

**RESOLUTION NO. R-2023-100**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING A LICENSE AGREEMENT FOR ENCROACHMENT ONTO THE WATER STREET RIGHT OF WAY. BETWEEN THE CITY OF BASTROP AND HOWARDS DESIGN LIMITED LLC, AS ATTACHED IN EXHIBIT A, AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE ALL NECESSARY DOCUMENTS; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Owners wish to enter into an agreement to encroach into a portion of the Water Street right of way to provide enhanced architectural feature to the building; and,

**WHEREAS**, the place type 5 zoning allows the proposed gallery style encroachment; and

**WHEREAS**, the proposed encroachment does not prohibit the city from performing necessary maintenance and repair to sidewalk, utilities and other right of way improvements.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:**

**Section 1:** That the Director of Public Works has the authority to execute a License agreement for encroachment onto the Water Street right of way between the City of Bastrop and Howards Design Limited LLC, as attached in Exhibit A,

**Section 2:** All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

**Section 3:** That this Resolution shall take effect immediately upon its passage.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Bastrop this 27th day of June, 2023.

**APPROVED:**

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Lyle Nelson, Mayor

**ATTEST:**

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Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

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Alan Bojorquez, City Attorney

