



GLENN HEGAR TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

P.O. Box 13528 • Austin, TX 78711-3528

November 16, 2015

AMENDED CERTIFICATION

Dr. Karin Holacka
Superintendent
Brazosport Independent School District
PO Box Drawer Z
Freeport, Texas 77542

Dear Superintendent Holacka:

This application (Application #1007) was originally submitted on May 16, 2014, to the Brazosport Independent School District (the school district) by BASF Corporation (the applicant) for a limitation on appraised value under the provisions of Tax Code Chapter 313^[1]. On June 24, 2014, the Comptroller issued written notice that the applicant submitted a completed application; and later issued a Certificate for a limitation on appraised value on July 31, 2014. The applicant and school district executed an agreement for a limitation on appraised value (the agreement) on November 11, 2014.

On October 30, 2015, the Comptroller received a proposed amendment to the limitation agreement revising the boundaries of the project area and the location of certain proposed qualified property. This presents the Comptroller's review of that amendment per Section 10.2 of the agreement and determinations required:

- 1) under Section 313.025(h) to determine if the property meets the requirements of Section 313.024 for eligibility for a limitation on appraised value under Chapter 313, Subchapter C; and
- 2) under Section 313.025(d), to issue a certificate for a limitation on appraised value of the property and provide the certificate to the governing body of the school district or provide the governing body a written explanation of the comptroller's decision not to issue a certificate, using the criteria set out in Section 313.026.

Determination required by 313.025(h)

The information provided by the applicant related to eligibility has not changed and therefore, the Comptroller has determined that the property meets the requirements of Section 313.024 for eligibility for a limitation on appraised value under Chapter 313, Subchapter C.

Certificate decision required by 313.025(d)

Determination required by 313.026(c)(1)

The information provided by the applicant related to this section has not changed and therefore, the Comptroller has determined that the project proposed by the applicant is reasonably likely to

^[1] All statutory references are to the Texas Tax Code, unless otherwise noted.

generate tax revenue in an amount sufficient to offset the school district maintenance and operations ad valorem tax revenue lost as a result of the agreement before the 25th anniversary of the beginning of the limitation period. See Attachment B.

Determination required by 313.026(c)(2)

The information provided by the applicant related to this section has not changed and therefore, the Comptroller has determined that the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in this state. See Attachment C.

Based on these determinations, the Comptroller issues an amended certificate for a limitation on appraised value for the amendment.

The Comptroller's review of the application assumes the accuracy and completeness of the statements in the application. If the application is approved by the school district, the applicant shall perform according to the provisions of the Texas Economic Development Act Agreement (Form 50-286) executed with the school district. The school district shall comply with and enforce the stipulations, provisions, terms, and conditions of the agreement, applicable Texas Administrative Code and Chapter 313, per TAC 9.1054(i)(3).

This certificate is no longer valid if the revised application accompanying the proposed agreement amendment is modified, the information presented in the revised application information changes, or the amended limitation agreement does not conform to the revised application. Additionally, this certificate is contingent on the school district approving and executing the amendment to the agreement within a year from the date of this letter.

Should you have any questions, please contact Korry Castillo, Director, Data Analysis & Transparency, by email at korry.castillo@cpa.texas.gov or by phone at 1-800-531-5441, ext. 3-3806, or direct in Austin at 512-463-3806.

Sincerely,



Mike Reissig
Deputy Comptroller

Enclosure

cc: Korry Castillo