

**RESOLUTION OF THE COMMISSIONERS COURT
OF KENEDY COUNTY, TEXAS**

**CREATING *KENEDY COUNTY REINVESTMENT ZONE NUMBER THREE*, FOR
COMMERCIAL/INDUSTRIAL TAX ABATEMENT IN KENEDY COUNTY, TEXAS,
ESTABLISHING THE BOUNDARIES THEREOF, AND PROVIDING FOR AN
EFFECTIVE DATE**

PREAMBLE

WHEREAS, the Commissioners Court of Kenedy 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 Guidelines and Criteria of the Commissioners Court of Kenedy County for Granting a Tax Abatement in a Reinvestment Zone Created in Kenedy County, Texas (the “Guidelines”); and,

WHEREAS, Section 312.401 of the Texas Tax Code permits a County Commissioners Court to designate a reinvestment zone if that designation is reasonably likely to contribute to the retention or expansion of primary employment, or attract major investment in the reinvestment zone that would contribute to the economic development of the County; and,

WHEREAS, none of the area, Described in **EXHIBITS 1 and 2**, below, for which application for the creation of a reinvestment zone has been made, is within the taxing jurisdiction of any municipality; and,

WHEREAS, on September 11, 2017, a hearing before the Commissioners Court of Kenedy 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 *Kingsville Record* and the delivery of written notice to the respective presiding officers of each taxing entity that it includes within its boundaries real property that is to be included in the proposed reinvestment zone; and,

WHEREAS, the Commissioners Court of Kenedy County, Texas at such public hearing, held in accordance with the procedural requirements of Chapter 312, of the Texas Tax Code, and Chapter 551 of the Texas Government Code, 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; and,

WHEREAS, the improvements set forth in the Application by Stella Wind Farm, LLC for a tax abatement agreement are feasible and of benefit to the county after expiration of the tax abatement; and,

WHEREAS, the Kenedy County Commissioners Court wishes to create a reinvestment zone within the boundaries of Kenedy County as shown on the map attached as **EXHIBIT 1** and further described by the legal description set forth in **EXHIBIT 2** of this Resolution;

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF KENEDY COUNTY, TEXAS:

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

SECTION 2. That the Commissioners Court of Kenedy 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 *Kenedy County Reinvestment Zone Number Three* 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 *Kenedy County Reinvestment Zone Number Three* should be the area depicted in the plat map indicating the boundaries thereof, attached hereto as **EXHIBIT 1**, and further described in the legal description of the boundaries described in **EXHIBIT 2**, both of which are incorporated herein by reference for all intents and purposes; and,
- (c) That creation of *Kenedy County Reinvestment Zone Number Three* with boundaries as described in **EXHIBITS 1 and 2** will result in benefits to the Kenedy County, Texas and to land included in the zone and that the improvements sought are feasible and practical; and
- (d) The *Kenedy County Reinvestment Zone Number Three*, as described in Exhibit "A" and depicted in in **EXHIBITS 1 and 2** 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 Kenedy County, Texas, and that the entire tract of land is located entirely within an unincorporated area of Kenedy County, Texas.

SECTION 3. That pursuant to the Property Redevelopment and Tax Abatement Act, as amended, and the Guidelines and Criteria adopted by the Kenedy County Commissioners Court, the Kenedy County Commissioners Court hereby creates *Kenedy County Reinvestment Zone Number Three*, as a reinvestment zone for commercial-industrial tax abatement encompassing only the area within the boundaries described in **EXHIBITS 1 AND 2**, and such reinvestment zone is hereby designated and shall hereafter be referred to as *Kenedy County Reinvestment Zone Number Three*.

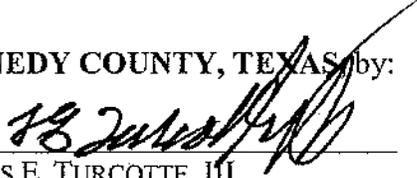
SECTION 4. *Kenedy County Reinvestment Zone Number Three* shall take effect on August 11, 2014 and shall remain designated as a commercial-industrial reinvestment zone for a period of five (5) years from such date of designation, and may be renewed for an additional five (5) year period thereafter.

SECTION 5. That if any section, paragraph, clause or provision of this Order 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 Order.

SECTION 6. That it is hereby found, determined and declared that a sufficient notice of the date, hour, place and subject, of the meeting of the Kenedy County Commissioners Court at which this Order 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 11th day of September 2017.

KENEDY COUNTY, TEXAS by:



LOUIS E. TURCOTTE, III
County Judge

Attest:

Veronica Vela

VERONICA VELA
Kenedy County Clerk

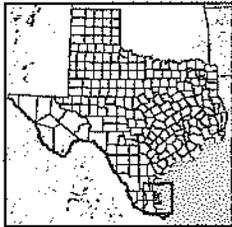
9/11/17

Date

[COUNTY SEAL]

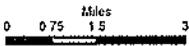
Reinvestment Zone #3

Kenedy County,
Texas



Date: March 15, 2017
Map Scale: 1:150,000
Projection: UTM 14
Datum: North American 1983

- Highway
- Major Road
- Reinvestment Zone
- Master Pastures
- Sections
- Project Area



Map produced by E.ON for internal use only. Final designs & site locations are to be determined by E.ON personnel through on-site verification. Map is not to be reproduced or distributed without express written permission from E.ON. Base data from USGS.

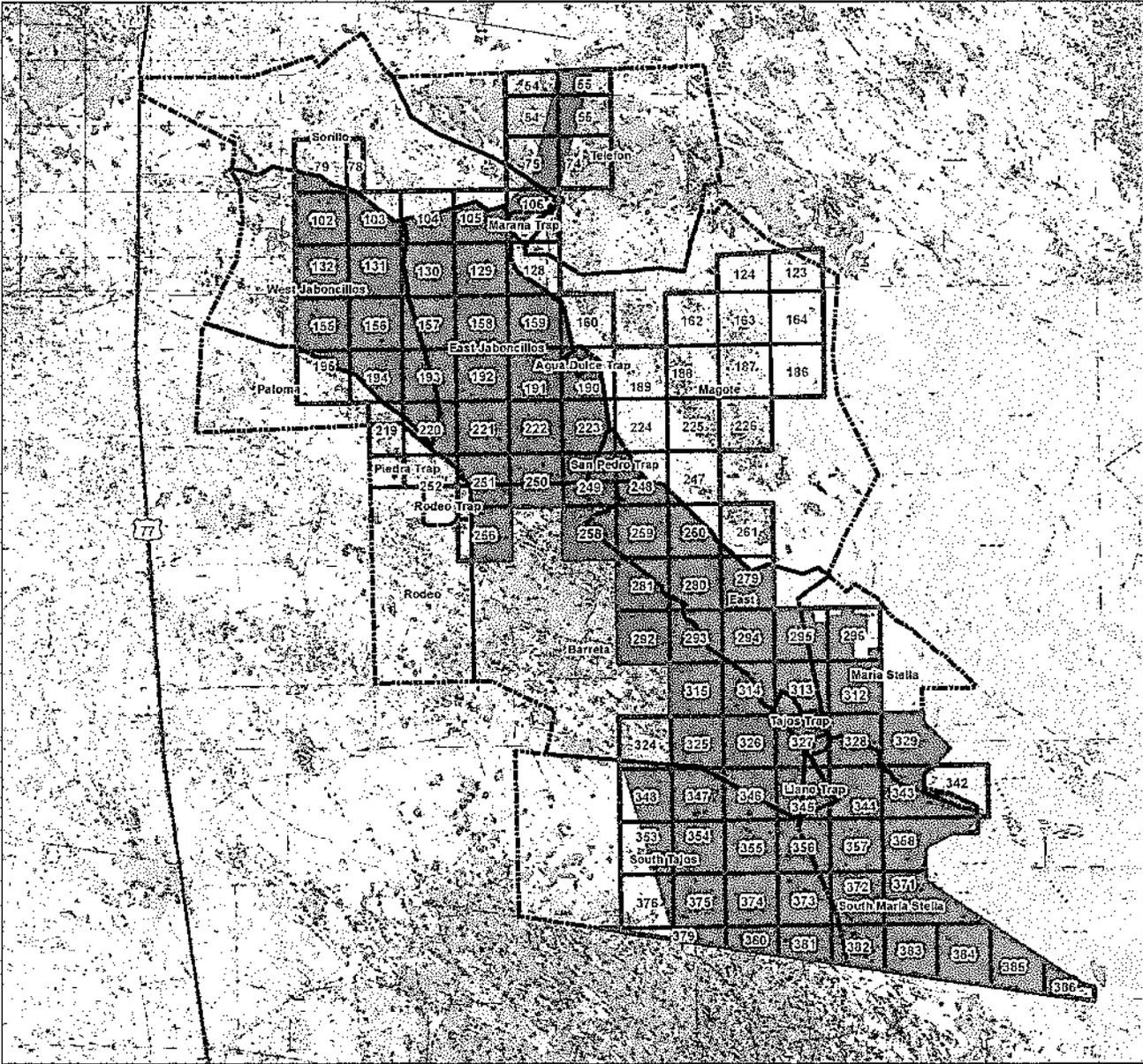


EXHIBIT 2

Kenedy County Reinvestment Zone Three

Stella Reinvestment Zone No. 3 to include the following real property in Kenedy County, Texas:

SECTION	PASTURE	LAND GRANT
54	Telefon	
55	Telefon	
74	Telefon	
75	Telefon	
123	Magote	
124	Magote	
162	Magote	
163	Magote	
164	Magote	
186	Magote	
187	Magote	
188	Magote	
189	Magote	
225	Magote	
226	Magote	
79	West Jaboncillos	Los Finados
104	West Jaboncillos	El Palmito
103	West Jaboncillos	El Palmito
103	West Jaboncillos	Los Finados
102	West Jaboncillos	Los Finados
130	West Jaboncillos	El Palmito
131	West Jaboncillos	El Palmito
131	West Jaboncillos	Los Finados
132	West Jaboncillos	Los Finados
130	West Jaboncillos	Little Barreta
131	West Jaboncillos	Little Barreta

157	West Jaboncillos	Little Barreta
156	West Jaboncillos	Little Barreta
156	West Jaboncillos	Los Finados
155	West Jaboncillos	Los Finados
193	West Jaboncillos	Little Barreta
194	West Jaboncillos	Little Barreta
194	West Jaboncillos	Los Finados
195	West Jaboncillos	Los Finados
220	West Jaboncillos	Little Barreta
219	West Jaboncillos	Little Barreta

106	East Jaboncillos	El Palmito
105	East Jaboncillos	El Palmito
104	East Jaboncillos	El Palmito
128	East Jaboncillos	El Palmito
129	East Jaboncillos	El Palmito
130	East Jaboncillos	El Palmito
128	East Jaboncillos	Little Barreta
129	East Jaboncillos	Little Barreta
130	East Jaboncillos	Little Barreta
160	East Jaboncillos	Little Barreta
159	East Jaboncillos	Little Barreta
158	East Jaboncillos	Little Barreta
157	East Jaboncillos	Little Barreta
190	East Jaboncillos	Little Barreta
191	East Jaboncillos	Little Barreta
192	East Jaboncillos	Little Barreta
193	East Jaboncillos	Little Barreta
223	East Jaboncillos	Little Barreta
222	East Jaboncillos	Little Barreta
221	East Jaboncillos	Little Barreta
220	East Jaboncillos	Little Barreta
249	East Jaboncillos	Little Barreta
250	East Jaboncillos	Little Barreta
251	East Jaboncillos	Little Barreta
252	East Jaboncillos	Little Barreta

160	Agua Dulce Trap	Little Barreta
190	Agua Dulce Trap	Little Barreta

223	San Pedro Trap	Little Barreta
224	San Pedro Trap	Little Barreta
248	San Pedro Trap	Little Barreta
249	San Pedro Trap	Little Barreta

248	Barreta	Little Barreta
249	Barreta	Little Barreta
250	Barreta	Little Barreta Big (La)
248	Barreta	Little Barreta Big (La)
249	Barreta	Little Barreta Big (La)
250	Barreta	Little Barreta Big (La)
256	Baretta	Little Baretta Big (La)
258	Barreta	Little Barreta Big (La)
292	Baretta	Little Baretta Big (La)
315	Baretta	Little Baretta Big (La)
325	South Tajos	Little Barreta Big (La)
324	South Tajos	Little Barreta Big (La)
345	South Tajos	Little Barreta Big (La)
346	South Tajos	Little Barreta Big (La)
347	South Tajos	Little Barreta Big (La)
348	South Tajos	Little Barreta Big (La)
356	South Tajos	Little Barreta Big (La)
355	South Tajos	Little Barreta Big (La)
354	South Tajos	Little Barreta Big (La)
353	South Tajos	Little Barreta Big (La)
372	South Tajos	Little Barreta Big (La)
373	South Tajos	Little Barreta Big (La)
374	South Tajos	Little Barreta Big (La)
375	South Tajos	Little Barreta Big (La)

376	South Tajos	Little Barreta Big (La)
382	South Tajos	Little Barreta Big (La)
381	South Tajos	Little Baretta Big (La)

380	South Tajos	Barreta Big (La)
379	South Tajos	Barreta
248	East	Little Barreta
247	East	Barreta Big (La)
248	East	Barreta Big (La)
249	East	Barreta Big (La)
261	East	Barreta Big (La)
260	East	Barreta Big (La)
259	East	Barreta Big (La)
258	East	Barreta Big (La)
279	East	Barreta Big (La)
280	East	Barreta Big (La)
281	East	Barreta Big (La)
295	East	Barreta Big (La)
294	East	Barreta Big (La)
293	East	Barreta Big (La)
313	East	Barreta Big (La)
314	East	Barreta Big (La)
313	Tajos Trap	Barreta Big (La)
314	Tajos Trap	Barreta Big (La)

327	Tajos Trap	Barreta Big (La)
326	Tajos Trap	Barreta Big (La)
327	Llano Trap	Barreta Big (La)
344	Llano Trap	Barreta Big (La)
345	Llano Trap	Barreta Big (La)
296	Maria Stella	Barreta Big (La)
295	Maria Stella	Barreta Big (La)
312	Maria Stella	Barreta Big (La)
313	Maria Stella	Barreta Big
329	Maria Stella	Barreta Rio
328	Maria Stella	Barreta Rio (La)
327	Maria Stella	Barreta Rio (La)
342	Maria Stella	Barreta Rio
343	Maria Stella	Barreta Rio
344	Maria Stella	Barreta Rio (La)
328	South Maria Stella	Barreta Rio (La)
327	South Maria Stella	Barreta Rio
342	South Maria Stella	Barreta Rio
343	South Maria Stella	Barreta Rio (La)
344	South Maria Stella	Barreta Rio (La)
345	South Maria Stella	Barreta Rio
358	South Maria Stella	Barreta Rio
357	South Maria Stella	Barreta Rio

356	South Maria Stella	Barreta Rio
371	South Maria Stella	Barreta Rio
372	South Maria Stella	Barreta Rio
373	South Maria Stella	Barreta Rio
384	South Maria Stella	Barreta Rio
383	South Maria Stella	Barreta Rio
382	South Maria Stella	Barreta Rio
385	South Maria Stella	Barreta Rio
386	South Maria Stella	Barreta Rio