, the Local Authority are obliged, under the provisions of the Statute, to put all interested parties on notice of their proposal to acquire.

I also wish to point out that the documents served are an incorrect application of the provisions of the Act by reason of the fact that it is not a derelict property. As I have previously clarified, a tenant resided in the property until his death in November 2024 and all services, including electricity, were connected at that time.

Please note accordingly.

Yours sincerely,


Nora Fitzpatrick

32/08/2012 11:33 861411114
24-08-2005 12:39 FROM: J.A.

▲ FITZPATRICK/DWYER

061411114311489

TO: 411114

P: 1/2

John A. Tobin
SOLICITORS

John A. Tobin B. Comm. LL.B

24th August 2005

Patrick Wallace Esq.,
County Registrar,
The Courthouse,
Ennis,
Co. Clare.
Fax: 065 6822499

Level 3 Commarket
Robert Street
Limerick

T 061 311477
F 061 311489
Dx 3024
E jataci@icli.ie

Clare County Council
RECEIVED

26 SEP 2005

Economic Development

First Active plc. v. Maggie Mulvihill and Michael Kennedy
Record No. 409/2002
Property: Apartment 8 Willow House Drungeely Shannon Co. Clare

Dear Sir,

We refer to the above matter in which a Repossession Order has been made in respect of an apartment at 8 Willow House Drungeely Shannon Co. Clare. We represent a third party namely Anthony J. Fitzpatrick of Clonmoney House, Newenham Street, Limerick who some time ago agreed the purchase of this apartment and has paid substantial sums to that end. Due to the particular circumstances of the matter and given that Ms. Maggie Mulvihill is residing in the USA we are experiencing considerable difficulty in obtaining good title. Notwithstanding our client's position in relation to the title but given the critical situation with the loan account our client has today paid an amount in the sum of €17,828.90 to the loan account by way of bank draft this morning at the office of First Active, 40 O'Connell Street, Limerick. We would refer you to copy receipt herewith. An additional sum of €20,000.00 was paid to the office of Messrs. Crimmins & Co., Solicitors, Shannon, Co. Clare a number of months ago which firm represents Ms. Maggie Mulvihill one of the joint owners. The total figure required to redeem the loan is in the sum of €37,000.00. In the circumstances at the earliest possible opportunity we will be making an Application to the Court to have the Repossession Order set aside and we are today putting First Active on notice of our intended application. The court messenger has also been informed of the payment. In the circumstances we would ask you to hold on executing the Order for Possession until such time as we have had an opportunity to bring the up to date position to the attention of the Court by way of Notice of Motion.

Yours sincerely



Clare County Council
RECEIVED

26 SEP 2025

Economic Development

FINAL RECEIPT

09/04/2010

Customer: MS M MULVIHILL & MR M KENNEDY
Security: 8 WILLOW HOUSE DRUMGEELY SHANNON
Account No: 06785877/7401

I/WE HEREBY ACKNOWLEDGE HAVING RECEIVED THE DOCUMENTS FOR THE ABOVE
SECURITY ADDRESS.

Dated this 14th day April 2010.

Signed _____

Signed _____

Solicitor's signature if received by a solicitor

Firm _____

Signed John A. Tobin

John A. Tobin
Solicitor
Level 3, Commarket,
Robert Street, Limerick

First Active plc

LIMERICK

Mortgage Repayment

Ref : 02103088
Cust: 0006785877

2147
Acc: 7401

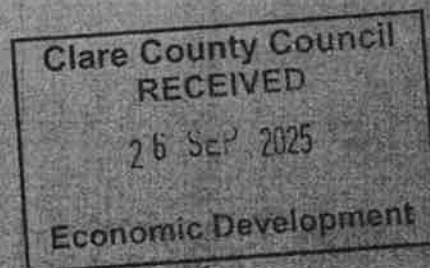
Time: 11:11

Date: 24/08/05

A/C Title : MS M MULVIHILL & MR M KENNEDY

Cash : 0.00
Cheque : 17,828.90

Total : 17,828.90



26th August 2025

Ms. Nora Fitzpatrick
Clarisford House,
Woodpark
Newmarket on Fergus
Co. Clare

V915VE26

Our Ref: DS24-09 No 8 Willow House, Shannon, Co. Clare
Your Ref:

Dear Nora,

I refer to your letter of 20th August regarding the above property which is on the Council's Derelict Sites Register.

I note the content of the letter submitted which is dated 7th March 2002 and is signed by one of the owners of No. 8 Willow House. It is not a Deed of Transfer signed by both owners of the property at that time. You may wish to seek legal advice on the matter.

It is the intention of Clare County Council to proceed to do a Compulsory acquisition of this property under Section 15 of the Derelict Sites Act, 1990 and in this regard, a notice will be placed in the Clare Champion newspaper in the first week of September. This section of the act defines "owner" as follows

: it means in relation to land, a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple of the land, whether in possession or reversion and includes also a person who holds or is entitled to the rents and profits of the land under a lease or agreement, the unexpired term whereof exceeds three years.

If then, you wish to make an objection to the CPO, that will be referred to An Coimisiún Pleanála, who will make the final determination.

Yours sincerely,


Carmel Greene,
Senior Executive Officer,
Property Management Unit



10th September 2025

COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Ms. Nora Fitzpatrick
Clarisford House,
Woodpark
Newmarket on Fergus
Co. Clare

RL 8221 3479 11E

Our Ref: DS24-09 (a) No 8 Willow House, Shannon, Co. Clare

Dear Nora,

I refer to my recent letter to you regarding the above property which is on the Council's Derelict Sites Register.

I am enclosing copy of the Compulsory Purchase Notice which will be advertised on 12th September in the Clare Champion and also erected on the property.

It is the intention of Clare County Council to proceed to do a Compulsory acquisition of this property under Section 15 of the Derelict Sites Act, 1990. The wording of the notice sets out who can object to the CPO and the Act defines "owner" as follows

: it means in relation to land, a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple of the land, whether in possession or reversion and includes also a person who holds or is entitled to the rents and profits of the land under a lease or agreement, the unexpired term whereof exceeds three years.

You may wish to seek legal advice on the matter.

Yours sincerely,

Carmel Greene,
Senior Executive Officer,
Property Management Unit

An Rannóg um Bainistiú Réadmhaoine
An Stiúrthóireacht Forbairt Gheilleagrach

Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

Property Management Unit
Economic Development Directorate

Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2

26th August 2025

Ms. Nora Fitzpatrick
Clariford House,
Woodpark
Newmarket on Fergus
Co. Clare

V95VE26

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Yours sincerely,


Carmel Greene,
Senior Executive Officer,
Property Management Unit

Clariford House
Woodpark
Newmarket on Fergus
Co. Clare

20th August 2025

Clare County Council
New Road
Lifford
Ennis
Co. Clare

Property: 8 Willow House, Drumgeely, Shannon, Co. Clare

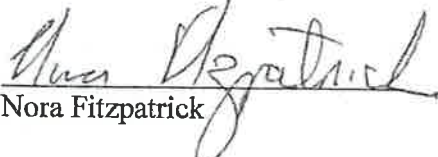
Dear Sirs,

This is to confirm that my late husband, Tony Fitzpatrick, and I have been in occupation of this premises since March 2002. Since that time, we have been in control of the property and have been in receipt of any rents received in relation to the property. Since 2002, no third party has made any claim on the property which would be prejudicial to our interest.

My late husband secured ownership of the property on the 7th March 2002 by virtue of an agreement with Michael J. Kennedy. In this regard, I would refer you to copy letter of the late Mr. Kennedy, dated 7th March 2002. I hold the original of this letter. Furthermore, around this time, my late husband redeemed in full, the mortgage on the property, which was held by First Active.

In the circumstances therefore, as the sole beneficiary of my late husband's estate, it is clear that I am the beneficial owner of the property.

Yours sincerely,


Nora Fitzpatrick

Received by email to Barry Conway . 20/8/2025

Michael J Kennedy

8 Willow House, Drumgeely, Shannon, Co Clare, Ireland
Tel: 061-471592 Fax: 061-474355 Mobile: 086-3000390 Email: lighthousebroking@eircom.net

MK340302

Mr Anthony J Fitzpatrick
Clonmoney House
Newenham Street
Limerick

7 March 2002

RE: SALE of No. 8 Willow House, Drumgeely, Shannon, Co Clare.

Dear Tony,

I hereby agree to sell to you Apartment No. 8 Willow House, Drumgeely, Shannon. Co Clare for an amount of €69,835 (Sixty Nine Thousand Eight Hundred and Thirty Five Euro).

Yours sincerely,

Michael J Kennedy
Michael J Kennedy