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

Date: March 31, 2026

Owner: UC2, Ltd., 3355 Bee Caves Road, Suite 700, West Lake Hill, TX 78746

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

OWNER:

By: _____

Name: _____

Title: _____

ACKNOWLEDGMENT

STATE OF _____ §
§
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 20__ by _____, _____ of _____ in such capacity on behalf of said entity.

_____

Notary Public, State of _____

EXHIBIT A

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 aforereferenced 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.

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 not located within an area over which the City of San Marcos holds a Certificate of Convenience and Necessity (CCN) for water service. However, the City has water lines in the vicinity, and the property is served by City of San Marcos water. 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 partially covered by a CCN for wastewater service. The City of San Marcos has wastewater lines in the vicinity of the Property and agrees to 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 San Marcos electric service area. The City will provide electric service to the Property.

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

No parks, playgrounds, and/or swimming pools 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 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 2, 1.2-mile travel distance: 205 Flint Ridge Road
- 2nd Closest Station – Station 1, 2.2-mile travel distance: 114 E. Hutchison Street
- 3rd Closest Station – Station 3, 4.2-mile travel distance: 2420 Hunter Road

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 - $\boldsymbol{T = 0.65 + 1.7D}$

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 (≈39 seconds).
- After that, each additional mile adds 1.7 minutes (≈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"

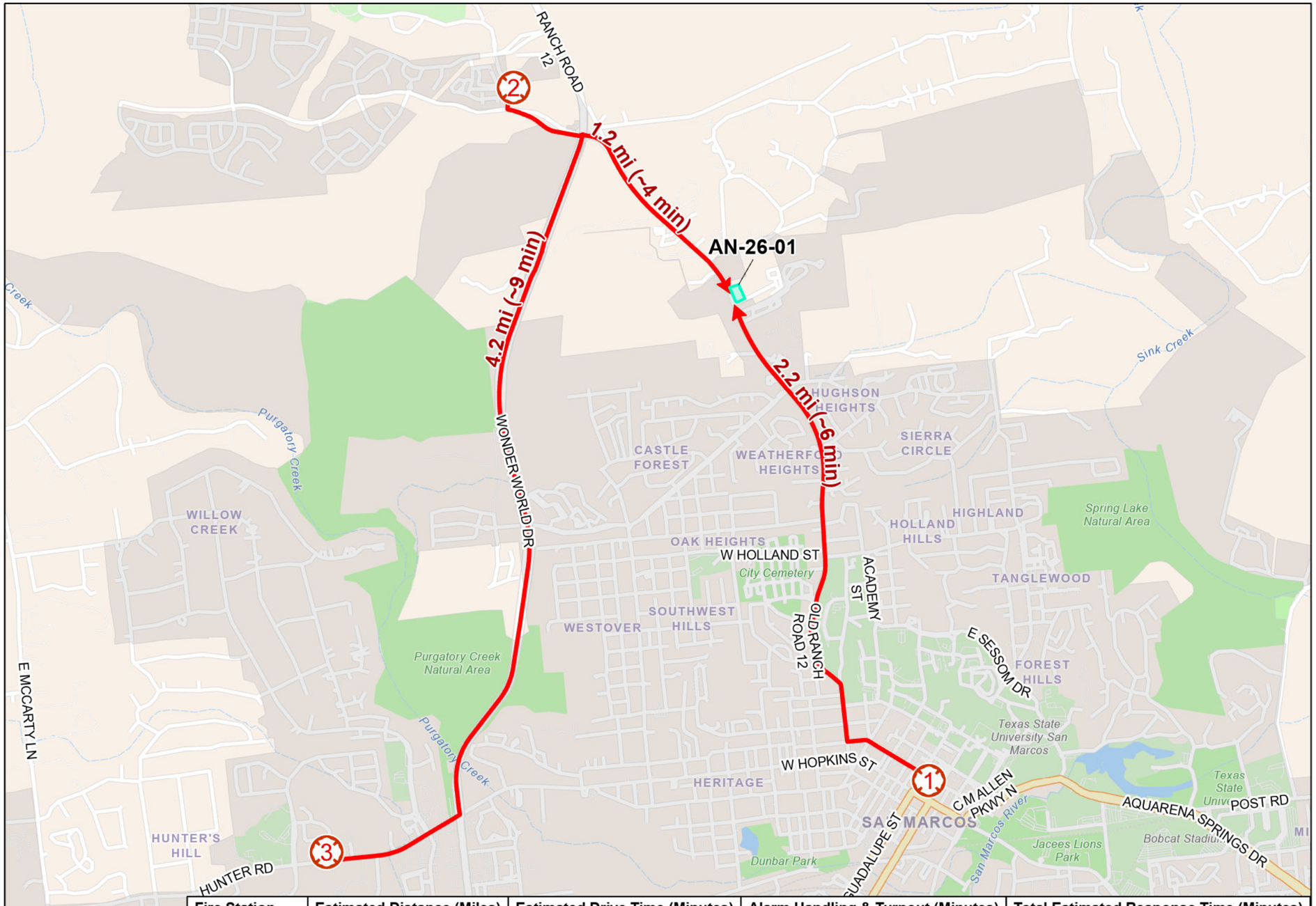
The equation is based on research originally conducted by the RAND Corporation in the 1970s, which analyzed fire-engine travel times in major cities. RAND researchers found that: Travel time increases approximately linearly with distance. A fixed acceleration component plus a constant per-mile travel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

8. 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-26-01 Annexation Fire Service Plan



Fire Station	Estimated Distance (Miles)	Estimated Drive Time (Minutes)	Alarm Handling & Turnout (Minutes)	Total Estimated Response Time (Minutes)
COSM Station 2	1.2	2.1	2.1	4.2
COSM Station 1	2.2	3.8	2.1	5.9
COSM Station 3	4.2	7.2	2.1	9.3
Drive times are based on an assumed average speed of 35 MPH. Alarm handling and turnout times are standardized per NFPA 1710.				

Legend

- COSM Response Route
- Subject Property
- City Limit
- COSM Station 1 - 114 E Hutchinson St
- COSM Station 2 - 205 Flint Ridge Rd
- COSM Station 3 - 2420 Hunter Rd

0 0.5 0.9 Miles

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: 3/16/2026

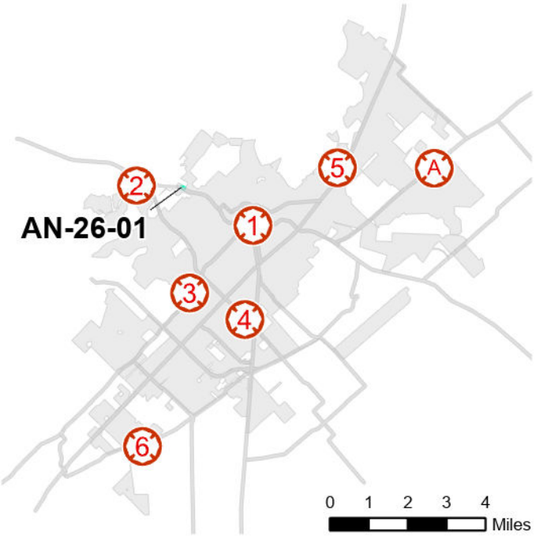


EXHIBIT D: EMERGENCY MEDICAL SERVICE PLAN

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.