

Cairn Homes Properties Limited  
7 Grand Canal  
Grand Canal Street Lower  
Dublin 2DD:  
E-mail:

- 1) **Your lands at Douglas, Carrs Hill, Cork being part of the lands contained in folio CK127345F ("Cairn Land") being edged red on the plan attached at Appendix 1**
- 2) **Part of the lands contained in folio CK127345F which is outlined in red on the plan attached at Appendix 2 (the "Existing Estate Plan") (but excluding Block 2<sup>1</sup> and any other houses/apartments in the Existing Estate<sup>2</sup>) (the "Estate Common Areas")**

Dear Sirs

We refer to your proposed application for planning permission to develop the above referenced Cairn Land.

We have reviewed the title and related documents concerning the Cairn Land and can confirm that in our opinion the requisite easements are available to Cairn Homes Properties Limited to:

- a) connect up with any gutters, pipes, sewers, watercourses, channels, ducts, trunks, floos, mains, wires, cables (the "Conduits") now or at any time passing through the Estate Common Areas;
- b) cleanse, repair and renew the Conduits (together with a right for these purposes to enter the Estate Common Areas with workmen and others and all necessary implements making good any damage occasioned);
- c) subject to serving at least two months prior written notice on the Management Company, the right to replace the Conduits located within the Estate Common Areas by Conduits of a larger capacity sufficient to service the Cairn Land (with the right for this purpose to enter the Estate Common Areas with workmen and others and all necessary implements making good any damage thereby caused). This right is also subject to the proviso that there can be no interruption in services provided to the Existing Estate through these Conduits;
- d) subject to serving at least two months prior written notice on the Management Company, the right to extend the roads and footpaths with the Estate Common Areas by connecting them with and to new roads and footpaths within the Cairn Land (together with the right for this purpose to enter the Estate Common Areas

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<sup>1</sup> Block 2 is the block of apartments known as Temple Grove shown for the purposes of identification inlined blue on the Existing Estate Plan now comprised in Folio CK163807F.

<sup>2</sup> The Existing Estate is the residential development and common areas known as Temple Grove and the Vicarage. The Vicarage comprises the 17 houses shown for the purposes of identification inlined in green on the Existing Estate Plan. Temple Grove/Block 2 is shown for the purposes of identification inlined in blue on the Existing Estate Plan now comprised in Folio CK163807F.

with workmen and others and all necessary implements making good any damage caused.

- e) strictly subject to receiving the prior written consent of the Management Company, the right to vary the route of the roads and footpaths located with the Estate Common Areas

Please note the exercise of the above easements is conditional upon compliance with the following covenants:

- (a) the persons exercising these rights must contribute to the cost of repair, maintenance, upkeep and renewal of the roads, footpaths and Conduits located on, in or under the Estate Common Areas, such contribution to be in proportion to the increased usage of them as a result of the exercise of these easements.

if the level of this contribution cannot be agreed it is to be determined by an independent quantity surveyor, acting as expert. If there is a subsequent material variation in the intensity of the use of the easements (including following any further development of the Cairn Land and/or the sale of completed but not previously sold premises on the Cairn Land) then the Management Company is entitled to seek an increased contribution. If this cannot be agreed, there is again a provision for referral to an independent quantity surveyor for determination.

- (b) the persons exercising the easements must provide at least two months prior written notice to the Management Company prior to exercising them for construction or similar related traffic relating to any development or works on the Cairn Land.

Yours faithfully

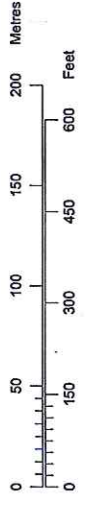
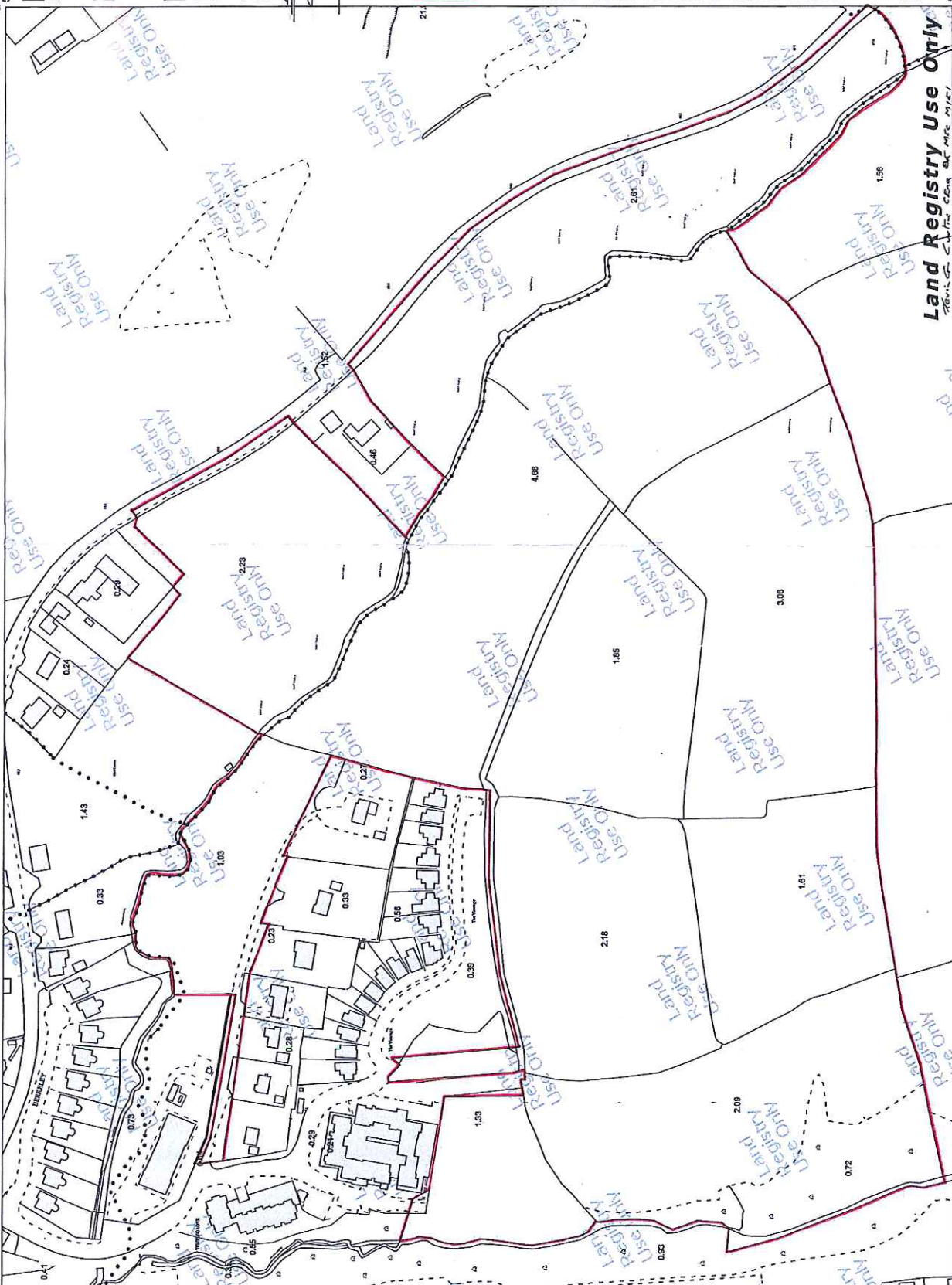
  
**Eversheds Sutherland**

**APPENDIX 1**

**Cairn Land**

# Land Registry Compliant Map

Surveyed 1984-1996  
 Revised 2015  
 Levelled 1972



Scale:- 1:2,500  
 Scála:- 1:2,500

Plot Ref. No. 19712900\_1\_1  
 Plot Date 27-APR-2016

ITM CENTRE PT. COORDS.  
 570578,568210

DESCRIPTION

MAP SHEETS

1:2500  
 6428-D  
 1:1000  
 6428-13

LANDS TO BE TRANSFERRED  
 CAPTURED, DOUGLAS  
 SHOWN OUTLINED IN RED  
 AREA = 23.3031 ha  
 (incl 1/2 road)



Ann tionsa agas ara fhóidís ag Suibhéireacht Éireannís  
 ann na blianta 1984-1996, 2015 agus 1972.  
 Complaíod agus foilsíod ag Orlánaíocht Sárú  
 Éireann, Phoenix Park, Dubháil 8, Éireann.  
 Sárú na blianta 1984-1996, 2015 agus 1972.  
 Orlánaíocht Sárú Éireannís agus Rialtas na hÉireann.  
 Neamhléiteadú agus foilsíodú neamhléiteadú Orlánaíocht Sárú Éireannís  
 agus Rialtas na hÉireann.  
 Cead ead ar comarsh. Ní cead ead ar chuid den  
 foilsíodú seo a bfuil a sárú nó a fheiceáil in an  
 foilsíodú seo ar an bfuil a sárú nó a fheiceáil in an  
 foilsíodú seo. Ní cead ead ar chuid den foilsíodú seo  
 a bfuil a sárú nó a fheiceáil in an foilsíodú seo.  
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 Ní hionann bfuil, bfuil ná cead ead ar an foilsíodú seo  
 a bfuil a sárú nó a fheiceáil in an foilsíodú seo.  
 Ní hionann bfuil, bfuil ná cead ead ar an foilsíodú seo  
 a bfuil a sárú nó a fheiceáil in an foilsíodú seo.  
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 a bfuil a sárú nó a fheiceáil in an foilsíodú seo.

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570933

568517

570933

568517

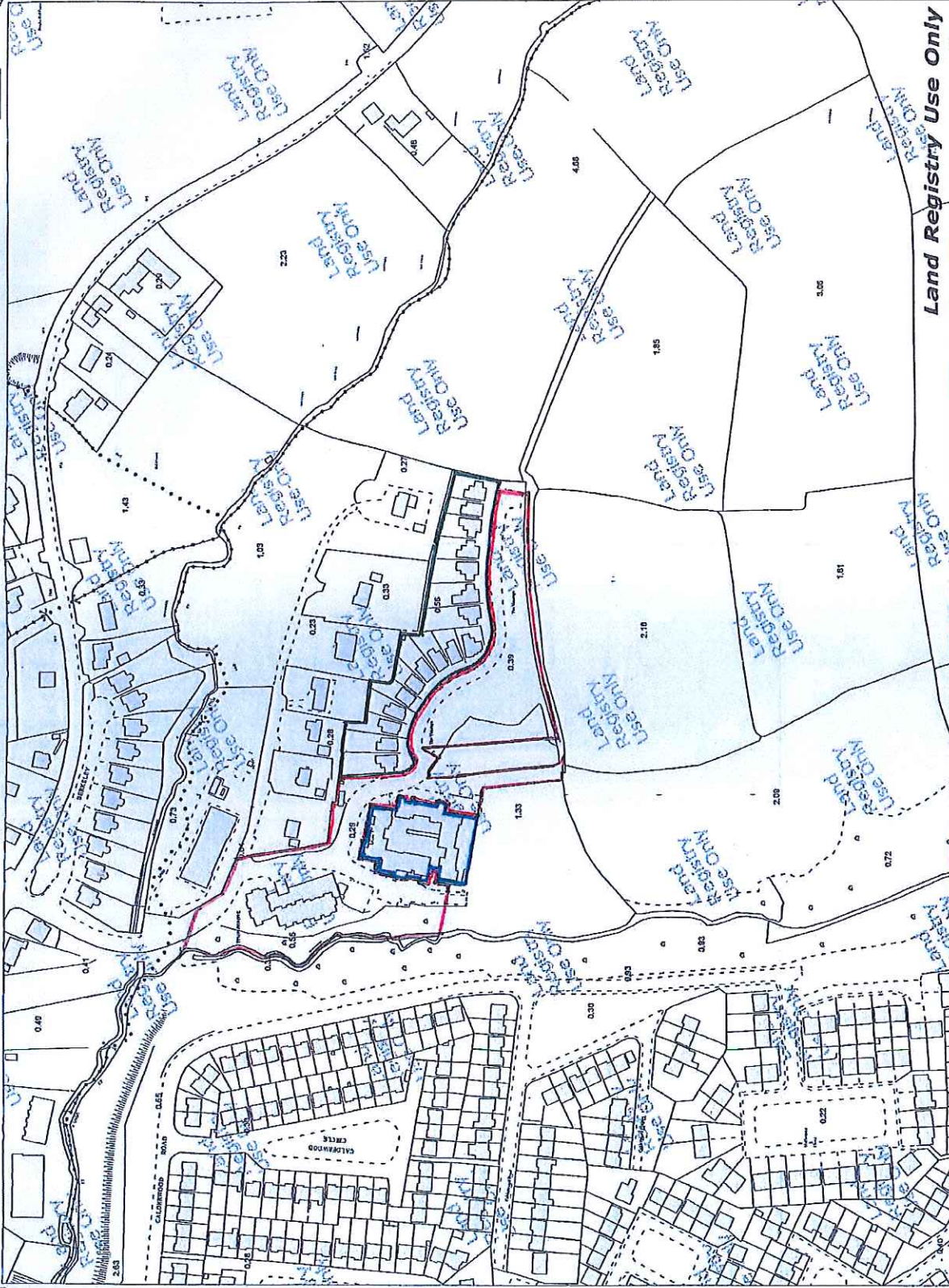
570163

**APPENDIX 2**  
**Existing Estate Plan**

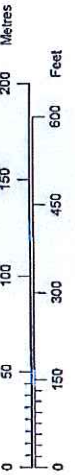
# Land Registry Compliant Map

Surveyed 1984-1986  
 Revised 2012  
 Levelled 1972

569967  
 568543



Scale:- 1:2,500  
 Scale:- 1:2,500



Plot Ref. No. 25142055\_1\_2  
 Plot Date 06-NOV-2012

570797

ITM CENTRE PT COORDS  
 570382.568236

DESCRIPTION

MAP SHEETS

1:1000  
 6428-13  
 1:2500  
 6428-D



Produced by National Map Services,  
 Unit 7, South Ring Business Park,  
 Kinsale Road,  
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 On behalf of Ordnance Survey Ireland,  
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 a tharchur in aon fhorm ná ar aon bhealach gan  
 cead i scríbhinn roimh ré ó úinéir an chóipcheat.  
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