



GLENN HEGAR TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

P.O.Box 13528 • Austin, TX 78711-3528

October 18, 2017

Dr. Paul Clore
Superintendent
Gregory-Portland ISD
608 College St.
Portland, Texas 78374

Re: Proposed Amendment for Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes by and between Gregory-Portland Independent School District and Apex Midway Wind, LLC, Application 1091

Dear Superintendent Clore:

On September 17, 2017, the Comptroller's office received Apex Midway Wind, LLC's (applicant) proposed agreement amendment for a limitation on appraised value (Application 1091) from Gregory-Portland Independent School District (school district). This project was originally approved in 2013 under application #329, but the agreement was terminated. A subsequent agreement, under application #1061, was executed in early 2016, with a limitation start date of 2017, as requested by the applicant. The proposed agreement amendment would retroactively amend the start of the limitation period from January 1, 2017 to January 1, 2020.

According to Texas Administrative Code 9.1055(f), the Comptroller can "reject the amended application, supplemental application, or application, in whole or in part, and discontinue consideration of any submission by applicant."

The purpose of this letter is to inform you that the Comptroller's office has reviewed the submitted proposed amendment and will discontinue consideration of this amendment because the first year of the limitation period has already commenced.

Should you have any questions, please contact John Villarreal with our office. He can be reached by email at john.villarreal@cpa.texas.gov or by phone toll-free at 1-800-531-5441, ext. 3-5241 or at 512-463-5241.

Sincerely,

A handwritten signature in black ink that reads "Will Counihan".

Will Counihan
Director
Data Analysis & Transparency Division

cc: Daniel T. Casey, Moak, Casey & Associates LLP
Mark Goodwin, Apex Clean Energy Holdings, LLC
D. Dale Cummings, Cummings Westlake LLC

O'HANLON, DEMERATH & CASTILLO

ATTORNEYS & COUNSELORS AT LAW

808 WEST AVE

AUSTIN, TEXAS 78701

TELEPHONE: (512) 494-9949

FACSIMILIE: (512) 494-9919

KEVIN O'HANLON

CERTIFIED, CIVIL APPELATE

CERTIFIED, CIVIL TRIAL

September 1, 2017

Local Government Assistance & Economic Analysis

Texas Comptroller of Public Accounts

P.O. Box 13528

Austin, Texas 78711-3528

RE: Amendment001 to Application (#1091) to the Gregory-Portland Independent School District from Apex Midway Wind, LLC

To the Local Government Assistance & Economic Analysis Division:

Apex Midway has submitted an amendment to Gregory-Portland Independent School District with a request (1) to add qualified property of one additional turbine and an operations building and (2) move the start of the value limitation period from 2017 to 2020 due to project delays.

A copy of the amended application will be submitted to the San Patricio County Appraisal District.

Sincerely,



Kevin O'Hanlon
School District Consultant

Cc: Apex Midway Wind, LLC
San Patricio CAD

CUMMINGS WESTLAKE LLC

12837 Louetta Road, Suite 201 Cypress, Texas 77429-5611 713-266-4456 Fax: 713-266-2333

July 25, 2017

Dr. Paul Clore
Superintendent
Gregory-Portland ISD
608 College Street
Portland, TX 78374

Re: **Amendments to Apex Midway Wind, LLC Chapter 313 Agreement #1091 – Gregory-Portland ISD**

Dear Dr. Clore:

Apex Midway Wind, LLC respectfully requests that the Board of Trustees agree to amend the Chapter 313 value limitation agreement with Gregory-Portland ISD (#1091) to (1) add qualified property of one additional turbine and an operations building and (2) move the start of the value limitation period from 2017 to 2020 due to project delays.

Attached are the amended pages of Apex Midway Wind, LLC's Chapter 313 application to Gregory-Portland ISD. The amendments made from the application filed in 2015 are found in the table on the following page.

Apex Midway Wind, LLC has experienced considerable project delays because some of the land originally slated for the project will now be used instead by a large multibillion dollar petrochemical complex and by state legislation affecting the project.

Would you please contact me if you have questions or comments?

Sincerely,



D. Dale Cummings

cc: Dru Steubing, Apex Clean Energy, Inc.
Kevin O'Hanlon, O'Hanlon, McCollum & Demerath
Dan Casey, Moak Casey & Associates, LLP

**AMENDMENTS TO APEX MIDWAY WIND LLC AGREEMENT
GREGORY-PORTLAND ISD APPLICATION #1091**

Page	Tab	Section	Questions	Description
5		9	2	Date has changed for this question.
5		9	4	Date has changed for this question.
5		9	5	Date has changed for this question.
5		9	6	Date has changed for this question.
5		9	8	Date has changed for this question.
8		16	1-2	A new signature page is attached.
	4			Project capacity, allocation to Gregory-Portland ISD, turbine capacity, turbine supplier, turbine count, and project timing are updated.
	6			Project capacity, allocation to Gregory-Portland ISD and turbine count are updated.
	7			Project capacity, allocation to Gregory-Portland ISD, turbine capacity, turbine supplier, turbine count, and project timing are updated.
	8			Project capacity, allocation to Gregory-Portland ISD, turbine capacity, turbine supplier, turbine count, and project timing are updated.
	11			The second map in this tab shows the updated turbine layout for the project.
	14			Revised schedules are attached.

Texas Comptroller of Public Accounts

Data Analysis and
Transparency
Form 50-296-A

SECTION 9: Projected Timeline

1. Application approval by school board December 2015
2. Commencement of construction 1st quarter 2018
3. Beginning of qualifying time period December 2015
4. First year of limitation 2020
5. Begin hiring new employees Third quarter 2018
6. Commencement of commercial operations 1st quarter 2019
7. Do you propose to construct a new building or to erect or affix a new improvement after your application review start date (date your application is finally determined to be complete)? Yes No
Note: Improvements made before that time may not be considered qualified property.
8. When do you anticipate the new buildings or improvements will be placed in service? 1st quarter 2019

SECTION 10: The Property

1. Identify county or counties in which the proposed project will be located San Patricio
2. Identify Central Appraisal District (CAD) that will be responsible for appraising the property San Patricio
3. Will this CAD be acting on behalf of another CAD to appraise this property? Yes No
4. List all taxing entities that have jurisdiction for the property, the portion of project within each entity and tax rates for each entity:

County: <u>San Patricio, .51, 100%</u> <i>(Name, tax rate and percent of project)</i>	City: <u>N/A</u> <i>(Name, tax rate and percent of project)</i>
Hospital District: <u>N/A</u> <i>(Name, tax rate and percent of project)</i>	Water District: <u>N/A</u> <i>(Name, tax rate and percent of project)</i>
Other (describe): <u>Drainage, .06, 100%</u> <i>(Name, tax rate and percent of project)</i>	Other (describe): <u>N/A</u> <i>(Name, tax rate and percent of project)</i>
5. Is the project located entirely within the ISD listed in Section 1? Yes No
5a. If no, attach in **Tab 6** additional information on the project scope and size to assist in the economic analysis.
6. Did you receive a determination from the Texas Economic Development and Tourism Office that this proposed project and at least one other project seeking a limitation agreement constitute a single unified project (SUP), as allowed in §313.024(d-2)? Yes No
6a. If yes, attach in **Tab 6** supporting documentation from the Office of the Governor.

SECTION 11: Investment

NOTE: The minimum amount of qualified investment required to qualify for an appraised value limitation and the minimum amount of appraised value limitation vary depending on whether the school district is classified as Subchapter B or Subchapter C, and the taxable value of the property within the school district. For assistance in determining estimates of these minimums, access the Comptroller's website at comptroller.texas.gov/economy/local/ch313/.

1. At the time of application, what is the estimated minimum qualified investment required for this school district? 30,000,000.00
2. What is the amount of appraised value limitation for which you are applying? 30,000,000.00
Note: The property value limitation amount is based on property values available at the time of application and may change prior to the execution of any final agreement.
3. Does the qualified investment meet the requirements of Tax Code §313.021(1)? Yes No
4. Attach a description of the qualified investment [See §313.021(1).] The description must include:
 - a. a specific and detailed description of the qualified investment you propose to make on the property for which you are requesting an appraised value limitation as defined by Tax Code §313.021 (**Tab 7**);
 - b. a description of any new buildings, proposed new improvements or personal property which you intend to include as part of your minimum qualified investment (**Tab 7**); and
 - c. a detailed map of the qualified investment showing location of tangible personal property to be placed in service during the qualifying time period and buildings to be constructed during the qualifying time period, with vicinity map (**Tab 11**).
5. Do you intend to make at least the minimum qualified investment required by Tax Code §313.023 (or §313.053 for Subchapter C school districts) for the relevant school district category during the qualifying time period? Yes No

Apex Midway Wind, LLC
Chapter 313 Application to Gregory-Portland ISD
Cummings Westlake, LLC

TAB 4

Provide a detailed description of the scope of the proposed project, including, at a minimum, the type and planned use of real and tangible personal property, the nature of the business, a timeline for property construction or installation, and any other relevant information.

Description of Project

Apex Midway Wind, LLC (“Apex”) is requesting an appraised value limitation from Gregory-Portland Independent School District (ISD) for the Midway Wind Project (the “Project”), a proposed wind powered electric generating facility in San Patricio County. The proposed Gregory-Portland ISD portion of the Project (this application) will be constructed within a reinvestment zone established by San Patricio County Commissioners Court on December 16, 2013.

The proposed Project is anticipated to have a total capacity of 160.125 MW, with approximately 99.75 MW located in Gregory-Portland ISD. Turbine selection is ongoing at this time and has not been finalized. The exact number of wind turbines and size of each turbine will vary depending upon the wind turbines selected, manufacturer’s availability and prices, ongoing wind studies and the final megawatt generating capacity of the Project when completed. Current plans are to install 2.625 MW Gamesa turbines with an estimated 38 turbines located in Gregory-Portland ISD. Portions of the project will be located in Taft ISD and a separate Chapter 313 application is being submitted to that district for their respective portion of the project. The Applicant requests a value limitation for all materials and equipment installed for the Project, including but not limited to; wind turbines, turbine transformers (pad-mounts), towers, foundations, roadways, buildings and offices, anemometer towers, collection system, electrical substations, transmission line and associated towers, and interconnection facilities.

Construction of the Project is anticipated to begin in the first quarter of 2018 with completion by the first quarter of 2019.

Apex Midway Wind, LLC
Chapter 313 Application to Gregory-Portland ISD
Cummings Westlake, LLC

TAB 6

Description of how project is located in more than one district, including list of percentage in each district and, if determined to be a single unified project, documentation from the Office of the Governor (if applicable)

All of the project is located in San Patricio County and San Patricio Drainage District. The project is partially in Gregory-Portland ISD and partially in Taft ISD. Below is a table showing the estimated number of megawatts and turbines in each school district (subject to final site decisions).

School District	Gregory-Portland ISD	Taft ISD	Total
Estimated Megawatts	99.75	60.375	160.125
Estimated Number of Turbines	38	23	61

Approximately 62.3% of the project is located in Gregory-Portland ISD based upon megawatt capacity (99.75 out of 160.125 megawatts). Approximately 37.7% of the project is located in Taft ISD based upon megawatt capacity (60.375 out of 160.125 megawatts).

The project is also located 100% in the following tax districts and the tax rate for each district is shown below.

- 1) San Patricio County - \$.51000
- 2) San Patricio Drainage - \$.06000

Apex Midway Wind, LLC
Chapter 313 Application to Gregory-Portland ISD
Cummings Westlake, LLC

TAB 7

Description of Qualified Investment

Apex Midway Wind, LLC ("Apex") is requesting an appraised value limitation from Gregory-Portland Independent School District (ISD) for the Midway Wind Project (the "Project"), a proposed wind powered electric generating facility in San Patricio County. The proposed Gregory-Portland ISD portion of the Project (this application) will be constructed within a reinvestment zone established by San Patricio County Commissioners Court on December 16, 2013.

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Construction of the Project is anticipated to begin in the first quarter of 2018 with completion by the first quarter of 2019.

Apex Midway Wind, LLC

Chapter 313 Application to Gregory-Portland ISD

Cummings Westlake, LLC

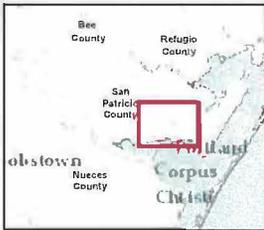
TAB 8

Description of Qualified Property

Apex Midway Wind, LLC ("Apex") is requesting an appraised value limitation from Gregory-Portland Independent School District (ISD) for the Midway Wind Project (the "Project"), a proposed wind powered electric generating facility in San Patricio County. The proposed Gregory-Portland ISD portion of the Project (this application) will be constructed within a reinvestment zone established by San Patricio County Commissioners Court on December 16, 2013.

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Construction of the Project is anticipated to begin in the first quarter of 2018 with completion by the first quarter of 2019.

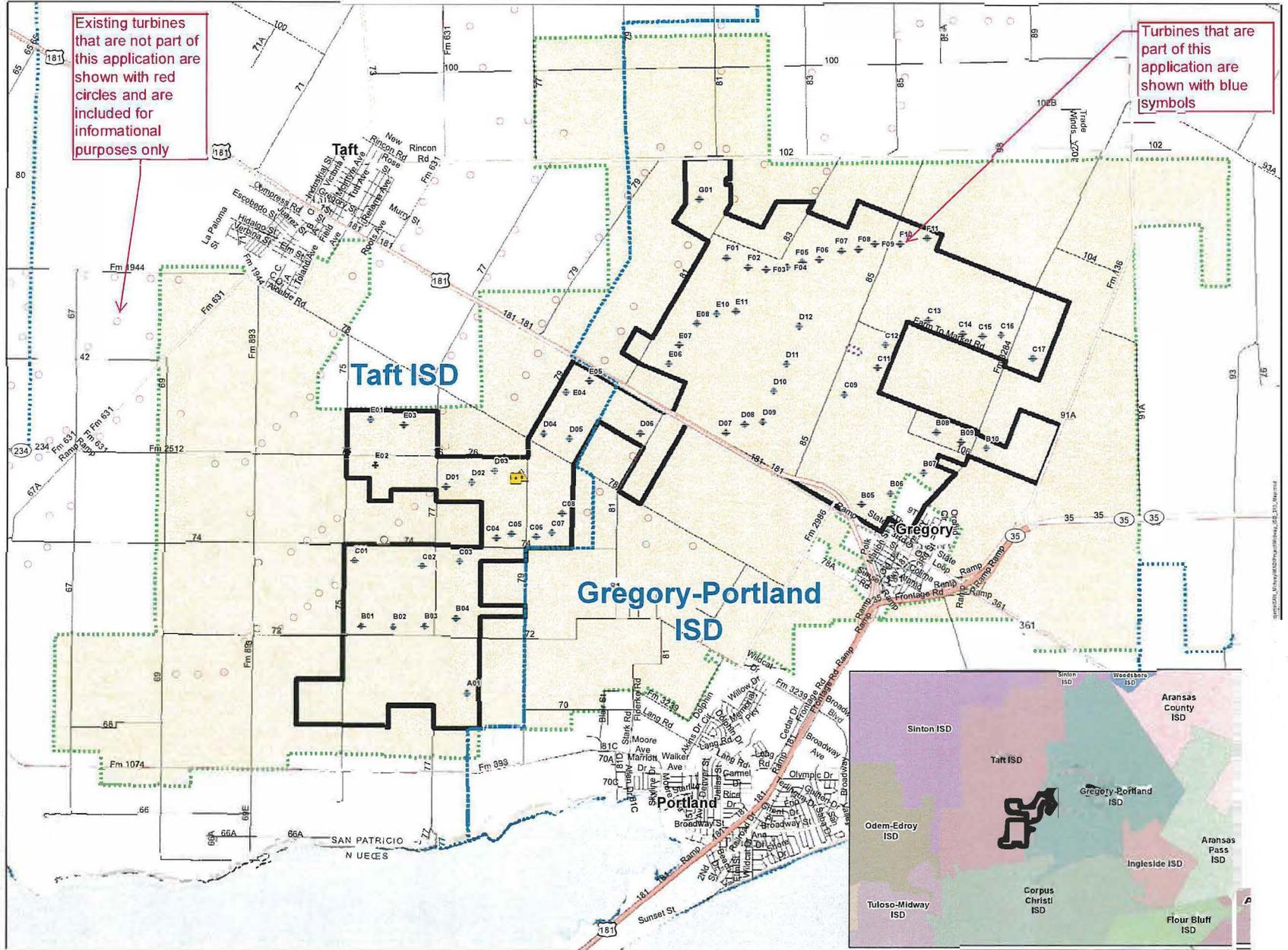


Midway Wind

- Proposed Turbine (61)
- Existing Turbine Location
- POI
- Sub
- O&M Location
- School District Boundary
- Project Boundary
- Reinvestment Zone Boundary

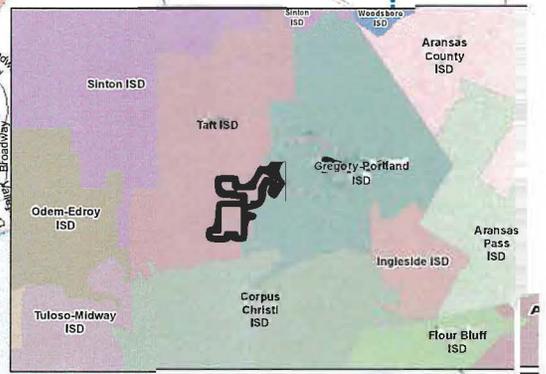
Map of reinvestment zone and project area showing existing turbines that are not part of this application. This map is included for informational purposes only to demonstrate that there is no existing wind farm property within the project boundary.

Date: 8/28/2017 Author: JP CONFIDENTIAL
 Coordinate System: NAD 1983 StatePlane Texas South FIPS 4203 Feet
 Projection: Lambert Conformal Conic
 Datum: North American 1983
 Units: Foot US



Existing turbines that are not part of this application are shown with red circles and are included for informational purposes only

Turbines that are part of this application are shown with blue symbols



PROPERTY INVESTMENT AMOUNTS										
(Estimated Investment in each year. Do not put cumulative totals.)										
		Column A		Column B		Column C		Column D		Column E
	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	New investment (original cost) in tangible personal property placed in service during this year that will become Qualified Property	New investment made during this year in buildings or permanent nonremovable components of buildings that will become Qualified Property	Other new investment made during this year that will <u>not</u> become Qualified Property [SEE NOTE]	Other new investment made during this year that may become Qualified Property [SEE NOTE]	Total Investment (Sum of Columns A+B+C+D)		
Investment made before filing complete application with district	-	year preceding the first complete tax year of the qualifying time period (assuming		Not eligible to become Qualified Property				[The only other investment made before filing complete application with district that may become Qualified Property is land.]		
Investment made after filing complete application with district, but before final board approval of application										
Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period	2017	2017-2018	2017	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Complete tax years of qualifying time period	QTP1	2018-2019	2018	\$ 122,837,000	\$ 1,100,000			\$	123,937,000	
	QTP2	2019-2020	2019							
Total Investment through Qualifying Time Period [ENTER this row in Schedule A2]				\$ 122,837,000	\$ 1,100,000	\$ -	\$ -	\$	123,937,000	
Total Qualified Investment (sum of green cells)				Enter amounts from TOTAL row above in Schedule A2						\$ 123,937,000

For All Columns: List amount invested each year, not cumulative totals.

Column A: This represents the total dollar amount of planned investment in tangible personal property. Only include estimates of investment for "replacement" property if the property is specifically described in the application.

Only tangible personal property that is specifically described in the application can become qualified property.

Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings.

Column C: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that will not become qualified property include investment meeting the definition of 313.021(1) but not creating a new improvement as defined by TAC 9.1051. This is proposed property that functionally replaces existing property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property—described in SECTION 13, question #6 of the application.

Column D: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that may result in qualified property are land or professional services.

Total Investment: Add together each cell in a column and enter the sum in the blue total investment row. Enter the data from this row into the first row in Schedule A2.

Qualified Investment: For the green qualified investment cell, enter the sum of all the green-shaded cells.

Date 7/25/2017

Schedule A2: Total Investment for Economic Impact (including Qualified Property and other investments)

Applicant Name Apex Midway Wind LLC
ISD Name Gregory-Portland ISD

1091-gregoryportland-apexmidwayllc
Form 50-296A
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Revised May 2014

PROPERTY INVESTMENT AMOUNTS

(Estimated Investment in each year. Do not put cumulative totals.)

Table with columns: Year, School Year, Tax Year, Column A (New investment in tangible personal property), Column B (New investment in buildings), Column C (Other investment that will not become Qualified Property), Column D (Other investment that will become Qualified Property), Column E (Total Investment). Rows include 'Total Investment from Schedule A1*', 'Each year prior to start of value limitation period', and 'Total Investment made through limitation'.

* All investments made through the qualifying time period are captured and totaled on Schedule A1 [blue box] and incorporated into this schedule in the first row.

** Only investment made during deferrals of the start of the limitation (after the end of qualifying time period but before the start of the Value Limitation Period) should be included in the "year prior to start of value limitation period" row(s).

*** If your qualifying time period will overlap your value limitation period, do not also include investment made during the qualifying time period in years 1 and/or 2 of the value limitation period, depending on the overlap.

For All Columns: List amount invested each year, not cumulative totals. Only include investments in the remaining rows of Schedule A2 that were not captured on Schedule A1.

Column A: This represents the total dollar amount of planned investment in tangible personal property. Only include estimates of investment for "replacement" property if the property is specifically described in the application. Only tangible personal property that is specifically described in the application can become qualified property.

Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings.

Column C: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that will not become qualified property include investment meeting the definition of 313.021(1) but not creating a new improvement as defined by TAC 9.1051.

Column D: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that may result in qualified property are land or professional services.

Schedule B: Estimated Market And Taxable Value (of Qualified Property Only)

Date
 Applicant Name
 ISD Name

7/25/2017
Apex Midway Wind LLC
Gregory-Portland ISD

1091-gregoryportland-apexmidwayllc
 September 1, 2017 **Form 50-296A**
 Revised May 2014

	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Qualified Property			Estimated Taxable Value		
				Estimated Market Value of Land	Estimated Total Market Value of new buildings or other new improvements	Estimated Total Market Value of tangible personal property in the new buildings or "in or on the new improvements"	Market Value less any exemptions (such as pollution control) and before limitation	Final taxable value for I&S after all reductions	Final taxable value for M&O after all reductions
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	0	2017-2018	2017	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	0	2018-2019	2018	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	0	2019-2020	2019	\$ -	\$ 1,086,300	\$ 118,845,600	\$ 119,931,900	\$ 119,931,900	\$ 119,931,900
	1	2020-2021	2020	\$ -	\$ 1,059,100	\$ 111,120,600	\$ 112,179,700	\$ 112,179,700	\$ 30,000,000
	2	2021-2022	2021	\$ -	\$ 1,032,600	\$ 103,897,800	\$ 104,930,400	\$ 104,930,400	\$ 30,000,000
	3	2022-2023	2022	\$ -	\$ 1,006,800	\$ 97,144,400	\$ 98,151,200	\$ 98,151,200	\$ 30,000,000
	4	2023-2024	2023	\$ -	\$ 981,600	\$ 90,830,000	\$ 91,811,600	\$ 91,811,600	\$ 30,000,000
	5	2024-2025	2024	\$ -	\$ 957,100	\$ 84,926,100	\$ 85,883,200	\$ 85,883,200	\$ 30,000,000
	6	2025-2026	2025	\$ -	\$ 933,200	\$ 79,405,900	\$ 80,339,100	\$ 80,339,100	\$ 30,000,000
	7	2026-2027	2026	\$ -	\$ 909,900	\$ 74,244,500	\$ 75,154,400	\$ 75,154,400	\$ 30,000,000
	8	2027-2028	2027	\$ -	\$ 887,200	\$ 69,418,600	\$ 70,305,800	\$ 70,305,800	\$ 30,000,000
	9	2028-2029	2028	\$ -	\$ 865,000	\$ 64,906,400	\$ 65,771,400	\$ 65,771,400	\$ 30,000,000
	10	2029-2030	2029	\$ -	\$ 843,400	\$ 60,687,500	\$ 61,530,900	\$ 61,530,900	\$ 30,000,000
Continue to maintain viable presence	11	2030-2031	2030	\$ -	\$ 822,300	\$ 56,742,800	\$ 57,565,100	\$ 57,565,100	\$ 57,565,100.00
	12	2031-2032	2031	\$ -	\$ 801,700	\$ 53,054,500	\$ 53,856,200	\$ 53,856,200	\$ 53,856,200.00
	13	2032-2033	2032	\$ -	\$ 781,700	\$ 49,606,000	\$ 50,387,700	\$ 50,387,700	\$ 50,387,700
	14	2033-2034	2033	\$ -	\$ 762,200	\$ 46,381,600	\$ 47,143,800	\$ 47,143,800	\$ 47,143,800
	15	2034-2035	2034	\$ -	\$ 743,100	\$ 43,366,800	\$ 44,109,900	\$ 44,109,900	\$ 44,109,900
Additional Years for 25 year economic impact as required by 313.02(c)(1)	16	2035-2036	2035	\$ -	\$ 724,500	\$ 40,548,000	\$ 41,272,500	\$ 41,272,500	\$ 41,272,500
	17	2036-2037	2036	\$ -	\$ 706,400	\$ 37,912,400	\$ 38,618,800	\$ 38,618,800	\$ 38,618,800
	18	2037-2038	2037	\$ -	\$ 688,700	\$ 35,448,100	\$ 36,136,800	\$ 36,136,800	\$ 36,136,800
	19	2038-2039	2038	\$ -	\$ 671,500	\$ 33,144,000	\$ 33,815,500	\$ 33,815,500	\$ 33,815,500
	20	2039-2040	2039	\$ -	\$ 654,700	\$ 30,989,600	\$ 31,644,300	\$ 31,644,300	\$ 31,644,300
	21	2040-2041	2040	\$ -	\$ 638,300	\$ 28,975,300	\$ 29,613,600	\$ 29,613,600	\$ 29,613,600
	22	2041-2042	2041	\$ -	\$ 622,300	\$ 27,091,900	\$ 27,714,200	\$ 27,714,200	\$ 27,714,200
	23	2042-2043	2042	\$ -	\$ 606,700	\$ 25,330,900	\$ 25,937,600	\$ 25,937,600	\$ 25,937,600

Schedule C: Employment Information

Date 7/25/2017
Applicant Name Apex Midway Wind LLC
ISD Name Gregory-Portland ISD

Form 50-296A

Revised May 2014

	Year	School Year (YYYY-YYYY)	Tax Year (Actual tax year) YYYY	Construction		Non-Qualifying Jobs	Qualifying Jobs	
				Column A Number of Construction FTE's or man-hours (specify)	Column B Average annual wage rates for construction workers	Column C Number of non-qualifying jobs applicant estimates it will create (cumulative)	Column D Number of new qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Column E Average annual wage of new qualifying jobs
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	0	2017-2018	2017	0	\$ -	0	0	\$ -
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	0	2018-2019	2018	82	\$ 45,000	4	1	\$ 57,464
Each year prior to start of Value Limitation Period Insert as many rows as necessary Value Limitation Period The Qualifying time period could overlap the value limitation period.	0	2019-2020	2019	25	\$ 45,000.00	4	1	\$ 57,464
	1	2020-2021	2020	0	\$ -	4	1	\$ 57,464
	2	2021-2022	2021	0	\$ -	4	1	\$ 57,464
	3	2022-2023	2022	0	\$ -	4	1	\$ 57,464
	4	2023-2024	2023	0	\$ -	4	1	\$ 57,464
	5	2024-2025	2024	0	\$ -	4	1	\$ 57,464
	6	2025-2026	2025	0	\$ -	4	1	\$ 57,464
	7	2026-2027	2026	0	\$ -	4	1	\$ 57,464
	8	2027-2028	2027	0	\$ -	4	1	\$ 57,464
	9	2028-2029	2028	0	\$ -	4	1	\$ 57,464
10	2029-2030	2029	0	\$ -	4	1	\$ 57,464	
Years Following Value Limitation Period	11 through 25	2030-2045	2030-2044	0	\$ -	4	1	\$ 57,464

Notes: See TAC 9.1051 for definition of non-qualifying jobs.
Only include jobs on the project site in this school district.

- C1. Are the cumulative number of qualifying jobs listed in Column D less than the number of qualifying jobs required by statute? (25) Yes No
qualifying jobs in Subchapter B districts, 10 qualifying jobs in Subchapter C districts)
If yes, answer the following two questions:
- C1a. Will the applicant request a job waiver, as provided under 313.025(f-1)? Yes No
- C1b. Will the applicant avail itself of the provision in 313.021(3)(F)? Yes No

Schedule D: Other Incentives (Estimated)

Date 7/25/2017
Applicant Name Apex Midway Wind LLC
ISD Name Gregory-Portland ISD

Form 50-296A

Revised May 2014

State and Local Incentives for which the Applicant intends to apply (Estimated)						
Incentive Description	Taxing Entity (as applicable)	Beginning Year of Benefit	Duration of Benefit	Annual Tax Levy without Incentive	Annual Incentive	Annual Net Tax Levy
Tax Code Chapter 311	County:	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
	City:	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
	Other:	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
Tax Code Chapter 312	County: San Patricio County (Total over 25 years)	2019	9	\$ 7,418,615	\$ 3,520,210	\$
	City: N/A	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
	Other: San Patricio Drainage	To be determined	To be determined	To be determined	To be determined	To be determined
Local Government Code Chapters 380/381	County:	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
	City:	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
	Other:	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
Freeport Exemptions	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
Non-Annexation Agreements	To be determined	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
Enterprise Zone/Project	To be determined	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
Economic Development Corporation	To be determined	Not applicable	Not applicable		Not applicable	
Texas Enterprise Fund	To be determined	Not applicable	Not applicable		Not applicable	
Employee Recruitment	To be determined	Not applicable	Not applicable		Not applicable	
Skills Development Fund	To be determined	Not applicable	Not applicable		Not applicable	
Training Facility Space and Equipment	To be determined	Not applicable	Not applicable		Not applicable	
Infrastructure Incentives	To be determined	Not applicable	Not applicable		Not applicable	
Permitting Assistance	To be determined	Not applicable	Not applicable		Not applicable	
Other:	To be determined	Not applicable	Not applicable		Not applicable	
Other:	To be determined	Not applicable	Not applicable		Not applicable	
Other:	To be determined	Not applicable	Not applicable		Not applicable	
Other:	To be determined	Not applicable	Not applicable		Not applicable	
TOTAL				\$ 7,418,615	\$ 3,520,210	\$

Additional information on incentives for this project:

Chapter 312 tax abatement with San Patricio County has been obtained. The abatement agreement is for nine years with the following percentages: 100% for year 1-3, 90% for years 4-5, 60% for years 6-7, and 40% for years 8-9. The tax abatement does not apply to the county's road and bridge fund or I&S. Those 2016 tax rates are \$.045003 per \$100 value and \$.028921 per \$100 value, respectively. The tax abatement only applies to the county's general tax rate of \$.418 per \$100 value. Tax abatement savings over a 25-year period due to the county tax abatement agreement are approximately \$3,898,405. However all but approximately \$350,000 of this tax savings is expected to be spent to improve county roads under a road use agreement with San Patricio County.

Texas Comptroller of Public Accounts

Data Analysis and
Transparency
Form 50-296-A

SECTION 16: Authorized Signatures and Applicant Certification

After the application and schedules are complete, an authorized representative from the school district and the business should review the application documents and complete this authorization page. Attach the completed authorization page in Tab 17. NOTE: If you amend your application, you will need to obtain new signatures and resubmit this page, Section 16, with the amendment request.

1. Authorized School District Representative Signature

I am the authorized representative for the school district to which this application is being submitted. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code.

print here Dr. Paul Clore

Print Name (Authorized School District Representative)

Superintendent

Title

sign here

Signature (Authorized School District Representative)

Date

7-31-17

2. Authorized Company Representative (Applicant) Signature and Notarization

I am the authorized representative for the business entity for the purpose of filing this application. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code. The information contained in this application and schedules is true and correct to the best of my knowledge and belief.

I hereby certify and affirm that the business entity I represent is in good standing under the laws of the state in which the business entity was organized and that no delinquent taxes are owed to the State of Texas.

print here Mark Goodwin

Print Name (Authorized Company Representative (Applicant))

President and CEO

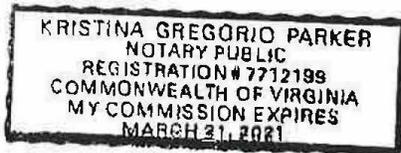
Title

sign here

Signature (Authorized Company Representative (Applicant))

Date

7/24/17



(Notary Seal)

GIVEN under my hand and seal of office this, the

24 day of July, 2017

Kristina Parker
Notary Public in and for the State of Texas Virginia

My Commission expires: 3/31/21

If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.10.