

REGISTERED IN THE REGISTRY OF DEEDS (DUBLIN) AT 6
MINUTES AFTER 3 O'CLOCK ON THE 8TH DAY OF
JUNE 1978 BOOK 91 NO. 116

Bleasney

11700
CC
11/1/97

THIS INDENTURE made the 15TH day of December 1997 **BETWEEN** **DECLAN BURTON** of 15 Churchview Road, Killiney in the County of Dublin (hereinafter called "the Vendor" which expression shall where the context so admits or requires include his executors, administrators and assigns) of the One Part **AND PARAIC MULDOWNNEY** of 91 Woodley Park, Lower Kilmacud Road in the County of the City of Dublin (hereinafter called "the Purchaser" which expression shall where the context so admits or requires include his executors, administrators and assigns) of the Other Part.

WHEREAS:

1. By Indenture of Conveyance dated the 25th day of April 1890 made between John Monroe, Land Judge of the Chancery Division of the High Court of Justice in Ireland of the one part and Royal Exchange Assurance Corporation of the other part, the hereditaments intended to be hereby assured were together with other hereditaments, conveyed to Royal Exchange Assurance in fee simple.
2. By an Indenture of Lease made the 30th day of January 1923 between The Royal Exchange Assurance of the one part and Patrick J. Tracey of the other part (hereinafter called "the Lease") the land, hereditaments and premises described in the First Schedule hereto were thereby demised unto the said Patrick J. Tracey for the term of 100 years from the 1st day of November 1922 subject to the yearly rent of £45.00 and to the covenants on the part of the Lessee and conditions therein contained.
3. By divers mesne assurances acts in the law and events and ultimately by an Indenture of Assignment made the 3rd day of January 1962 between Foxrock Garage Company Limited of the one part and Harold W. Lees & Son Limited of the other part the premises comprised in the Lease became absolutely vested in the said Harold W. Lees & Son Limited for the residue then unexpired of the term demised by the Lease subject as therein.
4. By an Indenture of Assignment dated the 12th day of December 1967 made between Harold W. Lees & Son Limited of the first part, Frederick William Koenigs of the second part and the Vendor of the third part, the hereditaments and premises set forth in the First Schedule hereto were assigned unto the Vendor subject to an Indenture of Mortgage dated the 25th day of January 1962 made between the said Harold W. Lees & Son Limited of the one part and Frederick W. Koenigs of the other part.
5. By an Indenture of Release made the 10th day of February 1972 between Mary Geraldine Koenigs of the one part and the Vendor of the other part the said Mortgage was discharged and the premises comprised in the First Schedule hereto were released therefrom.
6. By an Indenture of Conveyance made the 29th day of July 1971 between Royal Exchange Assurance of the one part and the Vendor of the other part, the hereditaments and premises intended to be hereby conveyed were,



6/24/97
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together with other premises, thereby conveyed unto the Vendor subject to the right of way therein reserved.

7. By Deed of Conveyance made the 31st day of December 1976 between the Vendor of the one part and Laurence Mahon and Victor Mahon of the other part (hereinafter called "the 1976 Conveyance"), that part of the plot known as "the Old Hotel" Foxrock as therein more particularly described and delineated on the map therein, was conveyed to the said Laurence Mahon and Victor Mahon in Fee Simple, subject to the right of way hereinbefore referred to.
8. By Deed of Conveyance and Assignment made the 19th day of April 1973 between the Vendor of the one part and Texaco (Ireland) Limited of the other part, (hereinafter called "the 1973 Conveyance and Assignment") that portion of the property demised by the Lease as therein more particularly described and therein coloured red on the map attached to the said Conveyance and Assignment were, together with other premises therein and more particularly described and delineated conveyed and assigned unto Texaco (Ireland) Limited to hold as therein.
9. Since the 1973 Conveyance and Assignment and the 1976 Conveyance hereinbefore recited the Vendor has not had reserved to himself the benefit of a formal right of way from the premises intended to be hereby assured to the public roadway but has instead used a right of way of necessity over that right of way hereinbefore referred to and reserved in favour of the Royal Exchange Assurance, its successors and assigns and others as more particularly set out in the Indenture of Conveyance of the 29th of July 1971 hereinbefore referred to.
10. By Indenture of Conveyance made the 5th day of December 1997 between Birdfield Securities Limited of the one part and the Vendor of the other part, the freehold reversion immediately expectant on the termination of the Lease was thereby granted and conveyed unto the Vendor to hold the same unto and to the use of the Vendor in Fee Simple to the intent that the term of years created by the Lease merge in and forever be extinguished in the freehold reversion thereof.
9. The Vendor has now agreed with the Purchaser for the sale to him of the lands, hereditaments and premises described in the Second Schedule hereto free from encumbrances for the price or sum of One Hundred and Ninety-Five Thousand Pounds (£195,000.00) in manner hereinafter appearing.

NOW THIS INDENTURE WITNESSETH that in pursuance of the said agreement and in consideration of the said sum of £195,000.00 now paid by the Purchaser to the Vendor (the receipt of which the Vendor hereby acknowledges) the Vendor as Beneficial Owner **HEREBY GRANTS AND CONVEYS** unto the Purchaser **ALL THAT AND THOSE** the lands, hereditaments and premises more particularly described in the Second Schedule hereto **TO HOLD** the same unto the Purchaser in Fee Simple subject to and with the benefit of the right of way

hereinbefore referred to from the property hereby conveyed to the public road as delineated and shaded on the map attached hereto.

IT IS HEREBY CERTIFIED by the Purchaser that he is an Irish Citizen and as such a qualified person within the meaning of Section 45 of the Land Act, 1945.

IT IS HEREBY FURTHER CERTIFIED for the purposes of the stamping of this instrument that Section 112 of the Finance Act, 1990 does not apply by reason of the fact that this is a conveyance of an existing premises.

IT IS HEREBY CERTIFIED that no part of the consideration for the sale is attributable or deemed to be attributable to residential property.

IN WITNESS whereof the parties hereto have hereunto set their hands and affixed their seals the day and year first herein **WRITTEN**.

FIRST SCHEDULE

ALL THAT AND THOSE that part of the lands of Foxrock containing 31¼ perches statute measure thereabouts bounded on the North East by the Brighton Road on the South East partly by other property of the Lessors and partly by the premises No. 2 Orchard Cottages aforesaid on the South West by other property of the Lessors and on the North West by a lane or passage dividing the Foxrock Hotel from the premises hereby demised and which form part of Lot 234 on the Estate map of the Vendor which said hereby demised premises are situate lying and being in the Barony Rathdown and County of Dublin and are more particularly delineated and described on the map hereon endorsed and thereon edged red.

SECOND SCHEDULE

ALL THAT AND THOSE the garage premises and yard situate off Brighton Road, Foxrock in the County of Dublin more particularly delineated on the map or plan annexed hereto and thereon surrounded by a red verge line subject to and with the benefit of a right of way by user over that portion of the lands hatched green on the map attached hereto from the property hereby conveyed to the public road.

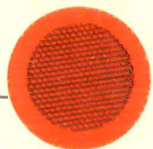
SIGNED SEALED AND DELIVERED

by the said **DECLAN BURTON**

in the presence of:

Barry A. B. Sullivan
Solicitor General

Declan Burton



SIGNED SEALED AND DELIVERED

by the said **PARAIC MULDOWNY**

in the presence of:

Thomas Muldowney
Solicitor
Dublin, 26th 4.

Paraic Muldowney



MAP REFERED TO WITHIN

SCALE: 1 to 500

4249/8

Dated the day of December 1997

DECLAN BURTON

One Part

-and-

PARAIC MULDOWNNEY *

Other Part

DEED OF CONVEYANCE

LG
MANNION
Solicitors
Oranmore House
Taney Road
Dundrum
Dublin 14
mulconv.pr

CLARLANN NA nGNIOMHAS
(REGISTRY OF DEEDS)
BK NO.
91. - 8 JUN 1998 116
DAIL ANA CLATH
(DUBLIN) fob

THIS INDENTURE made the day of Two Thousand and Twenty Four **BETWEEN** **Paraic Muldowney** of 91 Woodley Park, Lower Kilmacud Road, Dublin 14 (hereinafter called "the Vendor" which expression shall where the context so admits or requires include his Heirs, Administrators and Assigns) of the one part and **Foxrock Motor Company Limited** having its registered office at 1 Brighton Road, Dublin 18 (hereinafter called "the Purchasers" which expression shall where the context so admits or requires include their Heirs, Administrators and Assigns) of the other part.

WHEREAS:

1. The Vendor is seized of an Estate of inheritance in fee simple of the property hereinafter more particularly described and intended to be hereby conveyed.
2. The Vendor has agreed with the Purchasers for the sale to purchasers of the said property for the sum of one million two hundred and fifty thousand euro only (€1,250,000.00) free from encumbrances.

NOW THIS INDENTURE WITNESSETH that in pursuance of the said Agreement and in consideration of the sum of one million two hundred and fifty thousand euro only (€1,250,000.00) this day paid by the Purchasers to the Vendor (the receipt whereof the Vendors doth hereby acknowledge) the Vendor as Beneficial Owner hereby **GRANTS AND CONVEYS** unto the Purchaser **ALL THAT AND THOSE** the property more particularly described and set out in the Schedule hereto **TO HOLD** the same unto and to the use of the Purchasers in fee simple.

IN WITNESS whereof the parties hereto have hereunto signed their names and affixed their seals the day and year first herein **WRITTEN**.

SCHEDULE HEREIN REFERRED TO

ALL THAT AND THOSE the property situate off Brighton Road, Foxrock, in the County of Dublin being the property formerly known as Burton's Garage, Foxrock, Dublin 18 as more particularly outlined in red on the attached map held subject to and with the benefit of the right of way as outlined on the attached map marked in yellow.

Land Registry Compliant Map



Leopardstown
Race Course

Dublin
Baile Átha
Cliath

Baile na Lobhar
Carmanhall And
Leopardstown

0 9.5 19 28.5 38 Metres
0 10 20 30 40 50 Feet

OUTPUT SCALE: 1:1,000



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of a road, track or footpath
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**CENTRE
COORDINATES:**
ITM 721107,725544

PUBLISHED:
29/09/2021

MAP SERIES:
1:1,000
1:1,000

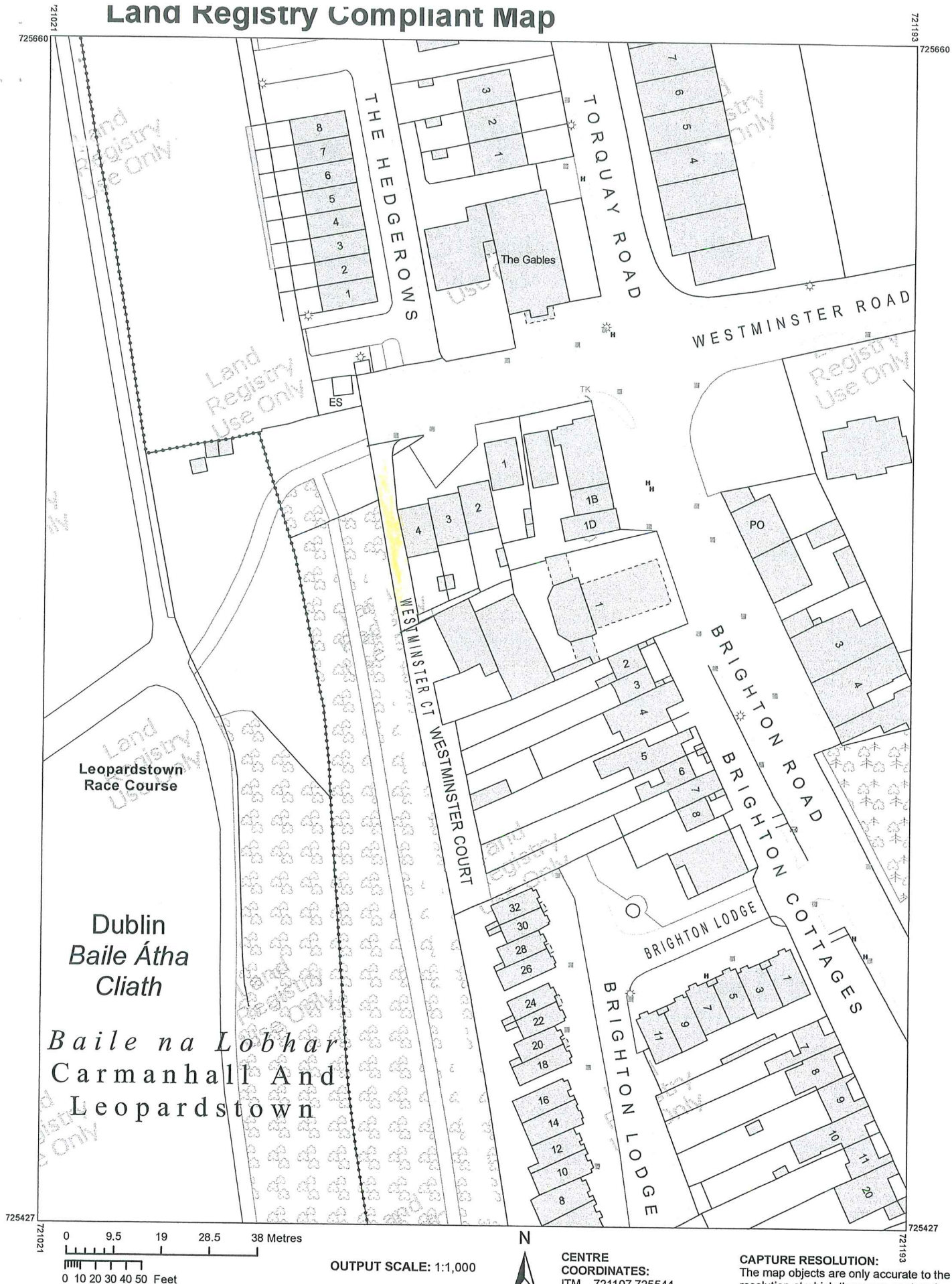
ORDER NO.:
50223050_1

MAP SHEETS:
3456-02
3456-07

CAPTURE RESOLUTION:
The map objects are only accurate to the
resolution at which they were captured.
Output scale is not indicative of data cap
scale.
Further information is available at:
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LEGEND:
<http://www.osi.ie>; search 'Large Scale Le

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Land Registry Compliant Map



OUTPUT SCALE: 1:1,000

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The representation on this map of a road, track or footpath is not evidence of the existence of a right of way.

by the said Vendor
in the presence of :



Ciara Byrne
Solicitor
25 Fitzwilliam Street Upper
Dublin 2

)
)
)
)
)
)
)

Cain v. Dale

Present when the common seal of
Foxrock Motor Company Limited

Was affixed hereto

.....

Director

.....

Director/Secretary

Dated the day of 2024

Paraic Muldowney

- to -

Foxrock Motor Company Limited

CONVEYANCE

AUGUSTUS CULLEN LAW
SOLICITORS
7 WENTWORTH PLACE
WICKLOW

FOX039/0001