

**AMENDMENT NO. 1**  
**TO AGREEMENT FOR LIMITATION ON APPRAISED VALUE OF PROPERTY FOR**  
**SCHOOL DISTRICT MAINTENANCE AND OPERATIONS TAXES**  
**BETWEEN IRION COUNTY INDEPENDENT SCHOOL**  
**DISTRICT AND SANTA RITA EAST WIND ENERGY, LLC**  
*(Comptroller Application No. 1152)*

This **AMENDMENT NO. 1 TO THE AGREEMENT FOR LIMITATION ON APPRAISED VALUE OF PROPERTY FOR SCHOOL DISTRICT MAINTENANCE AND OPERATIONS TAXES** (this "**Amendment No. 1**") is entered into by and between **IRION COUNTY INDEPENDENT SCHOOL DISTRICT** (the "**District**"), a lawfully created independent school district of the State of Texas operating under and subject to the TEXAS EDUCATION CODE, and **SANTA RITA EAST WIND ENERGY, LLC**, a Texas limited liability company, Texas Taxpayer Identification Number 32061129683 ("**Applicant**"). The Applicant and the District may hereafter be referred together as the "**Parties**" and individually as a "**Party**." Undefined capitalized terms herein shall have the meaning given to them in the Agreement (as defined below).

**WHEREAS**, on or about May 15, 2017, pursuant to Chapter 313 of the TEXAS TAX CODE, after conducting a public hearing on the matter, the District made factual findings (the "**Findings of Fact**"), and passed, approved, and executed that certain Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes dated May 15, 2017, by and between the District and Applicant (the "**Agreement**");

**WHEREAS**, the Applicant notified the Texas Comptroller of Public Accounts (the "**Comptroller**") and District that the reinvestment zone included in the Original Application did not reflect the actual zone adopt by Irion County;

**WHEREAS**, the Comptroller issued its notice of completeness letter on January 23, 2019, issued its amended certification of the Amended Application on January 23, 2019, and approved the form of this Amendment No. 1 on March 27, 2019; and

**WHEREAS**, on April 15, 2019, the Board of Trustees determined that this Amendment No. 1 is in the best interest of the District and the State of Texas and is consistent with and authorized by Chapter 313 of the TEXAS TAX CODE, and hereby approves this Amendment No. 1 and authorizes the District's representative, whose signature appears below, to execute and deliver such Amendment No. 1 to the Applicant.

**NOW, THEREFORE**, in consideration of the foregoing recitals, the mutual benefits to be derived by the Parties and other good and valuable considerations, the receipt and adequacy of which are hereby acknowledged, and in compliance with Sections 10.2 of the Agreement, the undersigned Parties intending to be legally bound, do hereby covenant and agree to amend the Agreement as follows:

**1. Amendments.**

- a. Exhibit 1. **EXHIBIT 1** to the Agreement is deleted in its entirety and replaced with the attached **EXHIBIT 1**.

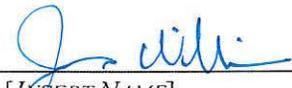
2. **Effect.** Except as modified and amended by the terms of this Amendment No. 1, all of the terms, conditions, provisions and covenants of the Agreement are ratified and shall remain in full force and effect, and the Agreement and this Amendment No. 1 shall be deemed to constitute a single instrument or document. Should there be any inconsistency between the terms of this Amendment No. 1 and the Agreement; the terms of this Amendment No. 1 shall prevail. A copy of this Amendment No. 1 shall be delivered to the Texas Comptroller to be posted to the Texas Comptroller's internet website. A copy of this Amendment No. 1 shall be recorded with the official Minutes of the meeting at which it has been approved and a copy of this Amendment No. 1 shall also be recorded with the Findings of Fact in the official Minutes of the meeting of May 15, 2017.

3. **Binding on Successors and Assigns.** The Agreement, as amended by this Amendment No. 1, shall be binding upon and inure to the benefit of the Parties and each other person and entity having any interest therein during their ownership thereof, and their respective successors and assigns.

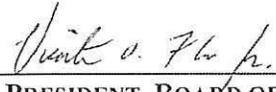
4. **Counterparts.** This Amendment No. 1 may be executed in counterparts, each of which shall be deemed an original and all of which when taken together shall constitute one and the same document.

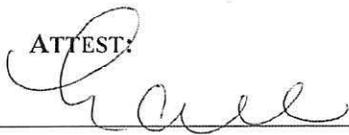
IN WITNESS HEREOF, the District and Applicant have caused this Amendment No. 1 to be executed and delivered by their duly authorized representatives as of the Effective Date.

**SANTA RITA EAST WIND  
ENERGY LLC**

By:   
[INSERT NAME]  
[INSERT TITLE]  
James Williams  
Vice President

**IRION COUNTY INDEPENDENT SCHOOL  
DISTRICT**

By:   
PRESIDENT, BOARD OF TRUSTEES

ATTEST:  
By:   
SECRETARY, BOARD OF TRUSTEES

## EXHIBIT 1

### DESCRIPTION AND LOCATION OF ENTERPRISE OR REINVESTMENT ZONE

At the time of the Application Approval Date, pursuant to Chapter 312 of the Texas Tax Code, the Irion County Commissioner's Court designated all real property within the unincorporated areas of Irion County as a Reinvestment Zone. A map of this Irion County Reinvestment Zone Number One is attached as the last page of this **EXHIBIT 1** following the legal description of the zone. All of the Applicant's Qualified Property and Applicant's Qualified Investment will be located within the boundaries of the Irion County Reinvestment Zone Number One.

R16-12

RESOLUTION ADOPTING AND DESIGNATING REINVESTMENT ZONE  
IN THE JURISDICTION OF IRION COUNTY, TEXAS

STATE OF TEXAS                    }  
  }  
COUNTY OF IRION        }

WHEREAS, the Commissioners Court of Irion County, Texas (the "County") desires to make available tax abatement relief in the area which is the subject of this resolution in order to encourage the development of primary employment and to attract major investment in the County; and,

WHEREAS, the County has elected to become eligible to participate in tax abatement agreements under the provisions of the Texas Property Redevelopment and Tax Abatement Act (Chapter 312 of the Texas Tax Code); and,

WHEREAS, the County has adopted guidelines and criteria governing tax abatement agreements in a resolution dated on or about September 27<sup>th</sup>, 2016 (the "Abatement Guidelines and Criteria"); and,

WHEREAS, a public hearing is required by Chapter 312 of the Texas Tax Code prior to approval of a reinvestment zone; and

WHEREAS, the County (a) timely published or posted all applicable notices of public hearing regarding the designation of the attached real estate described in the attached Exhibit A as a reinvestment zone for tax abatement purposes, and (b) timely notified all applicable presiding officers of the governing body of each taxing unit that includes in its boundaries real property that may be included in the proposed reinvestment zone;

WHEREAS, the improvements proposed by Santa Rita East Wind Energy LLC are feasible and of benefit to the reinvestment zone after expiration of an abatement agreement; and

WHEREAS, the property described on Exhibit A meets the criteria established in the Abatement Guidelines and Criteria; and

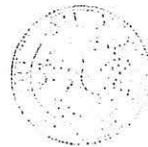
WHEREAS, the designation of the reinvestment zone would contribute to the retention or expansion of primary employment or would attract major investment in the reinvestment zone that would be of benefit to the property described on Exhibit A and would contribute to the economic development of the County; and

WHEREAS, all interested members of the public were given an opportunity to make comment at the public hearing.

APPROVED BY  
IRION COUNTY COMMISSIONERS' COURT

NOV 22 2016

JUDGE \_\_\_\_\_  
PCT 1 \_\_\_\_\_  
PCT 2 \_\_\_\_\_  
PCT 3 \_\_\_\_\_  
PCT 4 \_\_\_\_\_



NOW, THEREFORE, BE IT ORDERED, by the Commissioners Court of IRION County, that

The County hereby designates the property located in Irion County, Texas having the property description in Exhibit A attached to this Order, as a Reinvestment Zone under the Irion County Abatement Guidelines and Criteria, having determined that (a) the property described on Exhibit A meets the criteria established in the Irion County Abatement Guidelines and Criteria, (b) the designation of such Reinvestment Zone would contribute to the retention or expansion of primary employment or would attract major investment in the Reinvestment Zone that would be of benefit to the property described on Exhibit A would contribute to the economic development of the County.

The foregoing Resolution was lawfully moved by Nanny, duly seconded by Porter, and duly adopted by the Irion County Commissioner's Court, the 22<sup>nd</sup> day of November 2016.

Tom Aiken  
Tom Aiken  
Irion County Judge

Tia Paxton  
Tia Paxton  
Commissioner, Precinct 1

Jeff Davidson  
Jeff Davidson  
Commissioner, Precinct 2

John Nanny  
John Nanny  
Commissioner, Precinct 3

Bill (Beaver) McManus, III  
Bill (Beaver) McManus, III  
Commissioner, Precinct 4 *No Veto*

Molly Criner  
Attest: Molly Criner, County Clerk

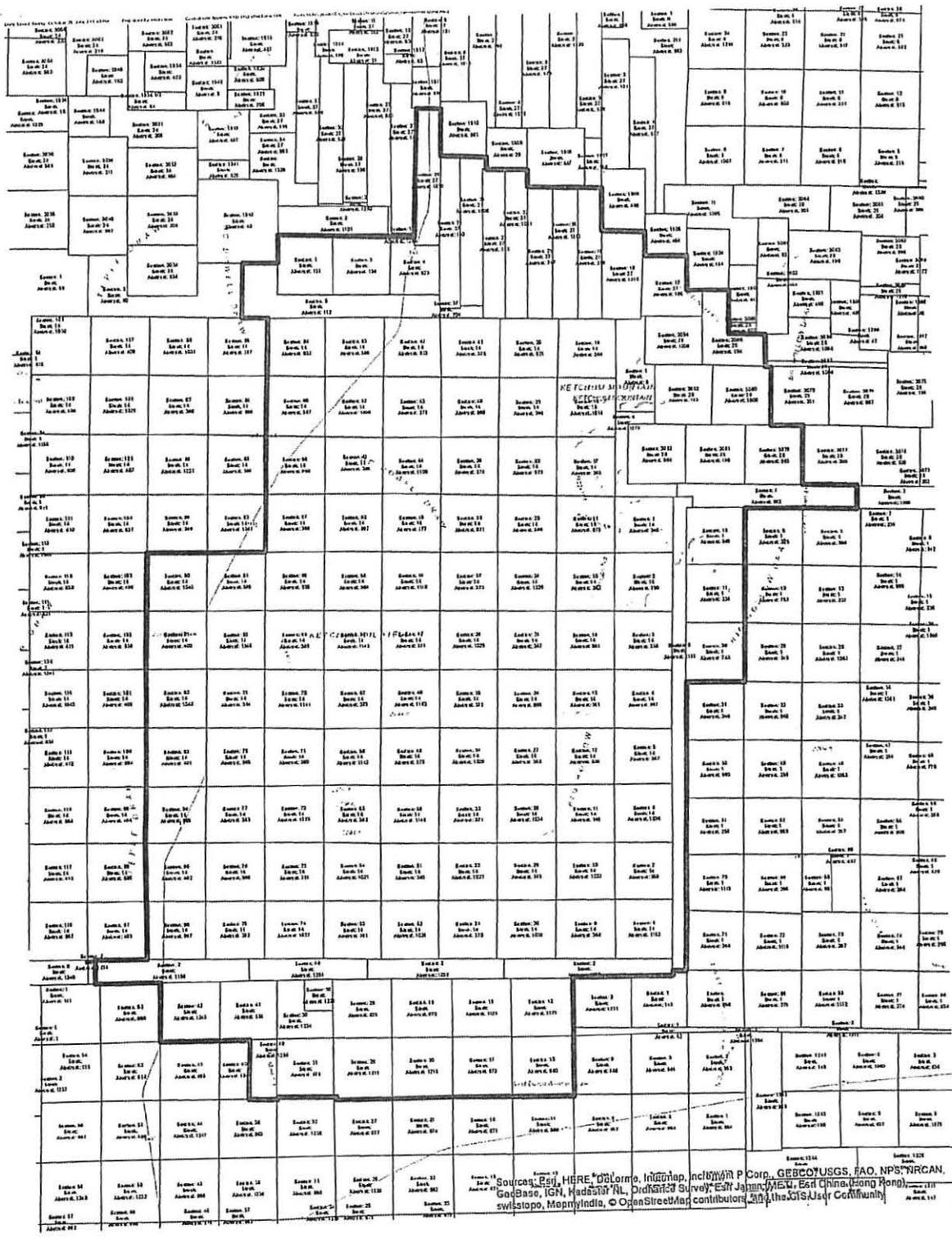
Exhibit A  
REINVESTMENT ZONE

IRION COUNTY, TEXAS

BLOCKNO	SECTION	ABSNO
BLK 27	26	A-1010
BLK 27	25	A-190
BLK 27	24	A-1009
BLK 27	23	A-191
BLK 27	22	A-1011
BLK 27	21	A-217
BLK 27	20	A-1012
BLK 27	19	A-216
BLK 27	18	A-1016
	1	A-135
	3	A-136
	4	A-923
BLK 27	17	A-185
	5	A-112
BLK 28	3085	A-194
	37	A-704
BLK 14	64	A-932
BLK 14	63	A-386
BLK 14	42	A-933
	1	A-8
BLK 28	3084	A-1006
BLK 14	41	A-375
BLK 14	20	A-921
BLK 14	19	A-364
BLK 28	3083	A-193
BLK 28	3080	A-1008
BLK 14	65	A-387
BLK 14	62	A-1000
BLK 14	43	A-376
BLK 14	40	A-969
BLK 14	21	A-365
BLK 14	18	A-1014
	4	A-1279
BLK 28	3082	A-984
BLK 28	3081	A-198
BLK 28	3078	A-983
BLK 14	66	A-998
BLK 14	61	A-385
BLK 14	44	A-1109
BLK 14	39	A-374
BLK 14	22	A-972
BLK 14	17	A-363
	4	A-982

BLK 14	67	A-388
BLK 14	60	A-997
BLK 14	45	A-377
BLK 14	38	A-971
BLK 14	23	A-366
BLK 14	16	A-973
BLK 14	1	A-355
	8	A-1161
BLK 1	10	A-988
BLK 14	90	A-1045
BLK 14	81	A-395
BLK 14	68	A-935
BLK 14	59	A-384
BLK 14	46	A-1110
BLK 14	37	A-373
BLK 14	24	A-1026
BLK 14	15	A-362
BLK 14	2	A-890
BLK 1	11	A-236
BLK 14	91	A-400
BLK 14	80	A-1046
BLK 14	69	A-389
BLK 14	58	A-1143
BLK 14	47	A-378
BLK 14	36	A-1025
BLK 14	25	A-367
BLK 14	14	A-891
BLK 14	3	A-356
BLK 1	30	A-743
BLK 14	92	A-1048
BLK 14	79	A-394
BLK 14	70	A-1141
BLK 14	57	A-383
BLK 14	48	A-1163
BLK 14	35	A-372
BLK 14	26	A-889
BLK 14	13	A-361
BLK 14	4	A-957
BLK 14	93	A-401
BLK 14	78	A-965
BLK 14	71	A-390
BLK 14	56	A-1142
BLK 14	49	A-379
BLK 14	34	A-1028
BLK 14	27	A-368
BLK 14	12	A-888
BLK 14	5	A-357
BLK 14	94	A-885
BLK 14	77	A-393
BLK 14	72	A-1023

BLK 14	55	A-382
BLK 14	50	A-1140
BLK 14	33	A-371
BLK 14	28	A-1034
BLK 14	11	A-360
BLK 14	6	A-1036
BLK 14	95	A-402
BLK 14	76	A-968
BLK 14	73	A-391
BLK 14	54	A-1021
BLK 14	51	A-380
BLK 14	32	A-1027
BLK 14	29	A-369
BLK 14	10	A-1033
BLK 14	7	A-358
BLK 14	96	A-887
BLK 14	75	A-392
BLK 14	74	A-1022
BLK 14	53	A-381
BLK 14	52	A-1024
BLK 14	31	A-370
BLK 14	30	A-1035
BLK 14	9	A-359
BLK 14	8	A-1162
	2	A-1196 - <i>East</i>
	40	A-1295
	2	A-1232
	2	A-1298
	30	A-1221
	29	A-678
	30	A-1234
	19	A-673
	41	A-684
	42	A-1245
	18	A-1125
	12	A-1175
	28	A-1219
	31	A-679
	20	A-1218
	40	A-1296
	17	A-672
	10	A-880

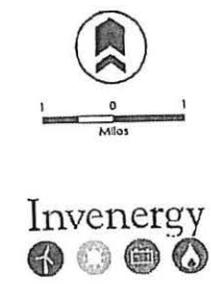


- Legend**
- Proposed Reinvestment Zone
  - County Boundary
  - Original Texas Land Survey

# Santa Rita East Reinvestment Zone 1

Irion County Wind Energy Project | Irion County, Texas

Rev. 01  
October 28, 2016



Sources: Esri, HERE, DeLorme, Intermap, inc./swisstopo, P Corp., GEBCO/USGS, FAO, NPS, NRCAN, IGN, Swisstopo, Merylinda, © OpenStreetMap contributors, and the GIS User Community