



STAFF REPORT

MEETING DATE: February 25, 2025

TITLE:

Consider and act on Resolution No. R-2025-48, authorizing a license to encroach agreement with MAJCO, LLC for property known as Chambers Street and adjacent to 1501 Chestnut Street for an encroachment into the Public Right-of-Way for use of a portion of the property for a paved driveway and parking area for use by customers, as attached in Exhibit B of the License Agreement.

AGENDA ITEM SUBMITTED BY:

Submitted by: Andres Rosales, Assistant City Manager

BACKGROUND/HISTORY:

The applicant is requesting modifications to encroach in the public right-of-way on the portion of the property along the property known as Chambers Street as shown on Exhibit B of the License Agreement. An existing agreement is in place with Barnard Tire and Wheel, Inc. that expires November 9, 2029.

The Oldham Barnard Holdings, LLC (“Owner”) owns the 0.961 acre property located at 1501 Chestnut Street, Bastrop, Texas (“Property”). A tire repair and service shop (the “Business”) doing business under the names “Barnard Tire & Auto Repair”, “Barnard Tire and Wheel” and “Barnard Tire & Auto” (“Operator”) operates on the Property. Operator wishes to sell the assets of the Business to MAJCO, LLC. MAJCO intends to continue the operation of an automobile tire repair and service shop on the Property and will lease the Property from Owner for a period of twenty (20) years with the right to renew such lease for ten (10) additional years.

A portion of the Business is operated within a 28.05 foot by 322.05 foot area of a 0.347 acre portion of the Chambers Street right-of-way (“Licensed Property”) pursuant to a Second Revised and Amended License Agreement dated April 13, 2010 and recorded as Document #201004921, Official Records, Bastrop County, Texas (“License”).

Owner seeks an amendment to the License which: (a) extends the term of the License to December 31, 2055, and (b) consents to the uses of the Licensed Property described in the License by MAJCO or any future tenant occupying the Property, provided MAJCO or such other tenant agrees to be bound by all terms and conditions of the License.

FISCAL IMPACT:

None.

RECOMMENDATION:

Authorize the approval of a license to encroach agreement with MAJCO, LLC for property known as Chambers Street and adjacent to 1501 Chestnut Street for an encroachment into the Public Right-of-Way for use of a portion of the property for a paved driveway and parking area for use by customers, as attached in Exhibit B of the License Agreement.

ATTACHMENTS:

1. Resolution No. R-2025-48
2. Exhibit A – Third Revised and Amended License Agreement with MAJCO, LLC
3. Exhibit B – Survey of Property
4. Lease Agreement with MAJCO, LLC