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

Date: February 17, 2026

Owner: Texas Department of Transportation, 6230 Stassney Ln, Austin, TX 78744

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 _____ §

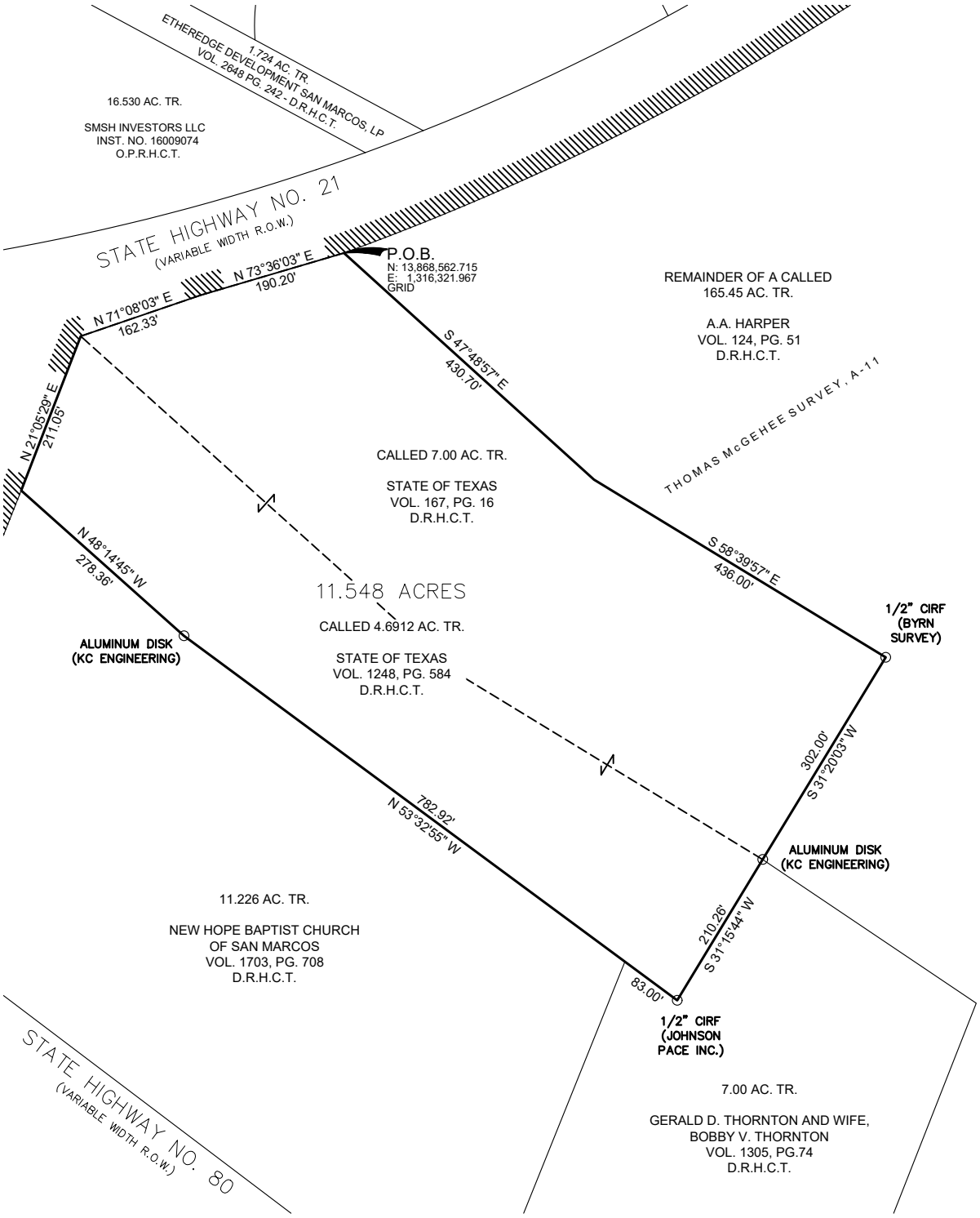
This instrument was acknowledged before me on _____, 20__ by _____, _____ of _____ in such capacity on behalf of said entity.

_____

Notary Public, State of _____

EXHIBIT A

ANNEXATION MAP OF SURVEY

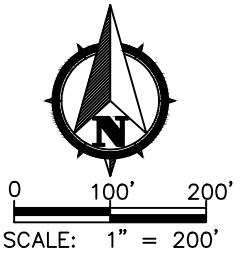


NOTES:

1. BEARINGS ARE BASED ON GLOBAL POSITIONING SATELLITE (GPS) SYSTEM OBSERVATIONS. HORIZONTAL DATA IS ON THE NORTH AMERICAN DATUM OF 1983 (NAD '83)(2011 ADJUSTMENT), TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204). ALL DISTANCES ARE ADJUSTED TO SURFACE BY A PROJECT COMBINED SCALE FACTOR OF 1.00013.

2. THIS DOCUMENT WAS PREPARED UNDER 22 TEXAS ADMINISTRATIVE CODE $138.95, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTEREST IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

3. THIS MAP OF SURVEY IS ACCOMPANIED BY A REAL PROPERTY DESCRIPTION OF EVEN DATE.



LEGEND OF SYMBOLS & ABBREVIATIONS	
◯	BOUNDARY MONUMENT
POB	POINT OF BEGINNING
CIRF	CAPPED IRON ROD FOUND
IRF	IRON ROD FOUND
ROW	RIGHT OF WAY
VOL./PG.	VOLUME/PAGE
INST. NO.	INSTRUMENT NUMBER
D.R.H.C.T.	DEED RECORDS HAYS COUNTY TEXAS
O.P.R.H.C.T.	OFFICIAL PUBLIC RECORDS HAYS COUNTY TEXAS
▥	CITY LIMITS ORD. NO. 1980-53

GARVER

GARVER, LLC

14160 N. DALLAS PKWY, SUITE 850 ● DALLAS, TEXAS 75254

TXDOT SAN MARCOS MNT FACILITY

PARCEL NAME: TXDOT SAN MARCOS MAINTENANCE FACILITY

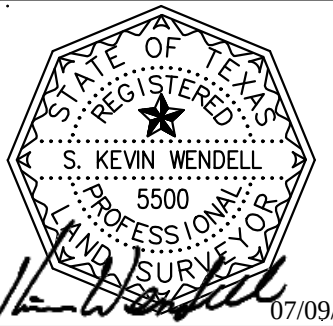
OWNER: STATE OF TEXAS

SURVEY: THOMAS G. MCGEEHEE SURVEY, ABSTRACT NO. 11

LOCATION: CITY OF SAN MARCOS, HAYS COUNTY, TEXAS

ACQUISITION ACREAGE: 503,010 SQ. FT. OR 11.5475 ACRES

JOB NO. R15100.02	DRAWN BY: TMR	CAD FILE: ANNEXATION EXHIBIT - MOS.DWG
DATE: July 8, 2025	PAGE 3 OF 3	SCALE: 1" = 200'



07/09/25

S. KEVIN WENDELL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 5500

CRIADO
a DUNAWAY company
CRIADO, a Dunaway Company ● TBPE NO. F-4373|TBPLS NO. 101633-00 ● 3030 LBJ FWY, SUITE 600, DALLAS, TX 75234 ● PH. 972-392-9092 ● FAX 972-392-9192

FIELD NOTES DESCRIBING 11.548 ACRES
OF PROPOSED ANNEXATION TO THE
CITY OF SAN MARCOS
SITUATED IN THE
THOMAS G. McGEHEE SURVEY, A-11
HAYS COUNTY, TEXAS

BEING 11.548 acres of land, adjoining the existing city limits of San Marcos, Texas, situated in the Thomas G. McGehee Survey, Abstract Number 11, Hays County, Texas and being more particularly described as follows:

BEGINNING at a point in the Southeasterly line of the State Highway Number 21 right-of-way (a variable width public right-of-way) and the Southeasterly line of a called 1,890 acre tract of land annexed by the City of San Marcos by an Ordinance of Annexation, dated November 24th, 1980 and recorded as Ordinance Number 1980-53, for the North corner of a called 7.00 acre tract of land situated in said McGehee Survey, conveyed to the State of Texas by the Warranty Deed recorded in Volume 167, Page 16, Deed Records, Hays County and the Northwest corner of the remainder of a called 165.45 acre tract of land situated in said McGehee Survey and in the Juan Martin Veramendi Survey, Abstract Number 17, conveyed to A.A. Harper by the Deed recorded in Volume 124, Page 51, said Deed Records. Said **POINT OF BEGINNING** having coordinates of N: 13,868,562.715, E: 1,316,321.967, Grid'

THENCE: South 47 degrees, 48 minutes, 57 seconds East, with the Northeasterly line of said State of Texas 7.00-acre tract and the Southwesterly line of said Harper tract, a distance of 430.70 feet;

THENCE: South 58 degrees, 39 minutes, 57 seconds East, continuing with the Northeasterly line of said State of Texas 7.00-acre tract and the Southwesterly line of said Harper tract, a distance of 436.00 feet to a 1/2-inch iron rod with a cap stamped "Byrn Survey" found for the Northeast corner of said State of Texas 7.00-acre tract and being an ell corner of said Harper remainder tract;

THENCE: South 31 degrees, 20 minutes, 03 seconds West, with the Southeasterly line of said State of Texas 7.00-acre tract and the Southmost Northwesterly line of said Harper remainder tract, a distance of 302.00 feet to a 5/8-inch iron rod with an aluminum disk stamped "KC ENGINEERING" found for the South corner of said State of Texas 7.00 acre tract, the West most Southwest corner of said Harper remainder tract, the East corner of a called 4.6912 acre tract of land situated in said McGehee Survey, conveyed to the State of Texas by the Deed recorded in Volume 1248, Page 584, said Deed Records and the North most North corner of a called 7.00 acre tract of land situated in said McGehee Survey, conveyed to Gerald D. Thornton and wife, Bobby V. Thornton by the General Warranty Deed recorded in Volume 1305, Page 74, said Deed Records;

THENCE: South 31 degrees, 15 minutes, 44 seconds West, with the Southeasterly line of said State of Texas 11.226 acre tract and the East most Northwesterly line of said Thornton tract, a distance of 210.26 feet to a 1/2-inch iron rod with a cap stamped "JOHNSON PACE INC." found for the South corner of said State of Texas 4.6912 acre tract and being an ell corner of said Thornton tract;

THENCE: North 53 degrees, 32 minutes, 55 seconds West, with the Southwesterly line of said State of Texas 4.6912 acre tract and the South most Northeasterly line of said Thornton tract, at 83.00 feet pass the West most North corner of said Thornton tract and the East corner of a called 11.226 acre tract situated in said McGehee tract, conveyed to New Hope Baptist Church of San Marcos by the General Warranty Deed recorded in Volume 1703, Page 708, said Deed Records, in all a distance of 782.92 feet to a 5/8-inch iron rod with an aluminum disk stamped "KC ENGINEERING" found in Southwesterly line of said State of Texas 4.6912 acre tract and the Northeasterly line of said New Hope Baptist Church tract;

FIELD NOTES DESCRIBING 11.548 ACRES
OF PROPOSED ANNEXATION TO THE
CITY OF SAN MARCOS
SITUATED IN THE
THOMAS G. McGEHEE SURVEY, A-11
HAYS COUNTY, TEXAS

THENCE: North 48 degrees, 14 minutes, 45 seconds West, continuing with the Southwesterly line of said State of Texas 4.6912 acre tract and said New Hope Baptist Church tract, a distance of 278.36 feet to a point in the Southeasterly line of said State Highway 21 right-of-way and said Southeasterly line of said City Limits for the West corner of said State of Texas 4.6912 acre tract and the North corner of said New Hope Baptist Church tract;

THENCE: North 21 degrees, 05 minutes, 29 seconds East, with the Northwesterly line of said State of Texas 4.6912 acre tract and the Southeasterly line of said State Highway 21 right-of-way and said City Limits, a distance of 211.05 feet to an angle point in the Southeasterly lines of said State Highway 21 right-of-way and said City Limits, for the North corner of said State of Texas 4.6912 acre tract and the West corner of said State of Texas 7.00 acre tract;

THENCE: North 71 degrees, 08 minutes, 03 seconds East, with the Southeasterly lines of said State Highway 21 right-of-way and said City Limits and the Northwesterly line of said State of Texas 7.00 acre tract, a distance of 162.33 feet;

THENCE: North 73 degrees, 36 minutes, 03 seconds East, continuing with the Southeasterly lines of said State Highway 21 right-of-way and said City Limits and the Northwesterly line of said State of Texas 4.6912-acre tract, a distance of 190.20 feet to the **POINT OF BEGINNING** and containing 11.548 acres of land, more or less.

FIELD NOTES DESCRIBING A 2,980 SQUARE FOOT (0.068 ACRE)
WATER EASEMENT IN CITY BLOCK 7600
CITY OF DALLAS, DALLAS COUNTY, TEXAS

This description is accompanied by a Map of Survey of even date.

Bearings are based on Global Positioning Satellite (GPS) system observations using an RTK Network. Horizontal Data is on the North American Datum 1983 (NAD 83) (2011 Adjustment), Texas State Plane Coordinate System, South Central Zone (4204). All distances adjusted to surface by a project combined scale factor of 1.00013.

This document was prepared under 22 Texas Administrative Code §138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

S. Kevin Wendell

07/09/25

S. Kevin Wendell
Registered Professional Land Surveyor
Texas Registration No. 5500

Criado, a Dunaway Company
TBPLS Firm Registration No. 10163300
3030 Lyndon B. Johnson Fwy, Suite 600
Dallas, Texas 75234
(972) 392-9092
kwendell@criadoassociates.com

Date

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

The City of San Marcos contracts for emergency medical services through the San Marcos – Hays County EMS, which already provides service to the area being annexed.

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 not covered by a CCN for wastewater service; however, 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 Bluebonnet 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

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 1, 2.7-mile travel distance: 114 E Hutchison St
- 2nd Closest Station – Station 5, 3.4-mile travel distance: 100 Carlson Cir
- 3rd Closest Station – Station 4, 4.5-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 - $\boldsymbol{T = 0.65 + 1.7D}$

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"

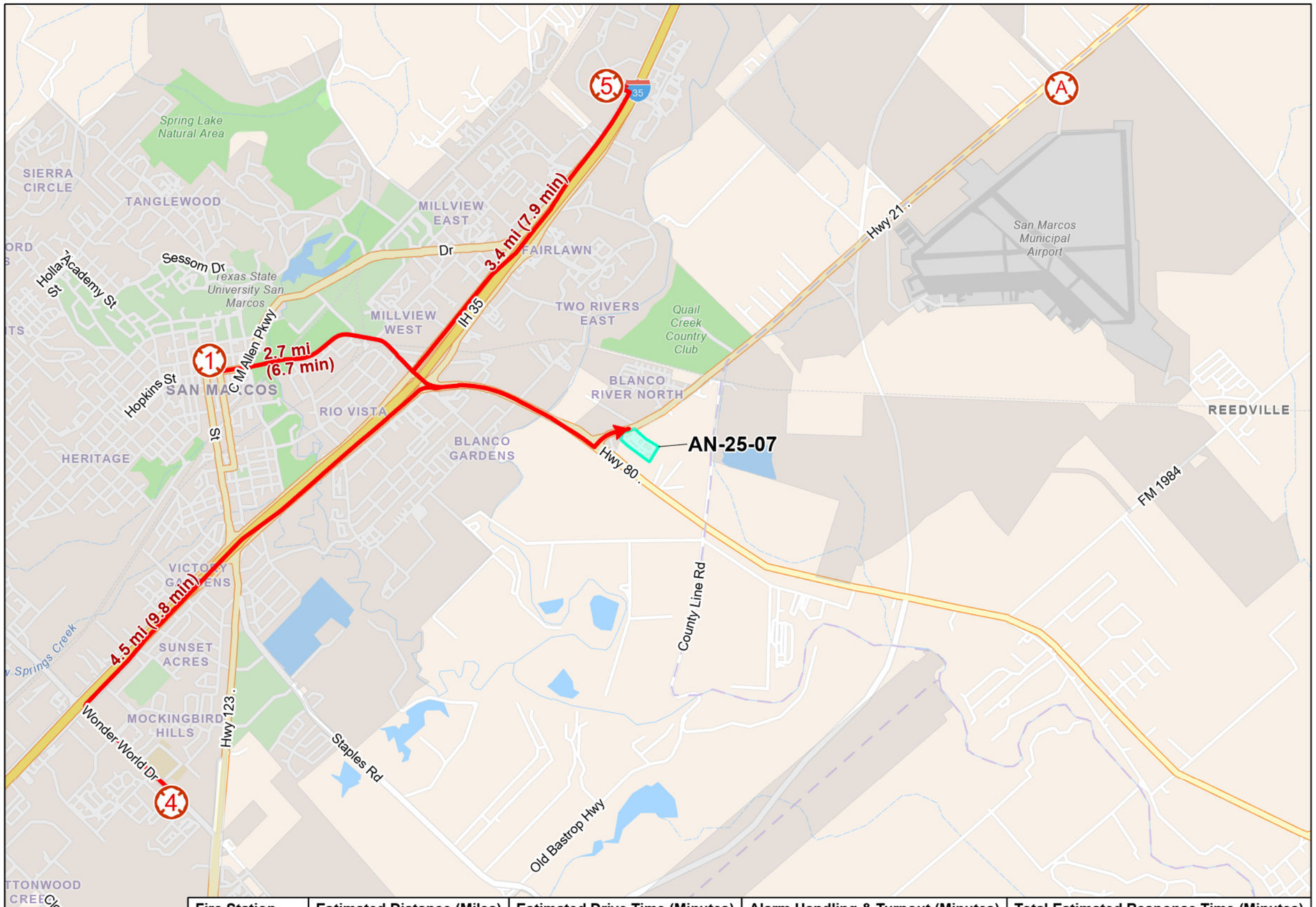
The equation is based on research originally conducted by the RAND Corporation in the 1970s, which analyzed fire-engine travel times in major cities. RAND researchers found that: Travel time increases approximately linearly with distance. A fixed acceleration component plus a constant per-mile travel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

7. 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-25-07 Annexation Fire Service Plan



Fire Station	Estimated Distance (Miles)	Estimated Drive Time (Minutes)	Alarm Handling & Turnout (Minutes)	Total Estimated Response Time (Minutes)
COSM Station 1	2.7	4.6	2.1	6.7
COSM Station 5	3.4	5.8	2.1	7.9
COSM Station 4	4.5	7.7	2.1	9.8

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
- A — COSM Airport Training Facility - 4710 Hwy 21
- 1 — COSM Station 1 - 114 E Hutchinson St
- 4 — COSM Station 4 - 1404 Wonder World Dr
- 5 — COSM Station 5 - 100 Carlson Cir

N

0 0.6 1.2 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: 1/27/2026