

**AGREEMENT FOR THE PROVISION OF SERVICES**  
(Pursuant to Tex. Local Gov't Code §43.0672)

**Date:** March 31, 2026

**Owner:** City of San Marcos, Texas, a home rule municipal corporation, 630 East Hopkins Street, San Marcos, Texas 78666

**City:** City of San Marcos, Texas, a home rule municipal corporation, 630 East Hopkins Street, San Marcos, Texas 78666

**Property:** As described in Exhibit A.

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1. The Owner has petitioned the City and the City has elected to annex the Property into the corporate limits of the City. Pursuant to Tex. Local Gov't Code §43.0672, the Owner and the City enter this agreement (the "Agreement") for the provision of services to the Property when annexed.

2. By this Agreement, the Owner affirms its consent to such annexation of the Property by the City and that Owner does not wish to enter into and has declined the offer from the City of a development agreement under Sections 43.016 and 212.172 of the Texas Local Government Code

3. In consideration of the mutual benefits to the Owner and the City arising from the annexation of the Property, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Owner and the City enter into this Agreement and agree that services to the Property will be provided as described in Exhibit B.

4. This Agreement is made, and shall be construed and interpreted under the laws of the State of Texas. Venue for any legal proceedings shall lie in state courts located in Hays County, Texas. Venue for any matters in federal court will be in the United States District Court for the Western District of Texas.

5. If any word, phrase, clause, sentence, or paragraph of this Agreement is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this Agreement will continue in force if they can be given effect without the invalid portion.

6. This Agreement shall be binding upon Owner, and Owner's heirs, successors and assigns, and all future owners of all or any portion of the Property.

7. This Agreement will become effective as of the date an ordinance annexing the Property is finally passed, approved, and adopted by the City's city council (the Effective Date). In the event Council does not approve annexation of this property, this agreement shall be null and void.

[SIGNATURES ON NEXT PAGE]

**CITY:**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF TEXAS           §

§

COUNTY OF HAYS         §

This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_\_, by \_\_\_\_\_, \_\_\_\_\_ of the City of San Marcos, in such capacity, on behalf of said municipality.

\_\_\_\_\_  
Notary Public, State of Texas



## **EXHIBIT A**

DESCRIPTION OF 81.27 ACRES, MORE OR LESS, OF LAND AREA IN THE WILLIAM WARD SURVEY, ABSTRACT NUMBER 467, HAYS COUNTY, TEXAS, BEING A 2.915 ACRE PORTION OF AN OLD PUBLICLY USED ROADWAY KNOWN AS OLD STAGECOACH ROAD (FOR WHICH THERE IS NO KNOWN DEED), BEING ALL OF THAT TRACT DESCRIBED AS EXHIBIT A - 2.13 ACRES (FOUND TO CONTAIN 2.13 ACRES) AND A 1.232 ACRE PORTION OF THAT TRACT DESCRIBED AS EXHIBIT B - 10.41 ACRES IN A DEED FROM STANLEY C. HUGHSON TO THE COUNTY OF HAYS DATED APRIL 19, 2000 AND RECORDED IN VOLUME 1664, PAGE 819 OF THE HAYS COUNTY OFFICIAL PUBLIC RECORDS, BEING ALL OF THOSE TWO TRACTS DESCRIBED AS EXHIBIT A1 - 13.179 ACRES (FOUND TO CONTAIN 13.178 ACRES) AND EXHIBIT A2 - 0.841 OF AN ACRE (FOUND TO CONTAIN 0.841 OF AN ACRE) IN A DEED FROM ALAN DALE LOWDEN ET UX TO HAYS COUNTY DATED JANUARY 21, 2004 AND RECORDED IN VOLUME 2397, PAGE 349 IN THE HAYS COUNTY OFFICIAL PUBLIC RECORDS, BEING ALL OF THAT TRACT DESCRIBED AS 13.405 ACRES (FOUND TO CONTAIN 13.406 ACRES) IN A DEED FROM JARED KEITH HERZOG ET AL TO HAYS COUNTY DATED JANUARY 21, 2004 AND RECORDED IN VOLUME 2397, PAGE 370 OF THE HAYS COUNTY OFFICIAL PUBLIC RECORDS, BEING ALL OF THAT TRACT DESCRIBED AS 11.445 ACRES (FOUND TO CONTAIN 11.444 ACRES) IN A DEED FROM JEFFERSON W. BARTON ET AL TO HAYS COUNTY DATED JANUARY 21, 2004 AND RECORDED IN VOLUME 2397, PAGE 363 OF THE HAYS COUNTY OFFICIAL PUBLIC RECORDS, BEING ALL OF THAT TRACT DESCRIBED AS 3.955 ACRES (FOUND TO CONTAIN 3.953 ACRES) IN A DEED FROM FRANK HERNANDEZ ET UX TO HAYS COUNTY DATED JANUARY 21, 2004 AND RECORDED IN VOLUME 2397, PAGE 357 OF THE HAYS COUNTY OFFICIAL PUBLIC RECORDS, BEING ALL OF THAT TRACT DESCRIBED AS 17.859 ACRES (FOUND TO CONTAIN 17.704 ACRES) IN A DEED FROM ALAN DALE LOWDEN ET AL TO HAYS COUNTY DATED AUGUST 9, 2001 AND RECORDED IN VOLUME 1872, PAGE 395 OF THE HAYS COUNTY OFFICIAL PUBLIC RECORDS AND BEING ALL OF THAT TRACT DESCRIBED AS 14.36 ACRES (FOUND TO CONTAIN 14.463 ACRES) IN A DEED FROM TOM C. JOHNSON JR. ET UX TO HAYS COUNTY DATED MAY 10, 1973 AND RECORDED IN VOLUME 258, PAGE 817 OF THE HAYS COUNTY DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" iron rod set in the common southeast line of that tract described as 46.05 acres in a deed from Stanley C. Hughson to Hughson Investments, LTD. dated December 22, 2003 of the Hays County Official Public Records, the northwest line of the County of Hays 10.41 acre tract and the new location of Old Stagecoach Road, for the north corner of this description, from which a 1/2" iron rod for a common southeast angle point of the Hughson Investments, LTD. tract and a northeast angle point of the County of Hays 10.41 acre tract bears N 39° 17' 35" E 93.35 feet;

**THENCE** leaving the Hughson Investments, LTD. tract and **PLACE OF BEGINNING** as shown on that plat numbered 28339-24-c dated January 15, 2024 as prepared for the City of San Marcos by Byrn & Associates, Inc. of San Marcos, Texas, crossing the County of Hays 10.41 acre tract with the west line of Old Stagecoach Road, with a left breaking curve, having the following characteristics: Radius = 540.00 feet, Arc Length = 154.93 feet, Central Angle = 16° 26' 19", and a Chord which bears **S 12° 22' 10" W 154.40 feet** to a 1/2" iron rod found in the southeast line of the County of Hays 10.41 acre tract and for the common north corner of the Hays County 0.841 of an acre tract and for the west corner of that tract described as 0.401 of an acre in a deed from Alan Dale Lowden et ux to Hays County dated January 21, 2004 and recorded in Volume 2396, Page 639 of the Hays County Official Public Records;

**THENCE** leaving the County of Hays 10.41 acre tract with the common northeast line of the Hays County 0.841 of an acre tract and the west line of the Hays County 0.401 of an acre tract and Old Stagecoach Road, with a left breaking curve, having the following characteristics: Radius = 540.00 feet, Arc Length = 133.59 feet, Central Angle = 14° 10' 29", and a Chord which bears **S 02° 56' 14" E 133.25 feet** to a 5/8" iron rod found for the common east corner of the Hays County 0.841 of an acre tract, the south corner of that tract described as 0.401 of an acre, the west corner of that tract described as Exhibit A1 – 1.877 acres in Volume 2396, Page 639 and the north corner of the Hays County 13.179 acre tract;

**THENCE** leaving the Hays County 0.841 of an acre tract and the Hays County 0.401 of an acre tract with the common southwest line of the Hays County 1.877 acre tract and Old Stagecoach Road, the following two courses:

1. With the common northeast line of the Hays County 13.179 acre tract, with a left breaking curve, having the following characteristics: Radius = 540.00 feet, Arc Length = 352.27 feet, Central Angle = 37° 22' 37", and a Chord which bears **S 28° 45' 12" E 346.06 feet** to a 1/2" iron rod set and
2. **S 47° 27' 48" E 459.06 feet** to a 1/2" iron rod set for the common east corner of the Hays County 13.179 acre tract, the south corner of the Hays County 1.877 acre tract in Volume 2396, Page 639, the west corner of that tract described as 1.877 acres in a deed from Jared Keith Herzog et al to Hays County dated January 21, 2004 and recorded in Volume 2396, Page 630 of the Hays County Official Public Records and the north corner of the Hays County 13.405 acre tract;

**THENCE** leaving the Hays County 13.179 acre tract and the Hays County 1.877 acre tract in Volume 2396, Page 639 with the common northeast line of the Hays County 13.405 acre tract and the southwest line of the Hays County 1.877 acre tract in Volume 2396, Page 630 and Old Stagecoach Road, **S 47° 27' 07" E 817.62 feet** to a 1/2" iron rod found for the common east corner of the Hays County 13.405 acre tract, the south corner of the Hays County 1.877 acre tract in Volume 2396, Page 630, the west corner of that tract described as 1.951 acres in a deed from Jefferson W. Barton et al to Hays County dated January 21, 2004 and recorded in Volume 2396, Page 634 of the Hays County Official Public Records and the north corner of the Hays County 11.445 acre tract;

**THENCE** leaving the Hays County 13.405 acre tract and the Hays County 1.877 acre tract in Volume 2396, Page 630 with the common northeast line of the Hays County 11.445 acre tract and the southwest line of the Hays County 1.951 acre tract and Old Stagecoach Road, the following two courses:

1. **S 47° 27' 00" E 780.81 feet** to a 5/8" iron rod found and
2. With a right breaking curve, having the following characteristics: Radius = 440.00 feet, Arc Length = 69.21 feet, Central Angle = 9° 00' 45", and a Chord which bears **S 42° 55' 01" E 69.14 feet** to an iron rod found with an illegible plastic cap for the common east corner of the Hays County 11.445 acre tract, the south corner of the Hays County 1.951 acre tract, the west corner of that tract described as 2.209 acres in a deed from Frank Hernandez et ux to Hays County dated January 21, 2004 and recorded in Volume 2396, Page 647 of the Hays County Official Public Records and the north corner of the Hays County 3.955 acre tract;

**THENCE** leaving the Hays County 11.445 acre tract and the Hays County 1.951 acre tract with the common northeast line of the Hays County 3.955 acre tract and the southwest line of the Hays County 2.209 acre tract and Old Stagecoach Road, the following three courses:

1. With a right breaking curve having the following characteristics: Radius = 440.00 feet, Arc Length = 269.79 feet, Central Angle =  $35^{\circ} 07' 55''$ , and a Chord which bears **S  $20^{\circ} 52' 04''$  E 265.59 feet** to a 1/2" iron rod found,
2. **S  $03^{\circ} 16' 50''$  E 207.95 feet** to an iron rod found with an illegible plastic cap, and
3. With a left breaking curve having the following characteristics: Radius = 540.00 feet, Arc Length = 328.10 feet, Central Angle =  $34^{\circ} 48' 44''$ , and a Chord which bears **S  $20^{\circ} 42' 56''$  E 323.07 feet** to an iron rod found with an illegible plastic cap in the north line of the old location of Old Stagecoach Road and for a common south angle point of the Hays County 2.209 acre tract and the east corner of the Hays County 3.955 acre tract;

**THENCE** leaving the Hays County 3.955 acre tract and crossing the old location of Old Stagecoach Road with the west line of Old Stagecoach Road as used upon the ground the following two courses:

1. With a left breaking curve having the following characteristics: Radius = 540.00 feet, Arc Length = 131.79 feet, Central Angle =  $13^{\circ} 59' 02''$ , and a Chord which bears **S  $44^{\circ} 58' 15''$  E 131.47 feet** to an iron rod set and
2. **S  $52^{\circ} 07' 21''$  E 64.02 feet** to a 1/2" iron rod set in the common southwest line of the old location of Old Stagecoach Road, the new location of Old Stagecoach Road and in the northeast line of the Hays County 17.859 acre tract;

**THENCE** with said common line, the following two courses:

1. **S  $72^{\circ} 23' 54''$  E 76.86 feet** to a 1/2" iron rod set and
2. **S  $58^{\circ} 02' 08''$  E 13.87 feet** to a an iron rod found with an aluminum cap stamped "McMillan" for the common east corner of the Hays County 17.859 acre tract, the east corner of this description and the north corner of that tract described as Tract 2 – 1.58 acres in a deed from Dean Goodnight & Jack Bryant, Independents Co-Executors to Madeline A. Delong et vir dated December 13, 2022 and recorded in Hays County Instrument Number 22056391 of the Hays County Official Public Records;

**THENCE** leaving Old Stagecoach Road with the common southeast line of the Hays County 17.859 acre tract and the northwest line of the Delong tract **S  $43^{\circ} 22' 42''$  W 337.27 feet** to a calculated point in north line of that tract conveyed as 2.26 acres in a deed from Edward C. Bullock Jr. to Post Road Series, Individual Series dated October 19, 2024 and recorded in Hays County Instrument Number 24043556 and further described in Hays County Instrument Number 22057370 of the Hays County Official Public Records, in the approximate Record centerline of the Blanco River and for the common west corner of the Delong tract, the south corner of the Hays County 17.859 acre tract and this description;

**THENCE** leaving the Delong tract with the common north line of the Post Road Series, Individual Series tract and the southwest line of the Hays County 17.859 acre tract, being the record approximate centerline of the Blanco River, **N  $65^{\circ} 30' 42''$  W 139.74 feet** to a calculated point for a common south angle point of the Hays County 17.859 acre tract, the north corner of the Post Road Series, Individual Series tract and the east corner of The Blanco River Ranch Subdivision recorded in Volume 6, Page 362 of the Hays County Plat Records;

**THENCE** leaving the Post Road Series, Individual Series tract with the common northeast line of The Blanco River Ranch Subdivision and the southwest line of the Hays County 17.859 acre tract being the record approximate centerline of the Blanco River, the following eleven courses:

1. **N 59° 57' 19" W 145.13 feet** to a calculated point,
2. **N 84° 07' 01" W 471.88 feet** to a calculated point,
3. **N 61° 37' 37" W 134.00 feet** to a calculated point,
4. **N 55° 42' 08" W 125.09 feet** to a calculated point,
5. **N 36° 27' 35" W 128.19 feet** to a calculated point,
6. **N 25° 11' 30" W 84.59 feet** to a calculated point,
7. **N 45° 34' 38" W 545.37 feet** to a calculated point,
8. **N 61° 26' 16" W 215.49 feet** to a concrete nail set in the middle of the old dam, pass at 63.90 feet the common west corner of the Hays County 17.859 acre tract and the south corner of the Hays County 14.36 acre tract,
9. **N 49° 48' 29" W 531.65 feet** to a calculated point,
10. **N 57° 06' 31" W 729.04 feet** to a calculated point and
11. **N 62° 45' 03" W 305.01 feet** to a calculated point for the north corner of The Blanco River Ranch Subdivision, from which a 1/2" iron rod found in the common northwest line of The Blanco River Ranch Subdivision and a southeast line of that tract described as 360.42 acres in a deed from Nancy Jean Roberts & Carol Kay Greaves to Nan-Car Partners, LTD. dated November 27, 2006 and recorded in Volume 3063, Page 217 of the Hays County Official Public Records bears **S 43° 53' 07" E 50.71 feet**, pass at 24.63 feet a northeast corner of the Nan-Car Partners, LTD. tract;

**THENCE** leaving The Blanco River Ranch Subdivision with the record approximate centerline of the Blanco River, **N 62° 45' 03" W 22.55 feet** to a calculated point for the west corner of the Hays County 14.36 acre tract;

**THENCE** leaving the approximate centerline of the Blanco River with the northwest line of the Hays County 14.36 acre tract, **N 43° 39' 26" E 124.97 feet** to a 1/2" iron rod set for the south corner of the County of Hays 2.13 acre tract;

**THENCE** leaving the Hays County 14.36 acre tract with a southwest line of the County of Hays 2.13 acre tract the following two courses:

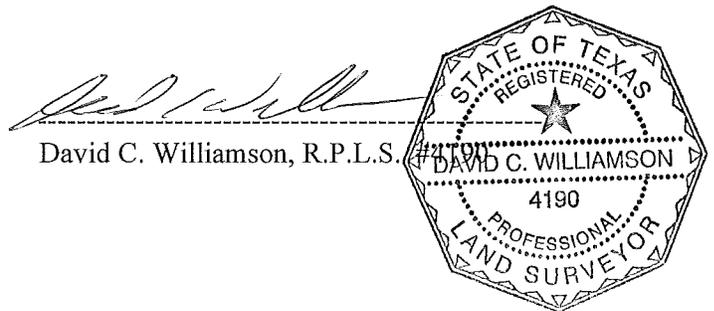
1. **N 46° 19' 53" W 40.17 feet** to a 1/2" iron rod set and
2. **N 43° 40' 07" E 25.38 feet** to a 1/2" iron rod set in a northwest line of the County of Hays 2.13 acre tract and for the south corner of the Hughson Investments, LTD tract;

**THENCE** with said common line, the following three courses:

1. N 43° 40' 07" E 246.72 feet to a 1/2" iron rod set,
2. N 75° 56' 14" E 301.37 feet to an iron rod found with an aluminum cap stamped "Pro-Tech" and
3. with a right breaking curve having the following characteristics: Radius = 735.00 feet, Arc Length = 177.84 feet, Central Angle = 13° 51' 49", and a Chord which bears N 00° 43' 48" E 177.41 feet to a 1/2" iron rod found in the southeast line of the Hughson Investments, LTD. tract and for a common northwest angle point of the County of Hays 2.13 acre tract and the south corner of the County of Hays 10.41 acre tract;

**THENCE** leaving the County of Hays 2.13 acre tract with the common southeast line of the Hughson Investments, LTD tract and the northwest line of the County of Hays 10.41 acre tract, the following two courses:

1. With a right breaking curve having the following characteristics: Radius = 735.00 feet, Arc Length = 405.55 feet, Central Angle = 31° 36' 51", and a Chord which bears N 23° 29' 09" E 400.43 feet to a 1/2" iron rod found and
2. N 39° 17' 35" E 511.44 feet to **THE PLACE OF BEGINNING**. There are contained within these metes and bounds 81.27 acres, more or less, of land area as prepared from public records and a survey made on the ground on January 15, 2025 by Byrn & Associates, Inc. of San Marcos, Texas. The Bearing Basis for this description was determined from GPS observations and refers to Grid North of the Texas State Plane Coordinate System, NAD 83, South Central Zone. All 1/2" iron rods set are capped with a plastic cap stamped "Byrn Survey".



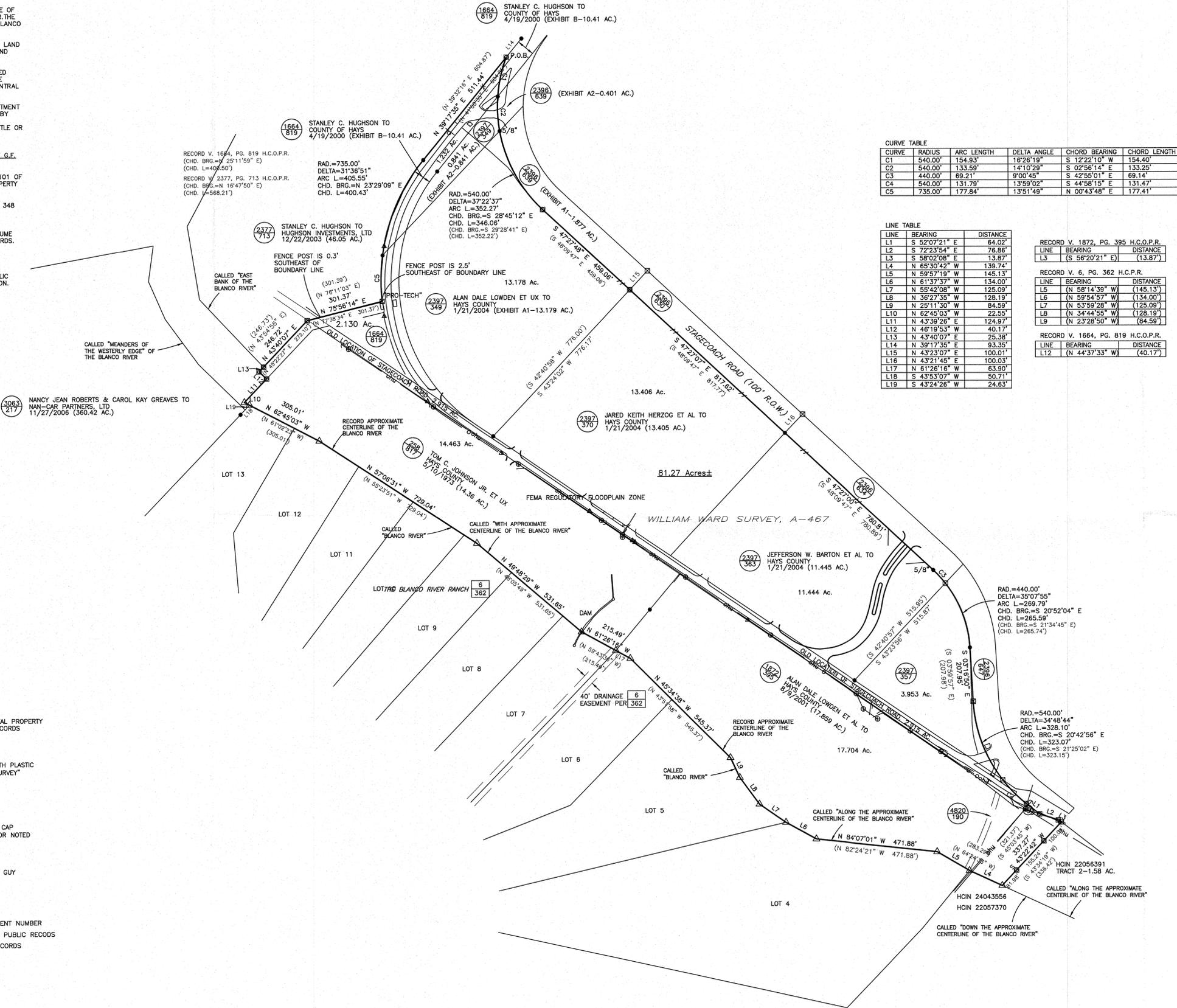
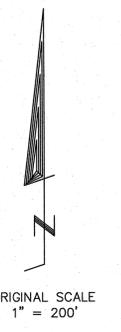
Rev. 10-5-2025  
Client: City of San Marcos  
Date: January 15, 2025  
Survey: Ward, William A-467  
County: Hays  
Job No: 28339-24  
FND 81.27 ac Rev.

**SURVEYORS NOTES**

- FENCES MEANDER.
- BEARINGS, DISTANCES AND AREAS IN PARENTHESES ARE FROM RECORD INFORMATION.
- ACCORDING TO SCALING FROM THE CURRENT F.E.M.A. FLOOD INSURANCE RATE MAP NO. 4820903856, DATED JANUARY 17, 2025, THIS TRACT LIES WITHIN THE REGULATORY FLOODWAY.
- THIS TRACT MAY BE SUBJECT TO THE RIGHTS OF THE STATE OF TEXAS UP TO THE GRADIENT BOUNDARY OF THE BLANCO RIVER. THE SOUTHWEST LINE OF THIS TRACT IS THE CENTERLINE OF THE BLANCO RIVER, THEREFORE AREAS ARE APPROXIMATE ONLY.
- THIS SURVEY PLAT WAS PREPARED IN CONJUNCTION WITH A LAND DESCRIPTION DATED JANUARY 15, 2025 PREPARED BY BYRN AND ASSOCIATES, INC. OF SAN MARCOS, TEXAS.
- THE BEARING BASIS FOR THIS SURVEY PLAT WAS DETERMINED FROM GPS OBSERVATIONS AND REFERS TO GRID NORTH OF THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, SOUTH CENTRAL ZONE.
- THIS SURVEY WAS DONE IN CONJUNCTION WITH TITLE COMMITMENT G.F. NO. 2439526-SMA, DATED NOVEMBER 5, 2024 PROVIDED BY CHICAGO TITLE INSURANCE COMPANY. THIS SURVEYOR DID NOT RESEARCH THE DEED RECORDS FOR PREVIOUS CONFLICTS IN TITLE OR EASEMENT, THEREFORE, CERTAIN EASEMENTS MAY HAVE BEEN GRANTED WHICH ARE NOT REFLECTED HEREON.

NOTES CORRESPONDING TO SCHEDULE B OF TITLE COMMITMENT G.F. NO. 2439526-SMA

- A PIPELINE EASEMENT RECORDED IN VOLUME 98, PAGE 101 OF THE HAYS COUNTY DEED RECORDS, MAY AFFECT SUBJECT PROPERTY BUT CONTAINS NO PLOTTABLE INFORMATION.
- A PIPELINE EASEMENT RECORDED IN VOLUME 137, PAGE 348 OF THE HAYS COUNTY DEED RECORDS, MAY AFFECT SUBJECT PROPERTY BUT CONTAINS NO PLOTTABLE INFORMATION.
- A 15 FOOT WIDE ELECTRIC EASEMENT RECORDED IN VOLUME 3357, PAGE 210 OF THE HAYS COUNTY OFFICIAL PUBLIC RECORDS, AFFECTS SUBJECT PROPERTY BUT CONTAINS NO PLOTTABLE INFORMATION.
- A 20 FOOT WIDE WATER UTILITY EASEMENT RECORDED IN VOLUME 4820, PAGE 190 OF THE HAYS COUNTY OFFICIAL PUBLIC RECORDS, AFFECTS SUBJECT PROPERTY AND IS PLOTTED HEREON.



**CURVE TABLE**

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	540.00'	154.93'	16°26'19"	S 12°22'10" W	154.40'
C2	540.00'	133.59'	14°10'29"	S 02°56'14" E	133.25'
C3	440.00'	69.21'	9°00'45"	S 42°55'01" E	69.14'
C4	540.00'	131.79'	13°59'02"	S 44°58'15" E	131.47'
C5	735.00'	177.84'	13°51'49"	N 00°43'48" E	177.41'

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S 52°07'21" E	64.02'
L2	S 72°23'54" E	76.86'
L3	S 58°02'08" E	13.87'
L4	N 65°30'42" W	139.74'
L5	N 59°57'19" W	145.13'
L6	N 61°37'37" W	134.00'
L7	N 55°42'06" W	125.09'
L8	N 36°27'35" W	128.19'
L9	N 25°11'30" W	84.59'
L10	N 62°45'03" W	22.55'
L11	N 43°39'26" E	124.97'
L12	N 48°19'53" W	40.17'
L13	N 43°40'07" E	25.38'
L14	N 39°17'35" E	93.35'
L15	N 43°23'07" E	100.01'
L16	N 43°21'45" E	100.03'
L17	N 61°28'18" W	63.90'
L18	S 43°53'07" W	50.71'
L19	S 43°24'26" W	24.63'

RECORD V. 2397, PG. 349 H.C.O.P.R.

CURVE	RADIUS	CHORD BEARING	CHORD LENGTH
C2	(540.00')	(S 03°42'23" E)	(133.25')

RECORD V. 1664, PG. 819 H.C.O.P.R.

CURVE	RADIUS	CHORD BEARING	CHORD LENGTH
C5	(735.00')	(N 02°27'10" E)	(177.53')

RECORD V. 1872, PG. 395 H.C.O.P.R.

LINE	BEARING	DISTANCE
L3	(S 56°20'21" E)	(13.87')

RECORD V. 6, PG. 362 H.C.P.R.

LINE	BEARING	DISTANCE
L5	(N 58°14'39" W)	(145.13')
L6	(N 59°54'57" W)	(134.00')
L7	(N 53°59'28" W)	(125.09')
L8	(N 34°44'55" W)	(128.19')
L9	(N 23°28'50" W)	(84.59')

RECORD V. 1664, PG. 819 H.C.O.P.R.

LINE	BEARING	DISTANCE
L12	(N 44°37'33" W)	(40.17')

**DEED REFERENCES:**

- HCIN 24043556 EDWARD C. BULLOCK JR. TO POST ROAD SERIES, INDIVIDUAL SERIES 10/19/2024 (2.26 AC.)
- HCIN 22057370 GREGORY L. JONES ET UX TO ED BULLOCK 12/19/2022 (2.26 AC.)
- HCIN 22056391 DEAN GOODNIGHT & JACK BRYANT, INDEPENDENT CO-EXECUTORS TO MADELINE A. DELONG ET VIR 12/13/2022 (TRACT 2-1.58 AC.)
- THE COUNTY OF HAYS TO CARMA BLANCO VISTA, LLO 12/10/2013 (0.145 AC.-WATER UTILITY EASEMENT)
- FRANK HERNANDEZ ET UX TO HAYS COUNTY 1/21/2004 (3.955 AC.)
- FRANK HERNANDEZ ET UX TO HAYS COUNTY 1/21/2004 (2.209 AC.)
- ALAN DALE LOWDEN ET UX TO HAYS COUNTY 1/21/2004
- JEFFERSON W. BARTON ET AL TO HAYS COUNTY 1/21/2004 (1.951 AC.)
- JARED KEITH HERZOG ET AL TO HAYS COUNTY 1/21/2004 (1.877 AC.)
- STANLEY C. HUGHSON TO COUNTY OF HAYS 4/19/2000 (EXHIBIT A-2.13 AC.)

- LEGEND**
- HAYS COUNTY DEED, REAL PROPERTY OR OFFICIAL PUBLIC RECORDS
  - HAYS COUNTY PLAT RECORDS
  - 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "BYRN SURVEY"
  - 1/2" IRON ROD FOUND OR DIAMETER NOTED
  - FENCE POST
  - CALCULATED POINT
  - CONCRETE NAIL SET
  - IRON ROD FOUND WITH CAP STAMPED "PRO-TECH" OR NOTED
  - VINYL PLANK FENCE
  - WIRE FENCE
  - PIPE FENCE
  - UTILITY LINE, POLE AND GUY
  - UTILITY PEDESTAL
  - SIGN
  - MANHOLE
  - POB POINT OF BEGINNING
  - HCIN HAYS COUNTY INSTRUMENT NUMBER
  - HCOPR HAYS COUNTY OFFICIAL PUBLIC RECORDS
  - HCPR HAYS COUNTY PLAT RECORDS

TO CITY OF SAN MARCOS AND CHICAGO TITLE INSURANCE COMPANY EXCLUSIVELY, AND FOR USE WITH THIS TRANSACTION ONLY:

I HEREBY STATE TO THE BEST OF MY SKILL AND KNOWLEDGE: THAT THIS PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND ON JANUARY 15, 2025; THAT ALL CORNERS ARE MONUMENTED AS SHOWN HEREON; AND THAT THERE ARE NO VISIBLE DISCREPANCIES, BOUNDARY LINE CONFLICTS, EASEMENTS, ENCROACHMENTS, OR OVERLAPPING OF IMPROVEMENTS, EXCEPT AS SHOWN OR NOTED HEREON.

DAVID C. WILLIAMSON, R.P.L.S. NO. 4500  
 DAVID C. WILLIAMSON  
 4190  
 PROFESSIONAL LAND SURVEYOR

**BYRN & ASSOCIATES, INC.**

**SURVEYING**

P.O. BOX 1433 SAN MARCOS, TEXAS 78667  
 PHONE 512-396-2270 FAX 512-392-2945  
 FIRM NO. 10070500

REVISED OCTOBER 2, 2025  
 CLIENT: CITY OF SAN MARCOS  
 DATE: JANUARY 15, 2025  
 OFFICE: HADEN  
 CREW: C. SMITH  
 FB/PS: 604/43  
 PLAT NO. 28359-24-d

PLAT OF 81.27 ACRES, MORE OR LESS,  
 IN THE WILLIAM WARD SURVEY, A-467,  
 HAYS COUNTY, TEXAS

## EXHIBIT B

When the Property is annexed, services will be provided to the Property as follows:

### **1. Police Protection**

Police services, including patrolling, response to calls and other routine services, will begin on the Effective Date of the annexation using existing personnel and equipment.

### **2. Fire Protection**

Fire protection services, including emergency response calls, will begin on the Effective Date of the annexation using existing personnel and equipment and within the limitations of the available water supply. In accordance with Section 775.022 of the Health and Safety Code, the City of San Marcos is capable at the time of annexation of being the sole provider of emergency services to the Property being annexed. The City of San Marcos will meet or exceed the level of service provided by the existing Emergency Services District(s) (ESDs) at the time of annexation. The level of service for fire and emergency medical protection is evidenced in **Exhibit C, Fire Service Plan**.

### **3. Emergency Medical Services**

Pursuant to the requirements of Texas Health and Safety Code Section 775.022, the City of San Marcos must demonstrate that the selected emergency medical services (EMS) delivery model will meet or exceed the level of service that could be provided through alternative EMS service arrangements. The City of San Marcos will provide EMS service to the area on or before the Effective Date of the annexation by and through the utilization of our contract with Hays County Emergency Medical Services, Inc. and, through other services provided directly by the City of San Marcos. Based on current operational performance, system capacity, and governance flexibility, the City of San Marcos—through its contractual partnership with San Marcos Hays County EMS or through a future municipal “third-service” model operated by the City—can meet or exceed the performance, reliability, and accountability standards associated with other EMS delivery options. The level of service for emergency medical services is evidenced in **Exhibit D, Emergency Medical Service Plan**.

### **4. Solid Waste Collection**

Solid waste collection services, provided under contract with a private company, will be made available to all properties on the Effective Date of the annexation. Residents of the Property may elect to continue using the services of a private solid waste hauler for a period of two years after the Effective Date of the annexation. Businesses and institutions must make arrangements with private solid waste haulers.

### **5. Operation and Maintenance of Water and Wastewater Facilities**

**a. Water.** The Property is located within an area over which the City of San Marcos holds a Certificate of Convenience and Necessity (CCN) for water service. The City will make water service available to the Property on the Effective Date of the annexation on the same basis as available to other owners of property in the City, i.e., the Owner is solely responsible for the cost to construct and extend all infrastructure, facilities, and lines necessary to serve the Property.

**b. Wastewater.** The Property is located within an area over which the City of San Marcos holds a Certificate of Convenience and Necessity (CCN) for wastewater service. The City will make wastewater service available to the Property on the Effective Date of the annexation on the same basis as available to other owners of property in the City, i.e., the Owner is solely responsible for the cost to construct and extend all infrastructure, facilities, and lines necessary to serve the Property.

#### **6. Construction, Operation and Maintenance of Roads and Streets**

As new development occurs within the Property, the Owner(s) of Property will be required to construct streets at the Owner's sole expense in accordance with applicable ordinances of the City.

#### **7. Electric Service**

The Property is located within the Pedernales Electric service area. Thus, the City will not provide electric service to the Property.

#### **8. Operation and Maintenance of Parks, Playgrounds, and/or Swimming Pools**

The property contains the riverfront portion of Five Mile Dam Park and is adjacent to the soccer fields which were previously annexed into the City. The same standards and policies now established and in force within the city limits will be followed in maintaining and expanding recreational facilities to serve the Property. Upon annexation, the owners and residents of property located within the Property shall be entitled to the use of all municipal parks and recreational facilities, subject to the same restrictions, fees, and availability that pertains to the use of those facilities by other citizens of the city.

#### **9. Operation and Maintenance of Other Public Facilities, Buildings, and Services**

No other public facilities, buildings, or services currently exist within the Property. The same standards and policies now established and in force within the city limits will be followed in maintaining and expanding other public facilities, building, and services. Upon annexation, the owners and residents of property located within the Property shall be entitled to the use of all municipal facilities, buildings, and services, subject to the same restrictions, fees, and availability that pertains to the use of those facilities and services by other citizens of the city.

## **EXHIBIT C: FIRE SERVICE PLAN**

### **1. Purpose and Scope**

This Emergency Services Plan is developed to satisfy the requirements of Section 775.022 of the Texas Health and Safety Code, which calls for an assessment of fire protection and emergency response capabilities within the affected area. The plan evaluates the concentration, distribution, and reliability of the three closest existing fire stations serving the city and documents the operational capacity of the San Marcos Fire Department (SMFD) as the primary provider of structural fire suppression and emergency response services.

### **2. Overview of Existing Fire Protection Resources**

The San Marcos Fire Department operates six fire stations, strategically located throughout the city to provide comprehensive coverage. Each fire engine is staffed, 24-7-365, with a minimum of three personnel and each ladder truck (quint) with a minimum of four, ensuring that all stations maintain an immediately deployable response unit. This staffing and apparatus model supports consistent operational readiness and aligns with industry standards for initial fire attack, life safety operations, and all-hazards emergency response.

### **3. Concentration of Fire Stations**

“Concentration” refers to the ability of multiple units to respond to a single incident within a defined time frame.

- The three closest fire stations to the planning area provide overlapping response zones, enabling rapid assembly of multiple apparatus when needed.
- The proximity of these stations supports effective deployment of additional resources for structure fires, multi-patient incidents, hazardous materials events, and other high-demand emergencies.
- SMFD’s six-station system enhances depth of coverage, ensuring that even when one or more units are committed to an incident, additional staffed units remain available for concurrent emergencies.

### **4. Distribution of Fire Stations**

“Distribution” refers to the geographic placement of fire stations relative to the population, infrastructure, and risk profile of the area.

#### **Location, by proximity of our three closest stations:**

- Closest Station – Station 5, 4.9-mile travel distance: 100 Carlson Circle
- 2<sup>nd</sup> Closest Station – Station 1, 5.4-mile travel distance: 114 E. Hutchison Street
- 3<sup>rd</sup> Closest Station – Station 4, 10-mile travel distance: 1404 Wonder World Drive

The three nearest stations are positioned to provide short travel distances to the planning area, reducing response times and improving outcomes for life-safety and property-conservation incidents. Their locations support efficient access to major roadways, residential neighborhoods, commercial corridors, and critical facilities. The broader six-station network ensures that the city maintains balanced coverage, minimizing gaps in service and supporting equitable response capability across all districts.

## 5. Reliability of Fire Protection Services

“Reliability” refers to the likelihood that an available, staffed, and equipped unit can respond when an emergency occurs. Key reliability factors include:

- **Staffing:** Each SMFD station maintains a minimum of three trained personnel per shift, ensuring that an engine or truck is always ready for deployment.
- **Apparatus Availability:** All six stations house frontline units capable of immediate response. Reserve apparatus are maintained to support continuity of operations during maintenance or mechanical issues.
- **Redundancy:** The presence of multiple nearby stations increases reliability by providing backup coverage when primary units are engaged.
- **Mutual Aid:** SMFD participates in regional mutual-aid agreements, further strengthening reliability during large-scale or multi-incident events.

Overall, the combination of station staffing, apparatus readiness, and overlapping coverage zones provides a high level of service reliability consistent with the expectations of § 775.022.

## 6. Deployment

The proximity of our three closest stations, supported by the additional three stations positioned throughout the city, demonstrates an effective and resilient deployment model. This configuration ensures that initial fire suppression resources arrive rapidly, while secondary units can reinforce the response to assemble a full effective response force for structure fires, multi-patient incidents, hazardous materials events, and other high-demand emergencies. The overlapping coverage provided by all six stations enhances reliability, maintains continuity of operations during simultaneous incidents, and supports compliance with Health and Safety Code 775 requirements for timely and adequate emergency response.

## 7. Response Time:

For the purpose of calculating response times, to ensure consistency from station to station, and department to department, we utilized NFPA 1710 standards for both alarm handling and turnout times, plus drive time, based on road miles. For the purpose of calculating travel time, we utilized the RAND Travel Time Equation.

### Explanation of the RAND Travel Time Equation

The equation -  $T = 0.65 + 1.7D$

is a linear travel-time model used in fire-service planning to estimate how long it takes emergency apparatus (typically fire engines) to travel a given distance.

### MEANING OF EACH TERM

- **T:** Represents average travel time in minutes. Rounded to the nearest 0.1 minute.
- **0.65 (Acceleration Constant):** Represents the initial acceleration time for the first 0.5 mile of travel. This accounts for the fact that fire apparatus start from a stopped position and require time to accelerate before reaching cruising speed.
- **1.7 (Speed Constant):** Represents the average time per mile once the vehicle is at speed. Validated for distances between 0.5 and 8.0 miles. This constant reflects typical fire-engine travel speeds under emergency response conditions.
- **D:** The distance traveled, in miles.

## INTERPRETATION

The model assumes:

- A fixed “startup” time of 0.65 minutes ( $\approx 39$  seconds).
- After that, each additional mile adds 1.7 minutes ( $\approx 102$  seconds).
- This makes the model simple, predictable, and easy to apply for planning station locations, estimating response times, and evaluating fire-protection coverage.

### Origin and Citation

The formula is widely attributed to the Insurance Services Office (ISO), which incorporated it into its Fire Suppression Rating Schedule (FSRS). ISO cites the RAND Corporation’s early fire-travel research as the basis for the constants.

ISO Properties, Inc. (2007b). *Fire Suppression Rating Schedule: Technical documentation*. ISO Properties, Inc., p. 1.

### Background: Why It’s Called the “RAND Equation”

The equation is based on research originally conducted by the RAND Corporation in the 1970s, which analyzed fire-engine travel times in major cities. RAND researchers found that: Travel time increases approximately linearly with distance. A fixed acceleration component plus a constant per-mile travel time best fit observed data. ISO later adapted and standardized this model for national use.

## 8. Comparison to Fire Service Provided by Hays County Emergency Services District No. 5

The City of San Marcos has also evaluated the potential implications of fire protection services being provided by Hays County Emergency Services District No. 5 in areas adjacent to or surrounding the City. Based on available information regarding ESD #5’s deployment and service area, the City finds that reliance on fire protection resources primarily positioned to serve areas outside the City could result in reduced response efficiency when compared to the City’s existing fire service model.

Hays County Emergency Services District No. 5 operates fire stations and apparatus positioned to serve its designated district, which includes rural areas and developing portions of Hays County outside the City of San Marcos. Because these resources are deployed to meet service demand within the district’s broader coverage area, their availability to respond to incidents within the City may be influenced by unit status, travel distance, and concurrent incident activity.

As a result, incidents occurring within San Marcos could experience longer response intervals when compared to a system in which fire stations and apparatus are located within the City and dedicated to serving the San Marcos community. In contrast, the San Marcos Fire Department maintains stations strategically distributed throughout the City, allowing fire apparatus and personnel to respond rapidly to emergencies within the community.

In addition to response time considerations, fire service operations within the City are closely coordinated with emergency medical services and law enforcement through shared communications infrastructure, unified dispatch procedures, and established operational protocols.

This level of integration enhances situational awareness, supports coordinated multi-agency response, and improves overall incident management.

When fire suppression and rescue resources originate from outside the City's operational system, coordination challenges and extended travel distances may reduce system efficiency and delay the arrival of critical resources during time-sensitive emergencies.

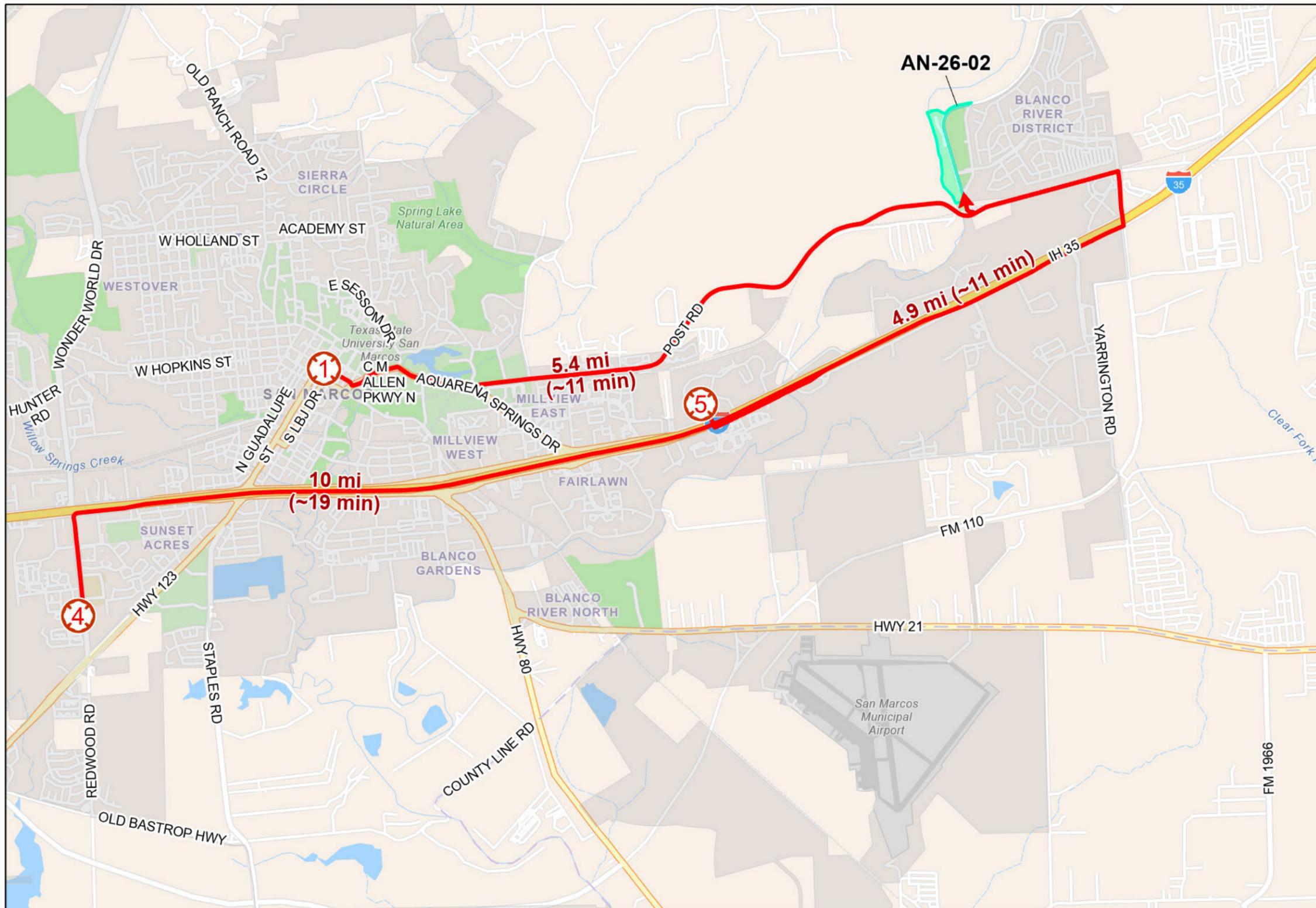
For these reasons, the City finds that maintaining fire protection services through the San Marcos Fire Department provides a higher level of service reliability, operational efficiency, and coordinated public safety response than reliance on fire service resources primarily deployed to serve areas outside the City.

## **9. Conclusion**

The city's three closest fire stations, supported by the full six-station San Marcos Fire Department system, provide strong concentration, distribution, and reliability of emergency services. The existing configuration ensures rapid response capability, operational redundancy, and adequate resources to meet the fire protection and emergency response needs of the community. This assessment demonstrates that the current fire protection infrastructure satisfies the planning requirements of **Texas Health & Safety Code § 775.022** and supports continued safe development within the jurisdiction.

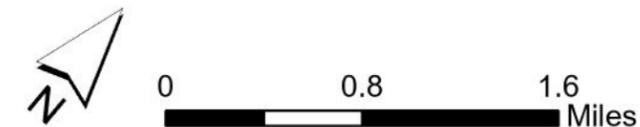
**FIRE SERVICE PLAN EXHIBIT**

# AN-26-02 Annexation Fire Service Plan



### Legend

- COSM Response Route
- Subject Property
- City Limit
- COSM Station 1 - 114 E Hutchinson St
- COSM Station 4 - 1404 Wonder World Dr
- COSM Station 5 - 100 Carlson Cir

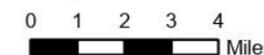
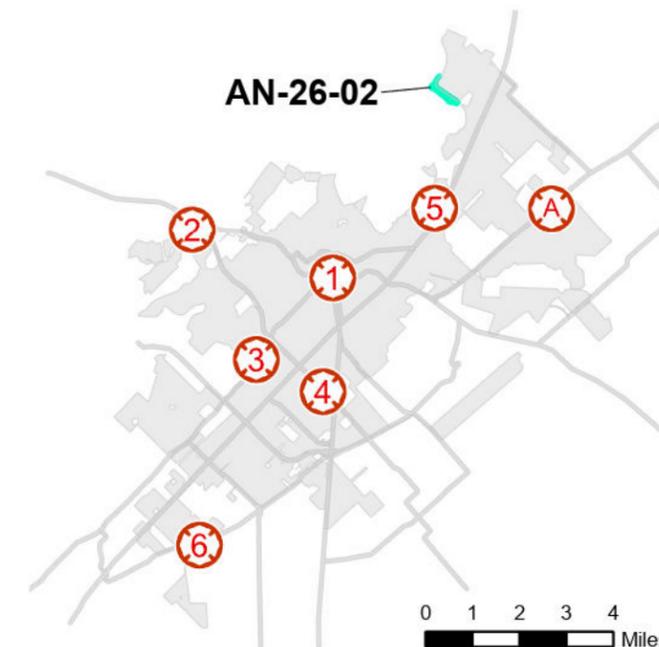


This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 3/25/2026

Fire Station	Estimated Distance (Miles)	Estimated Drive Time (Minutes)	Alarm Handling & Turnout (Minutes)	Total Estimated Response Time (Minutes)
COSM Station 1	5.4	9.2	2.1	11.2
COSM Station 4	10	17.1	2.1	19.2
COSM Station 5	4.9	8.4	2.1	10.5

Drive times are based on an assumed average speed of 35 MPH. Alarm handling and turnout times are standardized per NFPA 1710.



## **EXHIBIT D: EMERGENCY MEDICAL SERVICE PLAN**

### **1. Current System Performance**

San Marcos Hays County EMS currently provides advanced life support (ALS) ambulance services to the City of San Marcos and surrounding jurisdictions. The agency maintains a deployment model designed to meet community demand, including strategically located units, dynamic system status management, and highly trained paramedic staff. Historical system performance demonstrates the ability to achieve competitive response times, maintain high clinical standards, and provide consistent coverage for emergency and non-emergency medical incidents within the City.

### **2. Operational Capacity and System Integration**

Under the City's proposed service model, EMS units will operate from all six of the City's existing fire stations, allowing for a geographically distributed deployment strategy that maximizes coverage across the community. These units will be staffed on a continuous basis, operating **24 hours per day, seven days per week, and 365 days per year**, ensuring uninterrupted emergency medical response capability.

Co-locating EMS units within existing fire stations enhances operational coordination between EMS and fire first responders, supports rapid deployment across the City, and allows resources to be positioned in close proximity to areas of highest call demand. This approach also leverages existing public safety infrastructure, reducing response times and improving system reliability.

Both the existing contractual model and a potential future City-operated third-service model provide strong integration with the City's broader public safety system, including police, fire, and emergency management operations. This integration supports coordinated emergency response, shared communications infrastructure, and efficient deployment during large-scale incidents and disasters.

### **3. Public Safety Communications and Dispatch Integration**

All emergency calls for police, fire, and EMS services within the City of San Marcos are received and dispatched through the Public Safety Answering Point (PSAP) operated by the San Marcos Police Department. Under the City's EMS service model, EMS units will be dispatched through this same integrated communications center.

This unified dispatch structure ensures that all emergency resources—police, fire, and EMS—are coordinated through a single communications center, allowing call takers and dispatchers to immediately triage incidents and deploy the appropriate resources without delay. By maintaining dispatch operations within the City's PSAP, the City avoids potential delays that can occur when emergency calls must be transferred to another agency or communications center, such as the Hays County PSAP or another regional dispatch authority.

This integrated dispatch system enhances situational awareness for responding agencies, improves interagency coordination, and supports faster response times by eliminating unnecessary call transfers and communication barriers.

#### 4. **Governance, Accountability, and Local Control**

A key advantage of the current partnership with San Marcos Hays County EMS—and an even greater advantage under a potential municipal third-service model—is the level of local oversight and accountability. Through contractual performance standards, service-level agreements, and regular reporting to City leadership, the City can ensure compliance with response time benchmarks, staffing requirements, clinical quality metrics, and community expectations.

If the City elects to establish a municipal EMS third-service in the future, governance and operational control would be further strengthened. Direct municipal management would enable the City to align EMS deployment, staffing levels, and resource investments with long-term community growth, public safety priorities, and financial planning.

#### 5. **Ability to Meet or Exceed Alternative Service Delivery Options**

When compared with alternative EMS delivery options—including private contractor models or regional franchise systems—the City’s existing and potential future models provide several advantages:

- **Strategic deployment:** EMS units operating from all six City fire stations provide geographically balanced coverage throughout San Marcos.
- **Continuous staffing:** Units staffed 24 hours per day, 7 days per week, and 365 days per year ensure consistent emergency response capability.
- **Integrated dispatch:** Emergency calls for police, fire, and EMS are processed and dispatched through the City’s PSAP, reducing delays associated with interagency call transfers.
- **Consistent service quality:** Maintained through established clinical protocols and trained paramedic staff.
- **Operational reliability:** Supported by locally focused deployment strategies and regional system experience.
- **Public accountability:** Ensured through City oversight and transparent performance reporting.
- **System integration:** Strengthened through coordination with municipal fire, police, and emergency management operations.
- **Scalability:** Capacity to expand staffing, units, and station locations as population and service demand increase.

Based on these factors, the City of San Marcos can reasonably conclude that continuing EMS service through its partnership with San Marcos Hays County EMS—or transitioning to a City-operated third-service EMS model—will meet or exceed the level of service that could be provided through alternative EMS delivery options.

## **6. Comparison to EMS Service Provided by Hays County Emergency Services District No. 9**

The City of San Marcos has also evaluated the potential option of contracting for EMS service through Hays County Emergency Services District No. 9. Based on available information regarding that agency's current and planned deployment model, the City finds that such an arrangement would not provide the same level of dedicated service, system integration, or response reliability as the City's proposed EMS delivery model.

Hays County Emergency Services District No. 9 currently operates a system of four ambulances that are primarily positioned to serve the City of Kyle and its surrounding extraterritorial jurisdiction (ETJ). Because the majority of those units are strategically deployed to address call demand within the Kyle service area, their availability to respond to incidents within the City of San Marcos would be limited and dependent on unit status at the time of the call.

As a result, incidents occurring in San Marcos could experience longer response intervals when compared to a system in which ambulances are stationed within the City and dedicated to serving the San Marcos community. In contrast, the City's proposed EMS deployment model places units at all six San Marcos fire stations, ensuring that ambulances are geographically distributed throughout the City and immediately available to respond to local emergencies.

Longer ambulance response times can also produce secondary operational impacts for the City's public safety system. San Marcos Fire Department personnel frequently serve as medical first responders and initiate patient care prior to ambulance arrival. If ambulance response intervals are extended due to the distance or availability of units based in another jurisdiction, fire department personnel may be required to remain on scene for longer periods while awaiting transport capability. This can temporarily reduce the availability of fire suppression and rescue resources for other emergencies occurring within the City.

In addition, when ambulances responding to San Marcos originate from outside the City—particularly from areas primarily serving the Kyle region—patient transport times to receiving hospitals may be extended. This can further delay the return of units to service and reduce system efficiency.

By contrast, the City's EMS service model—whether delivered through its current partnership with San Marcos Hays County EMS or through a future municipal third-service—ensures that ambulance units are based within the City, staffed continuously, and integrated with local dispatch and public safety operations. This deployment strategy reduces response times, minimizes the time San Marcos Fire personnel must remain committed to medical calls, and ensures faster access to definitive medical care for patients.

For these reasons, the City finds that the proposed EMS service model provides a higher level of service reliability, operational efficiency, and community-focused coverage than an EMS service arrangement dependent on resources primarily deployed to serve another municipality.

## **7. Conclusion**

In accordance with Texas Health and Safety Code Section 775.022, the City of San Marcos finds that maintaining EMS service through San Marcos Hays County EMS, or implementing a future municipal third-service EMS program, provides a level of emergency medical service that meets or exceeds other available service delivery options. This approach ensures reliable emergency response, strong system integration with public safety operations, and direct accountability to the residents and visitors of San Marcos.