

**ORDINANCE NO. 2025-79**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, ABANDONING AND VACATING A CERTAIN SECTION OF THE MILL STREET RIGHT-OF-WAY, AND SOUTH STREET RIGHT-OF-WAY LOCATED SOUTH OF STATE HIGHWAY 71 AND EAST OF LOVER'S LANE; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS TO CONVEY THE CITY'S REMAINING REAL PROPERTY INTERESTS, IF ANY, IN SAID RIGHT-OF-WAY TO THE ADJACENT OWNER; PROVIDING FOR FINDINGS OF FACT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Bastrop ("City") is the owner of those certain rights-of-way known as Mill Street, and South Street located south of State Highway 71 and east of Lover's Lane, which streets have never been constructed and are considered "paper streets"; and

**WHEREAS**, a proposed senior affordable housing development is planned for property at the intersection of State Highway 71 and Lover's Lane, and the existence of these unbuilt rights-of-way hinders the orderly development of said property; and

**WHEREAS**, the City has investigated potential roadway extensions and traffic relief routes in this area and has determined that constructing crossings over or under the Union Pacific Railroad right-of-way would be cost prohibitive, with no feasible alternative available at this time; and

**WHEREAS**, the City Council finds that these portions of the Mill Street, and South Street rights-of-way are not currently used, are not needed for present or future public use, and that the public interest will be better served by abandoning and vacating the rights-of-way; and

**WHEREAS**, in consideration of the abandonment and vacation, the adjacent property owner has proposed a land exchange for approximately 2.72 acres of property north of Jasper Street, in lieu of payment for the appraised value of approximately \$121,000, as determined by comparable transactions; and

**WHEREAS**, the City Council finds that such conveyance and exchange are in the best interest of the City and its residents and that all legal requirements for such abandonment and conveyance have been met.

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

### **Section 1. Findings of Fact**

All the above recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

### **Section 2. Abandonment and Vacation**

The City Council hereby abandons and vacates all right, title, and interest of the City of Bastrop in and to the sections of the Mill Street right-of-way, and South Street right-of-way located south of State Highway 71 and east of Lover's Lane, as legally described and depicted in *Exhibit "A"*, attached hereto and incorporated herein for all purposes.

### **Section 3. Conveyance Authorization**

The City Manager is hereby authorized to execute any and all documents necessary to convey the City's remaining real property interests, if any, in said rights-of-way to the adjacent property owner in accordance with the land exchange agreement or for other consideration approved by the City.

### **Section 4. Public Purpose and Benefit**

The City Council finds that this abandonment and conveyance serve a valid public purpose by promoting economic development, facilitating senior affordable housing, and relieving the City of the cost burden associated with maintaining unused rights-of-way.

### **Section 5. Severability**

If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application.

### **Section 6. Effective Date**

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

**DULY ORDAINED AND ADOPTED** by the Bastrop City Council on first reading on this the 21<sup>st</sup> day of October 2025.

**DULY ORDAINED AND ADOPTED** by the Bastrop City Council on second reading on this the 4th day of November 2025.

APPROVED:

by:   
Ishmael Harris, Mayor

ATTEST:

  
Michael Muscarello, City Secretary



APPROVED AS TO FORM:

  
City Attorney  
Denton Navarro Rocha Bernal & Zech, P.C.





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## Clarification of Terms for Pine Creek Seniors

Following our recent discussions, we want to confirm our understanding of the key terms for the proposed senior affordable housing development in Bastrop to ensure alignment.

### Affordability

The project will include 52 senior affordable units: 36 one-bedroom units and 16 two-bedroom units, with the following affordability mix:

Unit Type	AMI Level	Units	Rent Limit
1-Bedroom	<b>30% AMI</b>	<b>11</b>	<b>\$695</b>
	50% AMI	6	\$1,197
	60% AMI	19	\$1,448
2-Bedroom	<b>30% AMI</b>	<b>4</b>	<b>\$828</b>
	50% AMI	4	\$1,431
	60% AMI	8	\$1,732

Total: 52 units (Weighted average rent: \$1,254). **This also shows a total of 15 units at 30% AMI (\$695 / \$828) for the project.**

### Additional Funding Requirement

**The above affordability structure requires no additional funding support from the City of Bastrop.**

### Property Taxes

The above assumes the property will pay 100% of assessed ad valorem real estate taxes **(no abatements or exemptions)**.

### Right-of-Way Dedication

The developer proposes to dedicate the northern portion of the site to the City of Bastrop (see attached exhibit). Specifically, the City has agreed to accept Jasper Street and the area of the property north of Jasper Street, totaling approximately 2.72 **contiguous** acres. We would request the City to release the ROWs and all paper easements on the remainder of the property—everything south of Jasper Street—which totals approximately 2.82 acres. In exchange, the developer will contribute the 2.72 acres of dedicated land to the City.



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The sketch roundabout / proposal is merely a suggestion at this stage (reflective of the conversations between City Staff and current owner) and remains subject to all necessary approvals, with any related costs to be borne by the City rather than the developer. The developer will not bear any financial responsibility for potential future public improvements on the dedicated portion.

Please confirm that this summary reflects the terms as discussed.

Sincerely,

A handwritten signature in black ink, appearing to read "Tisha Vaidya", is written over a horizontal line.

Tisha Vaidya

[tisha@elizabethpropertygroup.com](mailto:tisha@elizabethpropertygroup.com)

(214) 336-7495

**5757 Alpha Road, Suite 505**






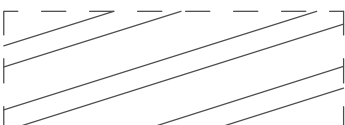


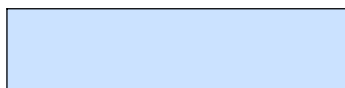

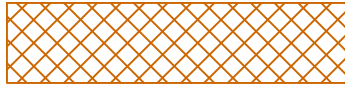


**Dallas, TX 75240**






SCALE: 1'' = 100'



LEGEND	
	PROPERTY BOUNDARY
	DEDICATED TO THE CITY
	EXISTING ROADS
	ROUNDABOUT
	EXISTING RAILROAD
	ZONE AE FLOODPLAIN
	LOT 1 (2.39 AC.)
	LOT 2 (2.21 AC.)
	LOT 3 (0.57 AC.)
	LOT 4 (7.49 AC.)
	PAPER ROWS TO BE RELEASED
	ROW TO BE DEDICATED
	OTHER ROW TO BE RELEASED

DATE SEPTEMBER 2023	SHEET 1 OF 1	JOB NUMBER 5727	SHEET NAME:  ROW RELEASE EXHIBIT  PINE CREEK PRELIMINARY PLAN  FEASIBILITY REPORT	<div style="text-align: center;">  <p><b>Carlson, Brigrance &amp; Doering, Inc.</b> Civil Engineering ♦ Surveying FIRM ID #F3791</p> <p>Main Office 5501 West William Cannon Dr. Austin, Texas 78750 Phone No. (512) 280-5160</p> <p>North Office 12129 RR (29) N., Ste. 600 Austin, Texas 78750 www.cbding.com</p> </div>	DESIGNED BY: NAME	DRAFTED BY: NAME
					REVISION	DATE