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January 8, 2016

Annet Nalukwago
Economic Development and Analysis Division
Texas Comptroller of Public Accounts
111 E. 17th St.
Austin, TX 78774

Via Email and Federal Express

Re: App 1105 Walcott ISD – Broadview Wind Energy Project JN LLC

Dear Annet:

In supplement to the above-noted application, enclosed is a Resolution of the Commissioners Court of Deaf Smith County Designating Reinvestment Zone Number 2015-01.

A CD containing this Resolution is also enclosed. Please let me know if you require any additional information.

Sincerely,

A handwritten signature in black ink that reads "Audie Sciumbato". The signature is fluid and cursive, with a small heart-like flourish above the letter 'i' in "Sciumbato".

Audie Sciumbato, PhD

Encl.
JIFTEXLF0D611H

cc: Wes Jackson, Cummings Westlake, LLC

**RESOLUTION OF THE COMMISSIONERS COURT
OF DEAF SMITH COUNTY, TEXAS
DESIGNATING REINVESTMENT ZONE NUMBER 2015-01**

A RESOLUTION DESIGNATING A CERTAIN AREA AS A REINVESTMENT ZONE FOR A COMMERCIAL/INDUSTRIAL TAX ABATEMENT IN DEAF SMITH COUNTY, TEXAS, ESTABLISHING THE BOUNDARIES THEREOF, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Commissioners Court of Deaf Smith County, Texas desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a reinvestment zone as authorized by the Property Redevelopment and Tax Abatement Act, as amended (Texas Property Tax Code § 312.001, *et seq.*), and the Tax Abatement Guidelines and Criteria of Deaf Smith County (the "Guidelines"); and

WHEREAS, on the 14th day of December, 2015, a hearing before the Commissioners Court of Deaf Smith County, Texas was held, such date being at least seven (7) days after the date of publication of the notice of such public hearing in the local newspaper of general circulation in Deaf Smith County and the delivery of written notice to the respective presiding officers of each taxing entity that includes within its boundaries real property that is to be included in the proposed reinvestment zone; and

WHEREAS, the Commissioners Court of Deaf Smith County, Texas at such public hearing invited any interested person to appear and speak for or against the creation of the reinvestment zone and whether all or part of the territory described should be included in the proposed reinvestment zone; and

WHEREAS, the proponents of the reinvestment zone offered evidence, both oral and documentary, in favor of all of the foregoing matters relating to the creation of the reinvestment zone and opponents, if any, of the reinvestment zone appeared to contest the creation of the reinvestment zone.

BE IT RESOLVED BY THE COMMISSIONERS COURT OF DEAF SMITH COUNTY, TEXAS:

SECTION 1. That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

SECTION 2. That the Commissioners Court of Deaf Smith County, Texas, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations based on the evidence and testimony presented to it:

- (a) That the public hearing on adoption of the reinvestment zone has been properly called, held and conducted and that notice of such hearing has been published as required by law and mailed to the respective presiding officers of the governing bodies of all taxing units overlapping the territory inside the proposed reinvestment zone; and

- (b) That the boundaries of the proposed reinvestment zone should be the area described in the description attached hereto as Exhibit "A" and depicted on the map attached hereto as Exhibit "B", both Exhibits being incorporated herein by reference for all purposes; and,
- (c) That creation of the reinvestment zone will result in benefits to Deaf Smith County, Texas and to land included in the reinvestment zone and that the improvements sought are feasible and practical; and
- (d) The reinvestment zone meets the criteria set forth in Texas Property Tax Code Chapter 312 for the creation of a reinvestment zone as set forth in the Property Redevelopment and Tax Abatement Act, as amended, and the Guidelines, in that it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract investment in the zone that would be a benefit to the property and that would contribute to the economic development of Deaf Smith County, Texas, and that the entire tract of land is located entirely within an unincorporated area of Deaf Smith County, Texas.

SECTION 3. That pursuant to the Property Redevelopment and Tax Abatement Act, as amended, and the Guidelines, the Deaf Smith County Commissioners Court hereby creates Deaf Smith County Reinvestment Zone Number 2015-01; a reinvestment zone for commercial-industrial tax abatement encompassing only the area described in "Exhibit A" and depicted in Exhibit "B", and such reinvestment zone is hereby designated and shall hereafter be referred to as Deaf Smith County Reinvestment Zone Number 2015-01.

SECTION 4. That Deaf Smith County Reinvestment Zone Number 2015-01 shall take effect on the 14th day of December, 2015 and shall remain designated as a commercial-industrial reinvestment zone for a period of five (5) years from such date of designation, and may be renewed for an additional five (5) year period thereafter.

SECTION 5. That if any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

SECTION 6. That it is hereby found, determined and declared that sufficient notice of the date, hour, place and subject, of the meeting of the Deaf Smith County Commissioners Court at which this Resolution was adopted was posted at a place convenient and readily accessible at all times as required by the Texas Open Government Act, Texas Government Code, Chapter 551, as amended, and that a public hearing was held prior to the designation of such reinvestment zone and that proper notice of the hearing was published in the official newspaper of general circulation within the County, and furthermore, such notice was in fact delivered to the presiding officer of any affected taxing entity as prescribed by the Property Redevelopment and Tax Abatement Act.

PASSED, APPROVED AND ADOPTED on this the 14th day of December, 2015.

Pat Smith

Pat Smith
Commissioner, Precinct 1

Jerry O'Connor

Jerry O'Connor
Commissioner, Precinct 2

Mike Brumley

Mike Brumley
Commissioner, Precinct 3

Dale Artho

Dale Artho
Commissioner, Precinct 4

D.J. Wagner

D.J. Wagner
County Judge

Imelda DeLaCerde

County Clerk
Imelda DeLaCerde



EXHIBIT A

DESCRIPTION OF

DEAF SMITH COUNTY

REINVESTMENT ZONE 2015-01

TAB 9 DESCRIPTION OF LAND

LEGAL DESCRIPTION

TOWNSHIP 3 RANGE 1 SECTION 24 ALL, 640 AC
TOWNSHIP 3 RANGE 2 SECTION 31 S/2, 320 AC
TOWNSHIP 2 RANGE 2 SECTION 8 N/2 OF NE/4, 80 AC
TOWNSHIP 3 RANGE 2 SECTION 27 E/2 (ELDRED, FLOYD, ERNEST), 315.36 AC
TOWNSHIP 3 RANGE 1 SECTION 35, SW/4 160 AC, (ELDRED, FLOYD, ERNEST)
TOWNSHIP 2 RANGE 2 SECTION 17 NW/4, 160 AC
TOWNSHIP 2 RANGE 1 SECTION 30 NW/4, 160 AC
TOWNSHIP 3 RANGE 1 SECTION 28 SE/4, 160 AC
TOWNSHIP 3 RANGE 2 SECTION 20 ALL, 640 AC
TOWNSHIP 3 RANGE 1 SECTION 15 SE PT, 204.87 AC
TOWNSHIP 2 RANGE 1 SECTION 25, N/2 320 AC
TOWNSHIP 2 RANGE 2 SECTION 21 W/2 SW/4, 80 AC
TOWNSHIP 3 RANGE 1 SECTION 14 ALL, 640 AC
TOWNSHIP 3 RANGE 1 SECTION 22, 630 AC
TOWNSHIP 2 RANGE 1 SECTION 27 N/2, 320 AC
TOWNSHIP 3 RANGE 1 SECTION 31 NE/4, 158 AC
TOWNSHIP 3 RANGE 1 SECTION 21 S/2, 320 AC
TOWNSHIP 3 RANGE 2 SECTION 21, 640 AC
TOWNSHIP 3 RANGE 1 SECTION 28 NE/4, 160 AC
TOWNSHIP 3 RANGE 2 SECTION 23 W/2, 320 AC
TOWNSHIP 2 RANGE 2 SECTION 7 W/2 OF N/2 OF NE/4, 40 AC
TOWNSHIP 3 RANGE 1 SECTION 28 NW/4, 160 AC
TOWNSHIP 2 RANGE 2 SECTION 17, 5200 AC OF E/2, 200AC
TOWNSHIP 2 RANGE 2 SECTION 15 SE/4, 160AC
TOWNSHIP 2 RANGE 2 SECTION 16 SW/4, 158.16 AC
TOWNSHIP 2 RANGE 1 SECTION 28 NW/4, 160 AC
TOWNSHIP 2 RANGE 2 SECTION 8 N/2 SE/4, 80 AC
TOWNSHIP 2 RANGE 1 SECTION 30 NE/4, 169 AC
TOWNSHIP 3 RANGE 1 SECTION 20 S/4 S/2, 80 AC
TOWNSHIP 2 RANGE 2 SECTION 20, E/2 320AC.
TOWNSHIP 2 RANGE 2 SECTION 9 SW/4, 160 AC
TOWNSHIP 3 RANGE 2 SECTION 34 N PT, 236.4 AC
TOWNSHIP 2 RANGE 2 SECTION 7 N/2 OF SE/4, 80 AC
TOWNSHIP 2 RANGE 1 SECTION 29 NW/4, 160 AC
TOWNSHIP 3 RANGE 1 SECTION 36 W/2 OF E/2, 158.2 AC
TOWNSHIP 3 RANGE 1 SECTION 29 N/2, 320 AC
TOWNSHIP 3 RANGE 1 SECTION 20 N/2, 320 AC
TOWNSHIP 2 RANGE 1 SECTION 21 E/2 & SE/4, 80 AC
TOWNSHIP 3 RANGE 2 SECTION 30, 3 AC OUT OF CENTER PART
TOWNSHIP 2 RANGE 1 SECTION 22 S/2, 320 AC
TOWNSHIP 3 RANGE 1 SECTION 17 SW/4, 160 AC
TOWNSHIP 2 RANGE 2 SECTION 9, SE/4, 160 AC
TOWNSHIP 3 RANGE 1 SECTION 27 E/2, 316.4 AC
TOWNSHIP 3 RANGE 2 SECTION 34 E/2 & S/2 OF SW/4, 396 AC
TOWNSHIP 2 RANGE 2 SECTION 26 PT OF N/2, 213.34 AC
TOWNSHIP 2 RANGE 2 SECTION 28 E/2, 180 AC
TOWNSHIP 3 RANGE 2 SECTION 29 ALL, 632.7 AC
TOWNSHIP 2 RANGE 2 SECTION 7, N/2 OF SW/4, 80AC
TOWNSHIP 3 RANGE 2 SECTION 15 ALL, 640 AC
TOWNSHIP 3 RANGE 1 SECTION 23 ALL, 640 AC
TOWNSHIP 3 RANGE 1 SECTION 19 E/2, 320 AC
TOWNSHIP 2 RANGE 1 SECTION 26, NW/4 OF W/2, 159 AC
TOWNSHIP 3 RANGE 1 SECTION 30 NW/4, 160 AC.
TOWNSHIP 2 RANGE 1 SECTION 13 N/2, 320 AC
TOWNSHIP 3 RANGE 1 SECTION 27 SW/4, 158.8 AC
TOWNSHIP 3 RANGE 1 SECTION 35 SE/4 (ELDRED), 160 AC
TOWNSHIP 2 RANGE 2 SECTION 7 NW/4, 160 AC
TOWNSHIP 2 RANGE 2 SECTION 15 E/2 NE/4, 80 AC
TOWNSHIP 3 RANGE 1 SECTION 13 ALL, 640 AC
TOWNSHIP 3 RANGE 1 SECTION 19 W/2, 301 AC
TOWNSHIP 3 RANGE 2 SECTION 28 (ELDRED, FLOYD, ERNEST), 629.64 AC
TOWNSHIP 2 RANGE 2 SECTION 16 TR 2 SE PT, 118.5 AC
TOWNSHIP 2 RANGE 2 SECTION 8 S/2 SE/4, 80 AC
PT 168.31AC 17-2N-1E
W PT 486.45AC 7-2N-1E
ALL OF 19-2N-1E
E PT 164.55AC 7-2N-1E
ALL 8-2N-1E
ALL 18-2N-1E
ALL 20-2N-1E
N2 & SW4 9-2N-1E
PT 471.69AC 17-2N-1E

LEGAL DESCRIPTION

TOWNSHIP 2 RANGE 2 SECTION 10 ALL, 640 AC
TOWNSHIP 2 RANGE 2 SECTION 15 W/2 NE/4, 80 AC
TOWNSHIP 2 RANGE 2 SECTION 6 SE/4, 160 AC
TOWNSHIP 3 RANGE 1 SECTION 26 N/2, 320 AC
TOWNSHIP 3 RANGE 2 SECTION 35, ALL, 640 AC
TOWNSHIP 3 RANGE 1 SECTION 27 NW/4, 159.6 AC
TOWNSHIP 3 RANGE 2 SECTION 32, 1 AC
TOWNSHIP 2 RANGE 2 SECTION 16 NE/4, 150 AC
TOWNSHIP 2 RANGE 2 SECTION 26, 54 AC
TOWNSHIP 2 RANGE 2 SECTION 7 S/2 OF NE/4, 80AC
TOWNSHIP 2 RANGE 2 SECTION 5 E/2, 320 AC
TOWNSHIP 2 RANGE 2 SECTION 7 S/2 OF SE/4, 80AC
TOWNSHIP 2 RANGE 1 SECTION 28 NE/4, 160 AC
TOWNSHIP 2 RANGE 2 SECTION 23 NW/4 & SE/4, 320 AC
TOWNSHIP 3 RANGE 1 SECTION 33 N/2 & SW/4, 473.4 AC
TOWNSHIP 3 RANGE 1 SECTION 18 SE/4 & PT W/2, 454.07 AC
TOWNSHIP 3 RANGE 1 SECTION 15 N PT, 265 AC
TOWNSHIP 2 RANGE 1 SECTION 29 NE/4, 156 AC
TOWNSHIP 2 RANGE 2 SECTION 27 PT N/2, 303.88 AC
TOWNSHIP 2 RANGE 1 SECTION 26, NE/4 & N PT SE/4, 167 AC
TOWNSHIP 3 RANGE 2 SECTION 28 2.085 ACRES (ERNEST BROWN'S HSE)
TOWNSHIP 3 RANGE 2 SECTION 19 ALL, 640 AC
TOWNSHIP 3 RANGE 1 SECTION 32 W/2, 316.4 AC
TOWNSHIP 3 RANGE 2 SECTION 16 ALL, 640 AC
TOWNSHIP 2 RANGE 2 SECTION 9 N/2, 320 AC
TOWNSHIP 2 RANGE 2 SECTION 14 ALL, 640 AC
TOWNSHIP 2 RANGE 2 SECTION 27, 5 PT OF N/2, 70.73 AC
TOWNSHIP 3 RANGE 1 SECTION 20 PT S/2, 240 AC
TOWNSHIP 3 RANGE 2 SECTION 19 ALL, 640 AC
TOWNSHIP 2 RANGE 2 SECTION 17 E/2, 120 AC
TOWNSHIP 2 RANGE 2 SECTION 21 E/2, 319 AC
TOWNSHIP 2 RANGE 2 SECTION 18 E/2, 320 AC
TOWNSHIP 3 RANGE 1 SECTION 34 (ELDRED, FLOYD, ERNEST), 624.72 AC
TOWNSHIP 3 RANGE 2 SECTION 27 W/2, 314.36 AC
TOWNSHIP 2 RANGE 2 SECTION 21 NW/4, 160 AC
TOWNSHIP 3 RANGE 2 SECTION 17 ALL, 640 AC
TOWNSHIP 2 RANGE 2 SECTION 16 TR 1 - 2 W/2, 213 AC
TOWNSHIP 3 RANGE 2 SECTION 33 N/2 & SW/4, 480 AC
TOWNSHIP 3 RANGE 1 SECTION 25 ALL, 633 AC
TOWNSHIP 2 RANGE 2 SECTION 8 S/2 NE/4, 80 AC
TOWNSHIP 3 RANGE 1 SECTION 15 SWPT, 170.12 AC
TOWNSHIP 3 RANGE 2 SECTION 22 ALL, 640 AC
TOWNSHIP 3 RANGE 2 SECTION 32 ALL, 632.72 AC
TOWNSHIP 3 RANGE 2 SECTION 26 (ELDRED, FLOYD, ERNEST), 629.73 AC
TOWNSHIP 2 RANGE 2 SECTION 7 E/2 OF N/2 OF NE/4, 40 AC
TOWNSHIP 2 RANGE 2 SECTION 8 W/2, 320 AC
SW4 13-2N-1E
SE4 13-2N-1E
PT 301.96AC 1-2N-1E
PT 338.04 1-2N-1E
W2 6-2N-2E
ALL 19-2N-2E
W2 20-2N-2E
N2 30-2N-2E
N360 AC EXC S120AC OF E2-29-2N-2E
S 120AC OF E2 OF N360 29-2N-2E
W2 EXC S 100AC 28-2N-2E
SE4 5-2N-1E
ALL 4-2N-1E
S2&NE4 15-2N-1E
N2 35-3N-1E
S2 26-3N-1E
S2 29-3N-1E
SW4 28-3N-1E
E2 30-3N-1E
SW4 30-3N-1E
N2 31-3N-2E
E2 OF E2 OF 36-3N-1E
EXC 3AC ALL 30-3N-2E
NW4 EXC W 417.3' 31-3N-1E
NW4 EXC W 417.3' 31-3N-1E
S2 31-3N-1E

TAB 9 DESCRIPTION OF LAND

LEGAL DESCRIPTION

SW4 & W2 OF SE4 21-2N-1E
SE4 33-3N-1E
SE4 9-2N-1E
SW4 3-2N-1E
ALL 10-2N-1E
ALL 16-2N-1E
N2 22-2N-1E
NW4 15-2N-1E
N2 & SE4 3-2N-1E
W2 11-2N-1E
N 480 14-2N-1E
S 160 14-2N-1E
ALL 23-2N-1E
E2 11-2N-1E
W2 36-3N-1E
ALL 2-2N-1E
ALL 12-2N-1E
ALL 24-2N-1E

LEGAL DESCRIPTION

ALL 6-2N-1E
N2 5-2N-1E
SW4 5-2N-1E
E2 32-3N-1E
NE4 18-3N-1E
N28 & SE4 17-3N-1E
57.8AC OF SW4 16-3N-1E
NW4 21-3N-1E
ALL EXC 57.8AC IN SW4 16-3N-1E
NE4 21-3N-1E
TOWNSHIP 2 RANGE 2 SECTION 17 SW/4, 160 AC.
TOWNSHIP 2 RANGE 2 SECTION 18 W/2, 320 AC
TOWNSHIP 2 RANGE 2 SECTION 7, S/2 OF SW/4, 80AC
TOWNSHIP 3 RANGE 2 SECTION 14 W/2, 320 AC
TOWNSHIP 2 RANGE 2 SECTION 5 W/2, 320 AC
TOWNSHIP 2 RANGE 2 SECTION 6 NE/4, 160 AC
TOWNSHIP 2 RANGE 2 SECTION 21 E/2 SW/4, 80 AC

EXHIBIT B

MAP OF

DEAF SMITH COUNTY

REINVESTMENT ZONE 2015-01

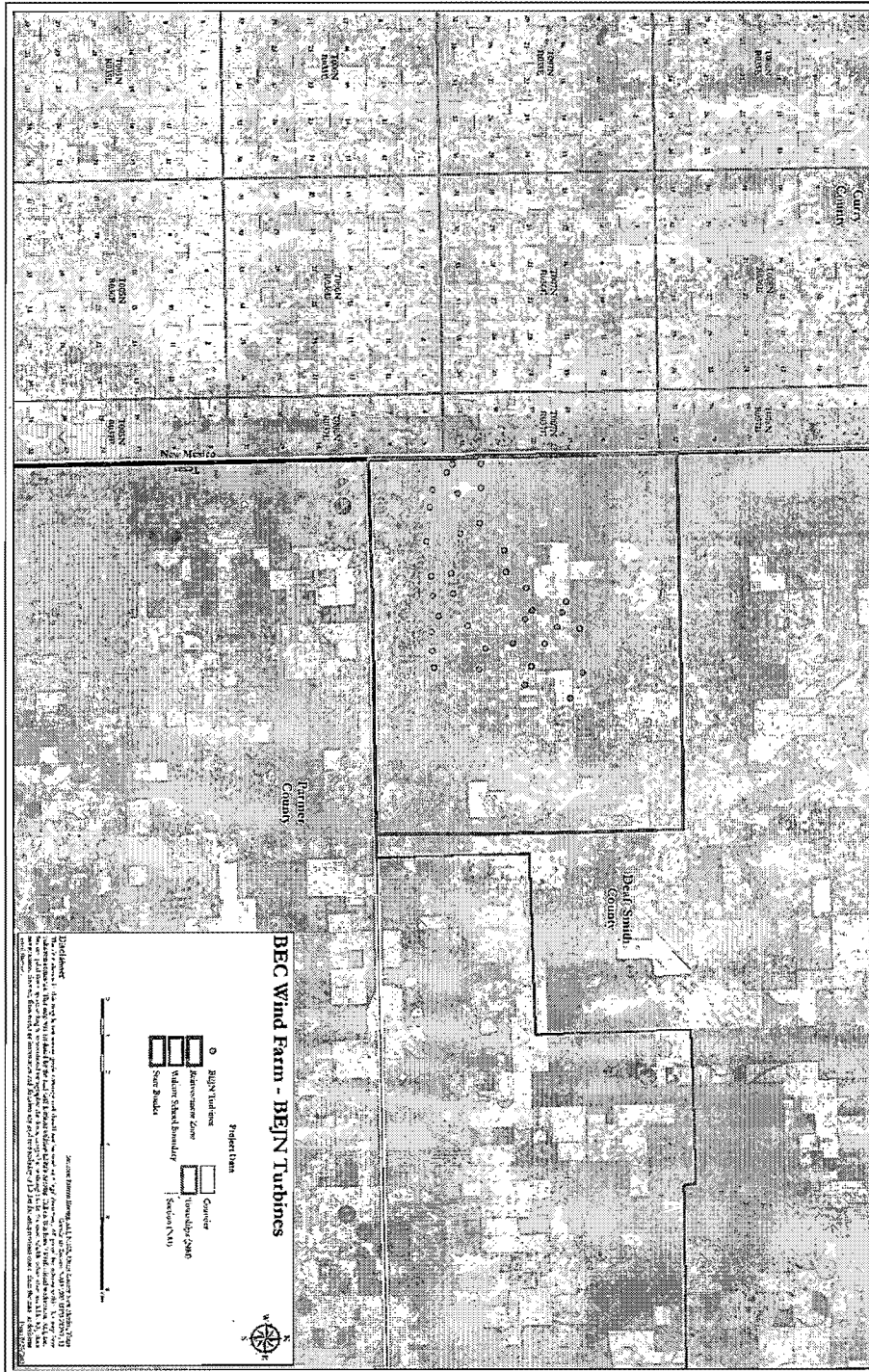


Exhibit "B"