

# ANNEXATION APPLICATION

Updated: September 2025



## CONTACT INFORMATION

Applicant's Name	Hugo Elizondo, Jr., P.E.,	Property Owner	UC2, Ltd / James Umstattd
Company	Cuatro Consultants, Ltd	Company	UC2, Ltd
Applicant's Mailing Address	120 Riverwalk Dr., Ste 208, San Marcos, TX 78666	Owner's Mailing Address	<del>3335</del> 3550 Bee Caves Rd, Ste 700, West Lake Hill, TX 78746
Applicant's Phone #	[REDACTED]	Owner's Phone #	[REDACTED]
Applicant's Email	[REDACTED]	Owner's Email	[REDACTED]

## PROPERTY INFORMATION

Is the property adjacent to city limits:  YES  NO

Is the property proposing to connect to City utilities:  YES, WATER  YES, WASTE WATER  NO

Is the property subject to an approved development or other agreement:  YES  NO

Proposed Use: Commercial Proposed Zoning: \_\_\_\_\_

Reason for Annexation / Other Considerations: Failing septic system and transfer to central WW  
Currently served by City of San Marcos Water System

## AUTHORIZATION

*By submitting this digital application, I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.*

Filing Fee \$1,890      Technology Fee \$15      TOTAL COST \$1,905

Submittal of this digital Application shall constitute as acknowledgment and authorization to process this request.

Apply Online at [MGOCONNECT.ORG](http://MGOCONNECT.ORG)

PROPERTY OWNER AUTHORIZATION

I, James Umstattd (owner name) on behalf of  
UC2, Ltd (company, if applicable) acknowledge that I/we  
am/are the rightful owner of the property located at  
1904 Ranch Road 12, San Marcos, TX 78666 (address).

I hereby authorize Hugo Elizondo, Jr., P.E., C.F.M. (agent name) on behalf of  
Cuatro Consultants, Ltd (agent company) to file this application for  
Annexation Application (application type), and, if necessary, to work with  
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: *UC2 Ltd By: James Umstattd* Date: 20 JAN 2020

Printed Name, Title: James Umstattd / Owner

Signature of Agent: *Hugo Elizondo Jr* Date: 1/22/20

Printed Name, Title: Hugo Elizondo, Jr., P.E., C.F.M. / Founding Principal

Form Updated October, 2019

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

### OWNER'S CONSENT TO ANNEXATION OF LAND

**Date:**

**City:** City of San Marcos, Texas, a home rule municipal corporation

**Owner:** UC2, LTD / JAMES UMSTATTD

**Property:** APPROXIMATELY 1.446 ACRES OF LAND OUT OF THE THOMAS W. FORSYTH SURVEY NO. 2, ABSTRACT NO. 173, SITUATED IN HAYS COUNTY TEXAS AND BEING THE SAME PROPERTY DESCRIBED BY METES AND BOUNDS IN SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 9927461 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND IN EXHIBIT "A" ATTACHED HERETO.

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Owner petitioned the City to initiate proceedings to annex the Property. Owner acknowledges and agrees that, in connection with annexation of the Property:

1. Owner does not wish to enter into a development agreement with the City under Section 212.172 and has declined the offer by the City of such a development agreement.

2. Unless specifically authorized by a written agreement with Owner approved by the City Council under applicable ordinances, the City has no obligation to extend water, wastewater, or electric utility services, roads, or other infrastructure to the Property at the City's expense, and the City has made no offers, representations or promises that the City will, at the City's expense, extend water, wastewater, or electric utility services, roads, or other infrastructure to the Property. Such extensions to the Property shall be made available in the same manner and on the same basis as available to other areas of the City, whereby it shall be Owner's sole obligation, and at Owner's sole expense, to construct and install all infrastructure necessary to extend such services to the Property under applicable ordinances.

3. Owner waives any and all rights of Owner to assert any claim or demand, or to file suit against, and covenants not to sue, the City on the basis that the annexation of the Property by the City is invalid, void or voidable, in whole or in part.

4. This instrument is made, and shall be construed and interpreted under the laws of the State of Texas. Venue for any legal proceedings concerning this instrument shall lie in State courts having jurisdiction 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 instrument is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this instrument will continue in force if they can be given effect without the invalid portion.

6. This instrument may be recorded in the Official Public Records of the County or Counties in which the Property is located and is binding on Owner's successors, heirs and assigns, and any future owners of the Property.

[SIGNATURE(S) ON NEXT PAGE]

**OWNER:**

**By:** UC2, Ltd

**Name:** James Umstatt

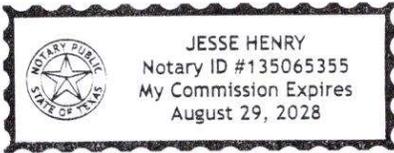
**Title:** Owner

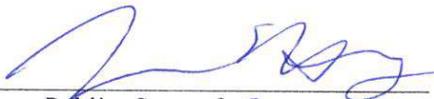
**ACKNOWLEDGMENT**

STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on January 20, 2026 by James Umstatt, owner of UC2, Ltd. in such capacity on behalf of said entity.



  
Notary Public, State of Texas

**DECLINATION OF OFFER OF DEVELOPMENT AGREEMENT**

The attached Development Agreement was offered by the City of San Marcos to the owner of the property subject to the following application/petition (check one):

Out of City Utility Connection of Extension Application

Petition for Annexation (without OCU Request)

By signing below, the owner of the subject property declines the offer to enter into such Development Agreement.

**OWNER (individual):**

\_\_\_\_\_

Date: \_\_\_\_\_

**OWNER (Entity):**

By: UC2, LTD

Name: BY: JAMES UMSTATTD *James Umstatt*  
*©, P.Mbr.*

Title: OWNER

Date: 1/20/2026

[OR]

**ACKNOWLEDGMENT**

STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on January 20, 2026 by JAMES UMSTATTD.



*[Signature]*  
\_\_\_\_\_  
Notary Public, State of TEXAS

Case No. \_\_\_\_\_ (to be inserted by City Staff)

To the honorable council of the great City of San Marcos.

My name is Jimmy Umstattd. Although many of you don't know me, I am the managing member of the General Partner U3, LLC is the General Partner of UC2, Ltd, the property owner of Crestwood located at 1904 Old Ranch Rd 12, on the edge of the city in 78666. UC2 has managed the retail property for almost 3 decades and has provided very affordable lease spaces to many maw and paw businesses during this era.

U2 has been extremely compliant to all the wishes of the city and Hays County. UC2 has provided over \$200,000 to contribute to the participation to construct the RR12 new sewer line that is now being requested to connect to. A sewer connection is the only solution to preventing the extinction of the small businesses occupying Crestwood and this includes 2 church congregations exceeding 400 Hays County residents. So it is with enormous good will and respect for the area that the city council approve the application requested to connect to sewer.

As some of you may or may not know, the city has previously terminated the septic tanks on Mr. Holman's adjacent UHAUL property rendering the temporary pump and haul to exist but obviously the city's waste water line is more environmentally safe and therefore appropriate to be approved and very soon connected to Crestwood. Without sewer, neither the church has been able to exist and it has been a huge hardship for the remaining tenants of Crestwood to plan an unknown future of existence.

For the last 3 years the city has desired to see Crestwood connect to the newly installed waste water sewer line and it is respectfully being submitted here in for permission to connect to this new sewer line.

Thank you very much for the approval of this application to connect to the new sewer line.

Respectfully submitted

Jimmy Umstattd

G.P. mbr for UC2, Ltd

THE STATE OF TEXAS            }  
  }  
THE COUNTY OF HAYS            }

KNOW ALL MEN BY THESE PRESENTS:

THAT JEANNE S. UMSTATTD hereinafter called "Grantor", for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS cash, and other good and valuable consideration, to it in hand paid by UC 2, LTD., a Texas Limited Partnership, whose address is 3355 Bee Cave Road, Suite 700, Austin, TX 78746, the County of Travis, State of Texas, hereinafter called "Grantee", the receipt and sufficiency of all of which are hereby acknowledged and confessed:

Hereby GRANTS, SELLS, CONVEYS, ASSIGNS and DELIVERS to Grantee the real property situated in HAYS County, Texas, and more particularly described as follows, to-wit:

**APPROXIMATELY 1.446 ACRES OF LAND OUT OF AND A PORTION OF THE THOMAS W. FORSYTH SURVEY NO. 2, ABSTRACT NO. 173, SITUATED IN HAYS COUNTY TEXAS AND BEING THE SAME PROPERTY DESCRIBED BY METES AND BOUNDS IN WARRANTY DEED RECORDED IN VOLUME 1148, PAGE 51, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND IN EXHIBIT "A" ATTACHED HERETO.**

This conveyance is made subject to the following matters, but only to the extent same is in effect at this time and only to the extent that they relate to the hereinabove described property: Restrictions, reservations, covenants, liens, leases, encumbrances, conditions, rights of way, easements, maintenance charges and outstanding mineral reservations, rights and royalties, if any, shown of record in the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities affecting the above-described property whether or not of record.

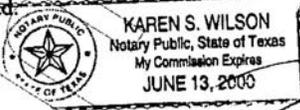
TO HAVE AND TO HOLD the above-described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, its successors and assigns forever, and the undersigned hereby binds itself, its successors and assigns, to WARRANT AND FOREVER DEFEND the title to said property unto the said Grantee above named, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, this Special Warranty Deed is executed by Grantor to be effective as of the 17th day of November, 1999.

Jeanne S. Umstatt  
Jeanne S. Umstatt

THE STATE OF TEXAS            }  
  }  
COUNTY OF TRAVIS            }

This instrument was acknowledged before me on this 17th day of November, 1999 by Jeanne S. Umstatt:

  
KAREN S. WILSON  
Notary Public, State of Texas  
My Commission Expires  
JUNE 13, 2005

Karen S. Wilson  
Notary Public in and for the State of Texas

AFTER RECORDING RETURN TO:  
U C 2, Ltd.  
3355 Bee Cave Road, Suite 700  
Austin, Texas 78746

DESCRIPTION OF 1.446 ACRES, MORE OR LESS, OF LAND AREA OUT OF THE THOMAS W. FORSYTH SURVEY NO. 2, ABSTRACT NO. 173, HAYS COUNTY, TEXAS, BEING ALL OF THOSE THREE TRACTS CONVEYED IN A DEED FROM WINFIELD S. RADAR TO JOHN F. GOHERY, III, DATED JUNE '24, 1991 AND RECORDED IN VOLUME 879, PAGE 451 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/4" copper pipe found in concrete for the east corner of the Gohery First Tract and the south corner of that 5.01 tract of land described in a deed from Winfield S. Radar to George H. Meyer dated February 13, 1978 and recorded in Volume 306, Page 535 of the Hays County Deed Records and being in the northwest line of that approximate 50 foot wide strip of land described in a deed from Winfield S. Radar to the Public dated February 13, 1978 and recorded in Volume 306, Page 533 of the Hays County Deed Records;

THENCE leaving the PLACE OF BEGINNING and continuing with the common southeast line of the Gohery tract and the northwest line of the 50 foot wide strip of land as shown on that plat numbered 23659-94-c as prepared by Byrn & Associates, Inc. of San Marcos, Texas, S 26° 15' 00" W 175.00 feet to a 1/2" iron rod set for the beginning of a right breaking curve;

THENCE continuing with said common line being a right-breaking curve having the following characteristics: central angle = 92° 39' 23", radius = 23.71 feet, arc length = 38.34 feet and a chord which bears S 73° 43' 20" W 34.30 feet to a 1/2" iron rod set in the common southwest line of the Gohery tract and northeast line of Ranch Road Highway No. 12;

THENCE with said common line N 60° 36' 25" W 105.42 feet to a 1/2" iron rod set for the beginning of a left-breaking curve;

THENCE with a left-breaking curve having the following characteristics: central angle = 04° 17' 14", radius = 2,341.83 feet, arc length = 175.23 feet and a chord which bears N 62° 44' 57" W 175.19 feet to a 1/2" iron rod set for the west corner of the Gohery tract and being the south corner of that 0.924 acre tract described in a deed from Marvin J. Knight et ux to Billy Joe Hageman, Sr. et ux dated November 12, 1993 and recorded in Volume 1031, Page 180 of the Hays County Official Public Records;

THENCE leaving the highway with the common west line of the Gohery tracts and east line of the Hageman tract the following two courses:

1. N 33° 39' 18" E 64.11 feet to a 1/2" iron rod found with an aluminum cap stamped "Swart" being the south corner of the Gohery Third Tract-0.063 acres, and
2. N 19° 56' 42" E 152.36 feet to a 1/2" iron rod found with an aluminum cap stamped "Swart" for the north corner of the Gohery Third Tract and being in the south line of the aforementioned 5.01 acre tract conveyed to George H. Myer;

THENCE with the common north line of the Gohery tracts and south line of the Myer 5.01 acre tract the following four courses:

1. S 62° 43' 35" E 36.34 feet to a 1/2" iron rod found with an aluminum cap stamped "Swart" for the east corner of the Gohery Third Tract and the north corner of the Gohery Second Tract - 0.085 acres,
2. S 62° 38' 18" E 180.41 feet to a 1/2" iron rod found for the east corner of the Gohery Second Tract and an interior corner of the Myer tract,
3. S 33° 55' 58" W 20.21 feet to a 1/2" iron rod found for an interior corner of the Myer tract and south corner of the Gohery Second Tract and being in the north line of the Gohery First Tract, and
4. S 62° 53' 53" E 100.17 feet to the PLACE OF BEGINNING.

1148 035

STATE OF TEXAS  
COUNTY OF HAYS

I hereby certify that this instrument was FILED on  
the date and at the time stamped hereon by me and was duly  
RECORDED, in the Volume and Page of the named RECORDS  
of Hays County, Texas, as stamped hereon by me.

MAY 16 1935



*Louis D. Daulton*  
COUNTY CLERK  
HAYS COUNTY, TEXAS

Unofficial Copy

***UC2, Ltd***  
***3355 Bee Cave Rd #700***  
***Austin, Texas 78746***



February 17, 2026

Lauren Clanton, AICP  
Planning Development Services  
630 E. Hopkins  
San Marcos, TX 78666

**RE:           CRESTWOOD CENTER**  
**SAN MARCOS, TEXAS**  
**CCL 22-091**

**SUBJECT:   LETTER OF CONSENT TO RETURN TO ETJ**

Dear Ms. Clanton:

The 1.45-acre property located at 1904 Old Ranch Road 12 was released by petition under Case No. RETJ-23-49 from the Extraterritorial Jurisdiction of the City of San Marcos. I, James Umstattd, the member of the General Partner of UC2, Ltd, the property owner hereby request to return to the Extraterritorial Jurisdiction.

Please advise if you have questions on this matter.

Sincerely, *UC2 Ltd*  
*By: James Umstattd member of G.P.*  
UC2, Ltd.  
By: James Umstattd  
Member of the General Partner