

**ANNEXATION SERVICE PLAN
FOR THE CITY OF BAY CITY, TEXAS**

WHEREAS, the City of Bay City, Texas (“City”) is a Home Rule City as defined by the Texas Local Government Code; and

WHEREAS, an area to be annexed more fully described in Exhibit “A” attached hereto and incorporated by reference herein for all purposes is located within the extraterritorial jurisdiction of and is lying and is adjacent to the present corporate limits of the City of Bay City, Texas (“Area”); and

WHEREAS, under the Local Government Code, the Bay City, Texas City Charter, and other applicable provisions of Texas Law, the City and the Bay City City Council as the governing body of the municipality is authorized to annex the Area on request of the owners of the land to be annexed, such request being acknowledged herein; and

WHEREAS, BC Development Group, LLC, GFG SPV Holding II, LLC and/or GCA Ventures, LLC (together referred to herein as “BC Development”), the owners of the property described in Exhibit “A” have requested to be annexed, as more fully described in Exhibit “B” hereto;

WHEREAS, Section 43.0672 of the Local Government Code of the State of Texas requires that a written agreement between the City and the land owners regarding services to be provided to the land; and

WHEREAS, the following Service Plan has been agreed upon between the owner of the land to be annexed and the City;

Pursuant to the provisions of Texas Local Government Code 43.0672, BC Development and the City, agree to the following Plan of Service:

SECTION 1. PROVISION OF SERVICES.

The City of Bay City, Texas shall provide or make available the following municipal facilities and services to the annexed area at the same level as provided in the remainder of the City on the effective date of annexation of the area to be annexed:

A. Police Protection

The Bay City Police Department will provide protection and law enforcement services to the newly annexed tract. These services shall include, but not be limited to: 911 service, normal patrols and responses; special units, such as traffic enforcement, criminal investigations, and narcotics, as well as any community program that may be implemented in the future by the City.

B. Fire Protection

The Bay City Fire Department shall provide fire protection and prevention services to the newly annexed tract. These services shall include, but not be limited to: fire suppression and rescue, assistance in providing emergency medical services; emergency prevention and public education services; pre-plan inspections; and emergency management planning.

Additionally, the Bay City Volunteer Fire Department shall provide fire protection and prevention services to the newly annexed tract at the same or similar level now being provided to other areas of the City of Bay City, Texas.

C. Emergency Medical Services

Emergency medical services shall be provided to the newly annexed tract at the same or similar level now being provided to other areas of the City of Bay City, Texas.

D. Solid Waste Collection

The City will provide residential solid waste collection to the newly annexed tract at the same or similar level now being provided to other areas of the City of Bay City, Texas.

E. Operation and Maintenance of Water and Wastewater Facilities

Any and all water or wastewater facilities owned or maintained by the City of Bay City, Texas, at the time of the proposed annexation shall continue to be owned and maintained by the City of Bay City, Texas. Any and all water or wastewater facilities which may be acquired subsequent to the annexation of the proposed area shall be maintained by the City of Bay City, Texas, to the extent of its ownership. The City acknowledges that contemporaneously with this Agreement, the Bay City Community Development Corporation (“BCCDC”) and BC Development and the City and BC Development have reached independent economic development reimbursement agreements (hereinafter, the “Agreement”) which will provide additional terms concerning water and wastewater facilities, among others.

F. Operation and Maintenance of Roads and Streets

The Street Department shall maintain public roads and streets, over which the City has jurisdiction. These services shall include: emergency pavement repair; regular repair and maintenance of public roads and streets.

G. Parks and Recreation Facilities

City parks and recreation facilities, including the municipal swimming pool, now incorporated in the City shall be accessible to all residents of the City.

The City is not aware of the existence of any parks, swimming pools, playgrounds, or other recreational facilities now located in the area proposed for annexation. In the event any such parks, swimming pools, playgrounds, or other recreational facilities do exist and are public facilities, the City of Bay City, Texas, will maintain such areas to the same extent and degree that it maintains parks, swimming pools, playgrounds, or other recreational facilities of the City now incorporated in the City.

H. Maintenance and Operation of Publicly Owned Facility, Building or Municipal Service

The City is not aware of the existence of any publicly owned facility, building or municipal service now located in the area proposed for annexation. In the event any such publicly owned facility, building or municipal service do exist and are public facilities, the City of Bay City, Texas, will maintain such areas to the same extent and degree that it maintains publicly owned facility, building or municipal services now incorporated in the City.

I. Code Enforcement

Regular code enforcement services shall be provided.

J. Animal Control

Regular animal control services shall be provided.

K. Drainage

The City finds and determines it to be unnecessary to construct drainage channels or other works of improvement in the newly annexed area for or in connection with the flowage or diversion of any waters in, over, upon or through said annexed area as the area currently has the same level of drainage as is provided in areas of similar topography, land use, and population density within the present corporate limits of the City.

L. Roads and Streets

The City finds and determines it to be unnecessary to construct or improve roads and streets in the area proposed to be annexed as the area currently has the same

degree of roads and streets as is provided in areas of similar topography, land use, and population density within the present corporate limits of the City.

The City finds and determines it to be unnecessary to construct or improve the degree of road and street lighting as the area currently has the same degree of road and street lighting as is provided in areas of similar topography, land use, and population density within the present corporate limits of the City.

SECTION 2. CONFLICTS

In the event that any provision of this service plan conflicts with any other plan, comprehensive plan, or program of the City of Bay City, the provision contained in this service plan shall control; provided however, the terms of the above described Agreements shall take precedence to the terms of this service plan.

SECTION 3. APPROVAL AND TERM OF SERVICE PLAN.

This service plan shall be attached to the ordinance annexing the area described above and approved as part of the ordinance and shall become effective upon the final approval of the ordinance annexing the territory described above.

Effective on the date the ordinance annexing the territory described in Exhibit "A" is approved.

BC Development Group, LLC

City of Bay City, Texas

By: _____

By: _____
Robert K. Nelson, Mayor

GFG SPV Holding II, LLC

Attest:

By: _____

Jeanna Thompson, City Secretary

GCA Ventures, LLC

By: _____
Signed by agreement



Doyle & Wachtstetter, Inc

Surveying and Mapping • GPS/GIS

**BC DEVELOPMENT GROUP, LLC 5.827 ACRE TRACT
REUBEN P. T. STONE ¼ LEAGUE, ABSTRACT 92
MATAGORDA COUNTY, TEXAS
PAGE 1 OF 2**

ALL THAT CERTAIN 5.827 ACRE TRACT of land lying and situated in the Reuben P. T. Stone ¼ League, Abstract 92, Matagorda County, Texas, being a portion of all that certain called 28.24 acre tract of land conveyed by warranty deed on July 31, 2007 from J. N. McDonald, Jr. and Barbara Jean McDonald to GCA Ventures, LLC, as recorded in Clerk's File No. 2007-075954 and later corrected in Clerk's File No. 2007-079080 of the Matagorda County Official Records (M.C.O.R.), said 5.827 acre tract hereby conveyed being more particularly described by metes and bounds, using survey terminology which refers to the Texas State Plane Coordinate System, South Central Zone (NAD83), in which the directions are Lambert grid bearings and the distances are surface level horizontal lengths (S.F.= 0.99988447511) as follows:

BEGINNING at the northwest corner of said GCA Ventures, LLC called 28.24 acre tract, being the southwest corner of all that certain called 3.0975 acre tract of land conveyed by special warranty deed on December 30, 2021 from CP 23 (TX), LLC to Mohammed Atiq Dada, as recorded in Clerk's File No. 2022-75 of the M.C.O.R. and being the same tract of land referred to as Reserve 'A' on the plat of CP Living 23 Addition, as recorded in Plat File No. 547A-547B of the Matagorda County Plat Records (M.C.P.R.), same being a point on the eastern right-of-way boundary line of the 100 foot wide Nile Valley Road and being all that certain called 8.629 acre tract of land conveyed by deed with an effective date of April 13, 2004 from J. N. and Barbara McDonald to the City of Bay City, as recorded in Clerk's File No. 2009-095199 of the M.C.O.R., for the northwest corner and **POINT OF BEGINNING** of the herein described 5.827 acre tract, being located at Texas State Plane coordinate position X=2929033.93 and Y=13551742.48;

THENCE South 83°34'29" East, coincident with the northern boundary line of said GCA Ventures, LLC called 28.24 acre tract, being the southern boundary line of said Mohammed Atiq Dada called 3.0975 acre tract and said Reserve 'A', at a distance of 450.00 feet pass the southeast corner of said Mohammed Atiq Dada called 3.0975 acre tract and said Reserve 'A', being the southwest corner of the remainder of all that certain called 52.74 acre tract of land conveyed by warranty deed on December 11, 2007 from Beadle Moore, Jr., et al. to James Vincent Maloney and James Grant Allison, as recorded in Clerk's File No. 2007-079960 of the M.C.O.R., and continuing for a total distance of 719.33 feet to a ⅝" iron rod with survey cap marked "TTW RPLS 6577" set marking a point on the northern boundary line of said GCA Ventures, LLC called 28.24 acre tract, being a point on the southern boundary line of said James Vincent Maloney and James Grant Allison called 52.74 acre tract, for the northeast corner of the herein described 5.827 acre tract, at position X=2929748.66 and Y=13551661.99;

THENCE South 4°34'37" West, crossing said GCA Ventures, LLC called 28.24 acre tract, a distance of 353.03 feet to a ⅝" iron rod with survey cap marked "TTW RPLS 6577" set marking the southeast corner of the herein described 5.827 acre tract, at position X=2929720.49 and Y=13551310.13;


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EXHIBIT "A"

**BC DEVELOPMENT GROUP, LLC 5.827 ACRE TRACT
REUBEN P. T. STONE ¼ LEAGUE, ABSTRACT 92
MATAGORDA COUNTY, TEXAS
PAGE 2 OF 2**

THENCE North 83°34'29" West, continuing across said GCA Ventures, LLC called 28.24 acre tract, a distance of 719.33 feet to a $\frac{3}{8}$ " iron rod with survey cap marked "TTW RPLS 6577" set marking a point on the western boundary line of said GCA Ventures, LLC called 28.24 acre tract, being a point on the eastern right-of-way boundary line of said Nile Valley Road and said City of Bay City called 8.629 acre tract, for the southwest corner of the herein described 5.827 acre tract, at position X=2929005.76 and Y=13551390.62;

THENCE North 4°34'37" East, coincident with the western boundary line of said GCA Ventures, LLC called 28.24 acre tract, being the eastern right-of-way boundary line of said Nile Valley Road and said City of Bay City called 8.629 acre tract, a distance of 353.03 feet to the **POINT OF BEGINNING**, and containing 5.827 acres of land, more or less.


Travis T. Wachtstetter
Registered Professional Land Surveyor
Texas Registration Number 6577
October 9, 2023



This description is based on a survey, a plat of which, dated February 20, 2023, is on file in the office of Doyle & Wachtstetter, Inc.
Legal\Travis\Matagorda County\Bay City\BC Development Group, LLC 5.827 Acre Tract.doc



Doyle & Wachtstetter, Inc

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**GFG SPV HOLDING II, LLC 1.748 ACRE TRACT
REUBEN P.T. STONE ¼ LEAGUE, ABSTRACT 92
MATAGORDA COUNTY, TEXAS
PAGE 1 OF 2**

ALL THAT CERTAIN 1.748 ACRE TRACT of land lying and situated in the Reuben P. T. Stone ¼ League, Abstract 92, Matagorda County, Texas, being a portion of the remainder of all that certain called 28.24 acre tract of land conveyed by warranty deed on July 31, 2007 from J. N. McDonald, Jr. and Barbara Jean McDonald to GCA Ventures, LLC, as recorded in Clerk's File No. 2007-075954 and later corrected in Clerk's File No. 2007-079080 of the Matagorda County Official Records (M.C.O.R.), said 1.748 acre tract hereby conveyed being more particularly described by metes and bounds using survey terminology which refers to the Texas State Plane Coordinate System, South Central Zone (NAD83), in which the directions are Lambert grid bearings and the distances are surface level horizontal lengths (S.F.=0.99988447511) as follows:

BEGINNING at a 5/8" iron rod with survey cap marked "TTW RPLS 6577" found marking the most northerly northwest corner of the remainder of said GCA Ventures, LLC called 28.24 acre tract, being the northeast corner of all that certain called 1.748 acre tract of land conveyed by general warranty deed on February 26, 2024 from GCA Ventures, LLC to GFG SPV Holding II, LLC, as recorded in Clerk's File No. 2024-868 of the M.C.O.R, same being a point on the southern boundary line of the remainder of all that certain called 52.74 acre tract of land conveyed by warranty deed on December 11, 2007 from Beadle Moore, Jr., et al, to James Vincent Maloney and James Grant Allison, as recorded in Clerk's File No. 2007-079960 of the M.C.O.R., for the northwest corner and **POINT OF BEGINNING** of the herein described 1.748 acre tract, being located at Texas State Plane coordinate position X=2929963.04 and Y=13551637.85;

THENCE South 83°34'29" East, coincident with the northern boundary line of said GCA Ventures, LLC called 28.24 acre tract, being the southern boundary line of said James Vincent Maloney and James Grant Allison called 52.74 acre tract, a distance of 215.76 feet to a 5/8" iron rod with survey cap marked "TTW RPLS 6577" set marking a point on the northern boundary line of said GCA Ventures, LLC called 28.24 acre tract, being a point on the southern boundary line of said James Vincent Maloney and James Grant Allison called 52.74 acre tract, for the northeast corner of the herein described 1.748 acre tract, at position X=2930177.41 and Y=13551613.71;

THENCE South 4°34'37" West, crossing said GCA Ventures, LLC called 28.24 acre tract, a distance of 353.03 feet to a 5/8" iron rod with survey cap marked "TTW RPLS 6577" set marking the southeast corner of the herein described 1.748 acre tract, at position X=2930149.24 and Y=13551261.84;


THENCE North 83°34'29" West, continuing across said GCA Ventures, LLC called 28.24 acre tract, a distance of 215.76 feet to a 5/8" iron rod with survey cap marked "TTW RPLS 6577" found marking the southeast corner of said GFG SPV Holding II, LLC called 1.748 acre tract, for the southwest corner of the herein described 1.748 acre tract, at position X=2929934.87 and Y=13551285.99;

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**GFG SPV HOLDING II, LLC 1.748 ACRE TRACT
REUBEN P.T. STONE ¼ LEAGUE, ABSTRACT 92
BRAZORIA COUNTY, TEXAS
PAGE 2 OF 2**

THENCE North 4°34'37" East, coincident with the eastern boundary line of said GFG SPV Holding II, LLC called 1.748 acre tract, a distance of 353.03 feet to the **POINT OF BEGINNING**, and containing 1.748 acres of land, more or less.


Travis T. Wachtstetter
Registered Professional Land Surveyor
Texas Registration Number 6577
November 1, 2024



This description is based on a survey, a plat of which, dated October 17, 2024 is on file in the office of Doyle & Wachtstetter, Inc.
Legal\Travis\Matagorda County\Bay City GFG SPV Holding II, LLC 1.748 Acre Tract (2nd Addition).doc



Doyle & Wachtstetter, Inc

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**GFG SPV HOLDING II, LLC 1.748 ACRE TRACT
REUBEN P. T. STONE ¼ LEAGUE, ABSTRACT 92
MATAGORDA COUNTY, TEXAS
PAGE 1 OF 2**

ALL THAT CERTAIN 1.748 ACRE TRACT of land lying and situated in the Reuben P. T. Stone ¼ League, Abstract 92, Matagorda County, Texas, being a portion of the remainder of all that certain called 28.24 acre tract of land conveyed by warranty deed on July 31, 2007 from J. N. McDonald, Jr. and Barbara Jean McDonald to GCA Ventures, LLC, as recorded in Clerk's File No. 2007-075954 and later corrected in Clerk's File No. 2007-079080 of the Matagorda County Official Records (M.C.O.R.), said 1.748 acre tract hereby conveyed being more particularly described by metes and bounds using survey terminology which refers to the Texas State Plane Coordinate System, South Central Zone (NAD83), in which the directions are Lambert grid bearings and the distances are surface level horizontal lengths (S.F.=0.99988447511) as follows:

BEGINNING at a ¾" iron rod with survey cap marked "TTW RPLS 6577" found marking the most northerly northwest corner of the remainder of said GCA Ventures, LLC called 28.24 acre tract, being the northeast corner of all that certain called 5.827 acre tract of land conveyed by correction general warranty deed with an effective date of March 9, 2023 from GCA Ventures, LLC to BC Development Group, LLC, as recorded in Clerks File No. 2023-6038 of the M.C.O.R, same being a point on the southern boundary line of the remainder of all that certain called 52.74 acre tract of land conveyed by warranty deed on December 11, 2007 from Beadle Moore, Jr., et al, to James Vincent Maloney and James Grant Allison, as recorded in Clerk's File No. 2007-079960 of the M.C.O.R., for the northwest corner and **POINT OF BEGINNING** of the herein described 1.748 acre tract, being located at Texas State Plane coordinate position X=2929748.66 and Y=13551661.99;

THENCE South 83°34'29" East, coincident with the northern boundary line of said GCA Ventures, LLC called 28.24 acre tract, being the southern boundary line of said James Vincent Maloney and James Grant Allison called 52.74 acre tract, a distance of 215.76 feet to a ¾" iron rod with survey cap marked "TTW RPLS 6577" set marking a point on the northern boundary line of said GCA Ventures, LLC called 28.24 acre tract, being a point on the southern boundary line of said James Vincent Maloney and James Grant Allison called 52.74 acre tract, for the northeast corner of the herein described 1.748 acre tract, at position X=2929963.04 and Y=13551637.85;

THENCE South 4°34'37" West, crossing said GCA Ventures, LLC called 28.24 acre tract, a distance of 353.03 feet to a ¾" iron rod with survey cap marked "TTW RPLS 6577" set marking the southeast corner of the herein described 1.748 acre tract, at position X=2929934.87 and Y=13551285.99;

THENCE North 83°34'29" West, continuing across said GCA Ventures, LLC called 28.24 acre tract, a distance of 215.76 feet to a ¾" iron rod with survey cap marked "TTW RPLS 6577" found marking the southeast corner of said BC Development Group, LLC called 5.827 acre tract, for the southwest corner of the herein described 1.748 acre tract, at position X=2929720.49 and Y=13551310.13;

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**GFG SPV HOLDING II, LLC 1.748 ACRE TRACT
REUBEN P. T. STONE ¼ LEAGUE, ABSTRACT 92
MATAGORDA COUNTY, TEXAS
PAGE 2 OF 2**

THENCE North 4°34'37" East, coincident with eastern boundary line of said BC Development Group, LLC called 5.827 acre tract, a distance of 353.03 feet to the **POINT OF BEGINNING**, and containing 1.748 acres of land, more or less.

Travis T. Wachtstetter
Travis T. Wachtstetter
Registered Professional Land Surveyor
Texas Registration Number 6577
February 21, 2024



This description is based on a survey, a plat of which, dated February 13, 2024, is on file in the office of Doyle & Wachtstetter, Inc.
Legal\Travis\Matagorda County\Bay City\GFG SPV Holding II, LLC 1.748 Acre Tract.doc