

UNDERWOOD

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August 10, 2018

John Villarreal
Stephanie Jones
Michelle Luera
Economic Development and Analysis Division
Texas Comptroller of Public Accounts
111 E. 17th St.
Austin, TX 78774

Via Email and Federal Express

Re: 313 Application – Excel Advantage Service, LLC

Dear John, Stephanie and Michelle:

Enclosed please find an application for appraised value limitation on qualified property submitted to Childress ISD by Excel Advantage Services, LLC on August 7, 2018, along with the schedules in Excel format. A CD containing these documents is also enclosed.

The Childress ISD Board elected to accept the application on August 7, 2018. The application was determined to be complete on August 10, 2018. We ask that the Comptroller's Office prepare the economic impact report for this development.

A copy of the application will also be submitted to the Childress County Appraisal District in accordance with 34 Tex. Admin. Code §9.1054. Please feel free to contact me if you have any questions or concerns.

Sincerely,



Fred A. Stormer

Encl.
N62AOKAI0D5LG9
cc w/Encl.: Chief Appraiser, Childress County Appraisal District
Phillip DeHart

via US Mail
via email: philip@dehartpllc.com

Application for Appraised Value Limitation on Qualified Property

(Tax Code, Chapter 313, Subchapter B or C)

INSTRUCTIONS: This application must be completed and filed with the school district. In order for an application to be processed, the governing body (school board) must elect to consider an application, but — by Comptroller rule — the school board may elect to consider the application only after the school district has received a completed application. Texas Tax Code, Section 313.025 requires that any completed application and any supplemental materials received by the school district must be forwarded within seven days to the Comptroller of Public Accounts.

If the school board elects to consider the application, the school district must:

- notify the Comptroller that the school board has elected to consider the application. This notice must include:
 - the date on which the school district received the application;
 - the date the school district determined that the application was complete;
 - the date the school board decided to consider the application; and
 - a request that the Comptroller prepare an economic impact analysis of the application;
- provide a copy of the notice to the appraisal district;
- must complete the sections of the application reserved for the school district and provide information required in the Comptroller rules located at 34 Texas Administrative Code (TAC) Section 9.1054; and
- forward the original hard copy of the completed application to the Comptroller in a three-ring binder with tabs, as indicated on page 9 of this application, separating each section of the documents, in addition to an electronic copy on CD. See 34 TAC Chapter 9, Subchapter F.

The governing body may, at its discretion, allow the applicant to supplement or amend the application after the filing date, subject to the restrictions in 34 TAC Chapter 9, Subchapter F.

When the Comptroller receives the notice and required information from the school district, the Comptroller will publish all submitted application materials on its website. The Comptroller is authorized to treat some application information as confidential and withhold it from publication on the Internet. To do so, however, the information must be segregated and comply with the other requirements set out in the Comptroller rules. For more information, see guidelines on Comptroller's website.

The Comptroller will independently determine whether the application has been completed according to the Comptroller's rules (34 TAC Chapter 9, Subchapter F). If the Comptroller finds the application is not complete, the Comptroller will request additional materials from the school district. Pursuant to 9.1053(a)(1)(C), requested information shall be provided within 20 days of the date of the request. When the Comptroller determines that the application is complete, it will send the school district a notice indicating so. The Comptroller will determine the eligibility of the project, issue a certificate for a limitation on appraised value to the school board regarding the application and prepare an economic impact evaluation by the 90th day after the Comptroller receives a complete application—as determined by the Comptroller.

The school board must approve or disapprove the application not later than the 150th day after the application review start date (the date the application is finally determined to be complete), unless an extension is granted. The Comptroller and school district are authorized to request additional information from the applicant that is reasonably necessary to issue a certificate, complete the economic impact evaluation or consider the application at any time during the application review period.

Please visit the Comptroller's website to find out more about the program at comptroller.texas.gov/economy/local/ch313/. There are links to the Chapter 313 statute, rules, guidelines and forms. Information about minimum limitation values for particular districts and wage standards may also be found at that site.

SECTION 1: School District Information

1. Authorized School District Representative

August 7, 2018

Date Application Received by District

Rick

First Name

Teran

Last Name

Superintendent

Title

Childress Independent School District

School District Name

308 Third St. NW

Street Address

308 Third St. NW

Mailing Address

Childress

City

(940) 937-2501

Phone Number

Texas

State

(940) 937-2938

Fax Number

79201

ZIP

rteran@childressisd.net

Email Address

Mobile Number (optional)

2. Does the district authorize the consultant to provide and obtain information related to this application?

Yes

No

SECTION 1: School District Information (continued)

3. Authorized School District Consultant (If Applicable)

Form for authorized school district consultant with fields for Name, Title, Firm Name, Phone Number, Fax Number, Email Address, and Mobile Number.

- 4. On what date did the district determine this application complete? August 10, 2018
5. Has the district determined that the electronic copy and hard copy are identical? Yes No

SECTION 2: Applicant Information

1. Authorized Company Representative (Applicant)

Form for authorized company representative with fields for Name, Title, Street Address, Mailing Address, City, State, ZIP, Phone Number, Fax Number, Business Email Address, and Mobile Number.

- 2. Will a company official other than the authorized company representative be responsible for responding to future information requests? Yes No
2a. If yes, please fill out contact information for that person.

Form for contact information of the company official mentioned in question 2a, including Name, Title, Organization, Address, and Contact Information.

- 3. Does the applicant authorize the consultant to provide and obtain information related to this application? Yes No

SECTION 2: Applicant Information (continued)

4. Authorized Company Consultant (If Applicable)

Philip DeHart
 First Name Last Name
 Attorney
 Title
 DeHart, PLLC
 Firm Name
 (979) 324-1121 (866) 304-5648
 Phone Number Fax Number
 philip@dehartpllc.com
 Business Email Address

SECTION 3: Fees and Payments

- Has an application fee been paid to the school district? Yes No
 The total fee shall be paid at time of the application is submitted to the school district. Any fees not accompanying the original application shall be considered supplemental payments.
 1a. If yes, attach in **Tab 2** proof of application fee paid to the school district.
- For the purpose of questions 2 and 3, "payments to the school district" include any and all payments or transfers of things of value made to the school district or to any person or persons in any form if such payment or transfer of thing of value being provided is in recognition of, anticipation of, or consideration for the agreement for limitation on appraised value.
- Will any "payments to the school district" that you may make in order to receive a property tax value limitation agreement result in payments that are not in compliance with Tax Code §313.027(i)? Yes No N/A
- If "payments to the school district" will only be determined by a formula or methodology without a specific amount being specified, could such method result in "payments to the school district" that are not in compliance with Tax Code §313.027(i)? Yes No N/A

SECTION 4: Business Applicant Information

- What is the legal name of the applicant under which this application is made? Excel Advantage Services, LLC
- List the Texas Taxpayer I.D. number of entity subject to Tax Code, Chapter 171 (11 digits) 32041309801
- List the NAICS code 221114
- Is the applicant a party to any other pending or active Chapter 313 agreements? Yes No
 4a. If yes, please list application number, name of school district and year of agreement

SECTION 5: Applicant Business Structure

- Identify Business Organization of Applicant (corporation, limited liability corporation, etc) Limited Liability Company
- Is applicant a combined group, or comprised of members of a combined group, as defined by Tax Code §171.0001(7)? Yes No
 2a. If yes, attach in **Tab 3** a copy of Texas Comptroller Franchise Tax Form No. 05-165, No. 05-166, or any other documentation from the Franchise Tax Division to demonstrate the applicant's combined group membership and contact information.
- Is the applicant current on all tax payments due to the State of Texas? Yes No
- Are all applicant members of the combined group current on all tax payments due to the State of Texas? Yes No N/A
- If the answer to question 3 or 4 is no, please explain and/or disclose any history of default, delinquencies and/or any material litigation, including litigation involving the State of Texas. (If necessary, attach explanation in **Tab 3**)

SECTION 6: Eligibility Under Tax Code Chapter 313.024

1. Are you an entity subject to the tax under Tax Code, Chapter 171? Yes No
2. The property will be used for one of the following activities:
 - (1) manufacturing Yes No
 - (2) research and development Yes No
 - (3) a clean coal project, as defined by Section 5.001, Water Code Yes No
 - (4) an advanced clean energy project, as defined by Section 382.003, Health and Safety Code Yes No
 - (5) renewable energy electric generation Yes No
 - (6) electric power generation using integrated gasification combined cycle technology Yes No
 - (7) nuclear electric power generation Yes No
 - (8) a computer center that is used as an integral part or as a necessary auxiliary part for the activity conducted by applicant in one or more activities described by Subdivisions (1) through (7) Yes No
 - (9) a Texas Priority Project, as defined by 313.024(e)(7) and TAC 9.1051 Yes No
3. Are you requesting that any of the land be classified as qualified investment? Yes No
4. Will any of the proposed qualified investment be leased under a capitalized lease? Yes No
5. Will any of the proposed qualified investment be leased under an operating lease? Yes No
6. Are you including property that is owned by a person other than the applicant? Yes No
7. Will any property be pooled or proposed to be pooled with property owned by the applicant in determining the amount of your qualified investment? Yes No

SECTION 7: Project Description

1. In **Tab 4**, attach 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.
2. Check the project characteristics that apply to the proposed project:

<input checked="" type="checkbox"/> Land has no existing improvements	<input type="checkbox"/> Land has existing improvements (<i>complete Section 13</i>)
<input type="checkbox"/> Expansion of existing operation on the land (<i>complete Section 13</i>)	<input type="checkbox"/> Relocation within Texas

SECTION 8: Limitation as Determining Factor

1. Does the applicant currently own the land on which the proposed project will occur? Yes No
2. Has the applicant entered into any agreements, contracts or letters of intent related to the proposed project? Yes No
3. Does the applicant have current business activities at the location where the proposed project will occur? Yes No
4. Has the applicant made public statements in SEC filings or other documents regarding its intentions regarding the proposed project location? Yes No
5. Has the applicant received any local or state permits for activities on the proposed project site? Yes No
6. Has the applicant received commitments for state or local incentives for activities at the proposed project site? Yes No
7. Is the applicant evaluating other locations not in Texas for the proposed project? Yes No
8. Has the applicant provided capital investment or return on investment information for the proposed project in comparison with other alternative investment opportunities? Yes No
9. Has the applicant provided information related to the applicant's inputs, transportation and markets for the proposed project? Yes No
10. Are you submitting information to assist in the determination as to whether the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in Texas? Yes No

Chapter 313.026(e) states "the applicant may submit information to the Comptroller that would provide a basis for an affirmative determination under Subsection (c)(2)." If you answered "yes" to any of the questions in Section 8, attach supporting information in Tab 5.

SECTION 9: Projected Timeline

1. Application approval by school board _____
2. Commencement of construction July 2019
3. Beginning of qualifying time period January 2019
4. First year of limitation 2021
5. Begin hiring new employees December 2020
6. Commencement of commercial operations December 2020
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? December 2020

SECTION 10: The Property

1. Identify county or counties in which the proposed project will be located Childress
2. Identify Central Appraisal District (CAD) that will be responsible for appraising the property Childress County Appraisal District
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: Childress County; 0.59; 100% City: N/A
(Name, tax rate and percent of project) (Name, tax rate and percent of project)
 Hospital District: Childress Co. Hosp. Dist.; 0.2; 100% Water District: Gateway Ground Water Cons. Dist.; 0.01; 100%
(Name, tax rate and percent of project) (Name, tax rate and percent of project)
 Other (describe): Clarendon Jr. Coll. Dist.; 0.05; 100% Other (describe): N/A
(Name, tax rate and percent of project) (Name, tax rate and percent of project)
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? 10,000,000.00
2. What is the amount of appraised value limitation for which you are applying? 20,000,000.00
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

SECTION 12: Qualified Property

- 1. Attach a detailed description of the qualified property. [See §313.021(2)] (If qualified investment describes qualified property exactly, you may skip items a, b and c below.) The description must include:
1a. a specific and detailed description of the qualified property for which you are requesting an appraised value limitation as defined by Tax Code §313.021 (Tab 8);
1b. a description of any new buildings, proposed new improvements or personal property which you intend to include as part of your qualified property (Tab 8); and
1c. a map of the qualified property showing location of new buildings or new improvements with vicinity map (Tab 11).
2. Is the land upon which the new buildings or new improvements will be built part of the qualified property described by §313.021(2)(A)?
2a. If yes, attach complete documentation including:
a. legal description of the land (Tab 9);
b. each existing appraisal parcel number of the land on which the new improvements will be constructed, regardless of whether or not all of the land described in the current parcel will become qualified property (Tab 9);
c. owner (Tab 9);
d. the current taxable value of the land. Attach estimate if land is part of larger parcel (Tab 9); and
e. a detailed map showing the location of the land with vicinity map (Tab 11).
3. Is the land on which you propose new construction or new improvements currently located in an area designated as a reinvestment zone under Tax Code Chapter 311 or 312 or as an enterprise zone under Government Code Chapter 2303?
3a. If yes, attach the applicable supporting documentation:
a. evidence that the area qualifies as a enterprise zone as defined by the Governor's Office (Tab 16);
b. legal description of reinvestment zone (Tab 16);
c. order, resolution or ordinance establishing the reinvestment zone (Tab 16);
d. guidelines and criteria for creating the zone (Tab 16); and
e. a map of the reinvestment zone or enterprise zone boundaries with vicinity map (Tab 11)
3b. If no, submit detailed description of proposed reinvestment zone or enterprise zone with a map indicating the boundaries of the zone on which you propose new construction or new improvements to the Comptroller's office within 30 days of the application date. What is the anticipated date on which you will submit final proof of a reinvestment zone or enterprise zone?

SECTION 13: Information on Property Not Eligible to Become Qualified Property

- 1. In Tab 10, attach a specific and detailed description of all existing property. This includes buildings and improvements existing as of the application review start date (the date the application is determined to be complete by the Comptroller). The description must provide sufficient detail to locate all existing property on the land that will be subject to the agreement and distinguish existing property from future proposed property.
2. In Tab 10, attach a specific and detailed description of all proposed new property that will not become new improvements as defined by TAC 9.1051. This includes proposed property that: functionally replaces existing or demolished/removed property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property; or is otherwise ineligible to become qualified property. The description must provide sufficient detail to distinguish existing property (question 1) and all proposed new property that cannot become qualified property from proposed qualified property that will be subject to the agreement (as described in Section 12 of this application).
3. For the property not eligible to become qualified property listed in response to questions 1 and 2 of this section, provide the following supporting information in Tab 10:
a. maps and/or detailed site plan;
b. surveys;
c. appraisal district values and parcel numbers;
d. inventory lists;
e. existing and proposed property lists;
f. model and serial numbers of existing property; or
g. other information of sufficient detail and description.
4. Total estimated market value of existing property (that property described in response to question 1): \$ 0.00
5. In Tab 10, include an appraisal value by the CAD of all the buildings and improvements existing as of a date within 15 days of the date the application is received by the school district.
6. Total estimated market value of proposed property not eligible to become qualified property (that property described in response to question 2): \$ 0.00

Note: Investment for the property listed in question 2 may count towards qualified investment in Column C of Schedules A-1 and A-2, if it meets the requirements of 313.021(1). Such property cannot become qualified property on Schedule B.

SECTION 14: Wage and Employment Information

1. What is the estimated number of permanent jobs (more than 1,600 hours a year), with the applicant or a contractor of the applicant, on the proposed qualified property during the last complete quarter before the application review start date (date your application is finally determined to be complete)? 0

2. What is the last complete calendar quarter before application review start date:
 First Quarter Second Quarter Third Quarter Fourth Quarter of _____
(year)

3. What were the number of permanent jobs (more than 1,600 hours a year) this applicant had in Texas during the most recent quarter reported to the Texas Workforce Commission (TWC)? 0
Note: For job definitions see TAC §9.1051 and Tax Code §313.021(3).

4. What is the number of new qualifying jobs you are committing to create? 1

5. What is the number of new non-qualifying jobs you are estimating you will create? 0

6. Do you intend to request that the governing body waive the minimum new qualifying job creation requirement, as provided under Tax Code §313.025(f-1)? Yes No
 - 6a. If yes, attach evidence in **Tab 12** documenting that the new qualifying job creation requirement above exceeds the number of employees necessary for the operation, according to industry standards.

7. Attach in **Tab 13** the four most recent quarters of data for each wage calculation below, including documentation from the TWC website. The final actual statutory minimum annual wage requirement for the applicant for each qualifying job — which may differ slightly from this estimate — will be based on information from the four quarterly periods for which data were available at the time of the application review start date (date of a completed application). See TAC §9.1051(21) and (22).
 - a. Average weekly wage for all jobs (all industries) in the county is 712.00
 - b. 110% of the average weekly wage for manufacturing jobs in the county is 448.25
 - c. 110% of the average weekly wage for manufacturing jobs in the region is 1,226.23

8. Which Tax Code section are you using to estimate the qualifying job wage standard required for this project? §313.021(5)(A) or §313.021(5)(B)

9. What is the minimum required annual wage for each qualifying job based on the qualified property? 23,309.00

10. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? 23,309.00

11. Will the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? Yes No

12. Do you intend to satisfy the minimum qualifying job requirement through a determination of cumulative economic benefits to the state as provided by §313.021(3)(F)? Yes No
 - 12a. If yes, attach in **Tab 12** supporting documentation from the TWC, pursuant to §313.021(3)(F).

13. Do you intend to rely on the project being part of a single unified project, as allowed in §313.024(d-2), in meeting the qualifying job requirements? Yes No
 - 13a. If yes, attach in **Tab 6** supporting documentation including a list of qualifying jobs in the other school district(s).

SECTION 15: Economic Impact

1. Complete and attach Schedules A1, A2, B, C, and D in **Tab 14**. Note: Excel spreadsheet versions of schedules are available for download and printing at URL listed below.
2. Attach an Economic Impact Analysis, if supplied by other than the Comptroller's Office, in **Tab 15**. (*not required*)
3. If there are any other payments made in the state or economic information that you believe should be included in the economic analysis, attach a separate schedule showing the amount for each year affected, including an explanation, in **Tab 15**.

APPLICATION TAB ORDER FOR REQUESTED ATTACHMENTS

TAB	ATTACHMENT
1	Pages 1 through 11 of Application
2	Proof of Payment of Application Fee
3	Documentation of Combined Group membership under Texas Tax Code 171.0001(7), history of tax default, delinquencies and/or material litigation <i>(if applicable)</i>
4	Detailed description of the project
5	Documentation to assist in determining if limitation is a determining factor
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 <i>(if applicable)</i>
7	Description of Qualified Investment
8	Description of Qualified Property
9	Description of Land
10	Description of all property not eligible to become qualified property <i>(if applicable)</i>
11	<p>Maps that clearly show:</p> <ul style="list-style-type: none"> a) Project vicinity b) Qualified investment including 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 c) Qualified property including location of new buildings or new improvements d) Existing property e) Land location within vicinity map f) Reinvestment or Enterprise Zone within vicinity map, showing the actual or proposed boundaries and size <p>Note: Electronic maps should be high resolution files. Include map legends/markers.</p>
12	Request for Waiver of Job Creation Requirement and supporting information <i>(if applicable)</i>
13	Calculation of three possible wage requirements with TWC documentation
14	Schedules A1, A2, B, C and D completed and signed Economic Impact <i>(if applicable)</i>
15	Economic Impact Analysis, other payments made in the state or other economic information <i>(if applicable)</i>
16	<p>Description of Reinvestment or Enterprise Zone, including:</p> <ul style="list-style-type: none"> a) evidence that the area qualifies as a enterprise zone as defined by the Governor's Office b) legal description of reinvestment zone* c) order, resolution or ordinance establishing the reinvestment zone* d) guidelines and criteria for creating the zone* <p>* To be submitted with application or before date of final application approval by school board</p>
17	Signature and Certification page, signed and dated by Authorized School District Representative and Authorized Company Representative <i>(applicant)</i>

Tab
2

Proof of Payment of Application Fee

See Attached.

Proof of payment of filing fee received by the
Comptroller of Public Accounts per TAC Rule
§9.1054 (b)(5)

*(Page Inserted by Office of Texas Comptroller of
Public Accounts)*

Tab
3

Documentation of Combined Group membership under Texas Tax Code 171.0001(7), history of tax default, delinquencies and/or material litigation (if applicable)

Not Applicable.

Tab
4

Detailed description of the project

Excel Advantage Services, LLC, proposes to develop a new, transmission-grade, grid-connected, solar photovoltaic (PV) electric generation facility, which will be located entirely within the territorial limits of Childress County and of the Childress Independent School District. Excel Advantage Services, LLC, will construct and operate the facility on roughly 3,000 acres that have been leased from a local landowner. The proposed project will include (but is not limited to):

- Nameplate capacity of approximately 515.11 megawatts (MW) alternating current (AC) in size;
- 1,743,590 solar photovoltaic (PV) modules from Jinko Solar (Model 390-400 Watt, Monocrystalline module, Eagle HC 72-V);
- 158 DC-to-AC inverters from Power Electronics, model FS3225M 1500Vdc 3550 KVA integrated solution;
- Medium and high-voltage electric cabling;
- 1,677 single axis trackers from Grupo Clavijo S.L., model SP1000
- Electric substation that will include a high-voltage transformer, switchgear, transmission equipment, and applicable telecommunications and SCADA equipment;
- High-voltage transmission line connecting the facility to the existing transmission infrastructure;
- Operations and maintenance (O&M) building including applicable computing and telecommunications equipment;
- Meteorological equipment to measure weather conditions;
- Security equipment and fencing; and
- Related equipment for the operation of the facility.

Excel Advantage Services, LLC, anticipates construction beginning between July and October 2019. The construction period will last roughly one-and-a-half to two years.

Excel Advantage Services, LLC, is owned and operated by the same local landowner whose land has been leased for this project. Excel Advantage Services, LLC, has local roots but is partnering with LAE American Energy, LLC, and Latinoamericana de Energia SA, which have a 20-year track record of developing solar and wind farms across Europe and the Americas. The ability to enter into a limitation on appraised value agreement with Childress Independent School District is a significant factor in whether Excel Advantage Services, LLC, will be willing to undertake the project within Childress County as proposed (as opposed to building and investing in another area of the state or of the country).

Power Electronics is a world-renowned leading company that manufactures inverters. The company helps during the whole product life cycle—from initial plant lay-out through post-sale technical service—by providing close, flexible, customer-oriented assistance. Power Electronics has its head office in Valencia, Spain, which houses its high technology R&D center as well as its electronics manufacturing facility. Additionally, three factories with a net area of more than 20,000 square meters can produce annually 4GW of solar and 5GW of industrial equipment... all under the perspective of a vertical integration that enhances the production quality and flexibility.

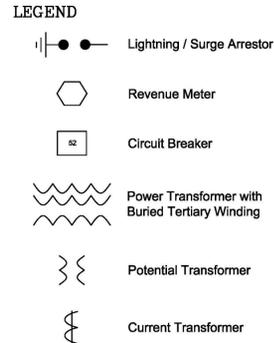
The single-axis trackers is made by Grupo Clavijo, which guarantees an excellent performance from a reasonable investment, making possible relatively high profitability. Worthy of special note is that the single-axis horizontal tracker described above is used at many solar facilities around the world. In addition to manufacturing these products, Clavijo also provides a comprehensive service before, during, and after installation, from the preliminary analysis of the terrain to maintenance. Machinery is designed in accordance with the latest technology and a team of engineers from the R+D+I department provides new products, guaranteeing developers, EPC contractors, and installers will always be able to count on the most advanced equipment for their photovoltaic projects. The quality and reliability of Grupo Clavijo's products is attested to in the form of quality certifications (ISO 9001) and acknowledgements such as the structural safety certificate issued by TÜV-NORD, and the Technical Due Diligence assessment (bankability report) conducted by Black & Veatch (B&V). The company provides the highest possible guarantee and safety for its customers. With over one gigawatt worth of its products installed around the world, Grupo Clavijo ranks as one the leading companies in photovoltaic solar structures and trackers on the international market.

The following map identifies the location(s) of any proposed tie-ins to the existing electric transmission infrastructure:

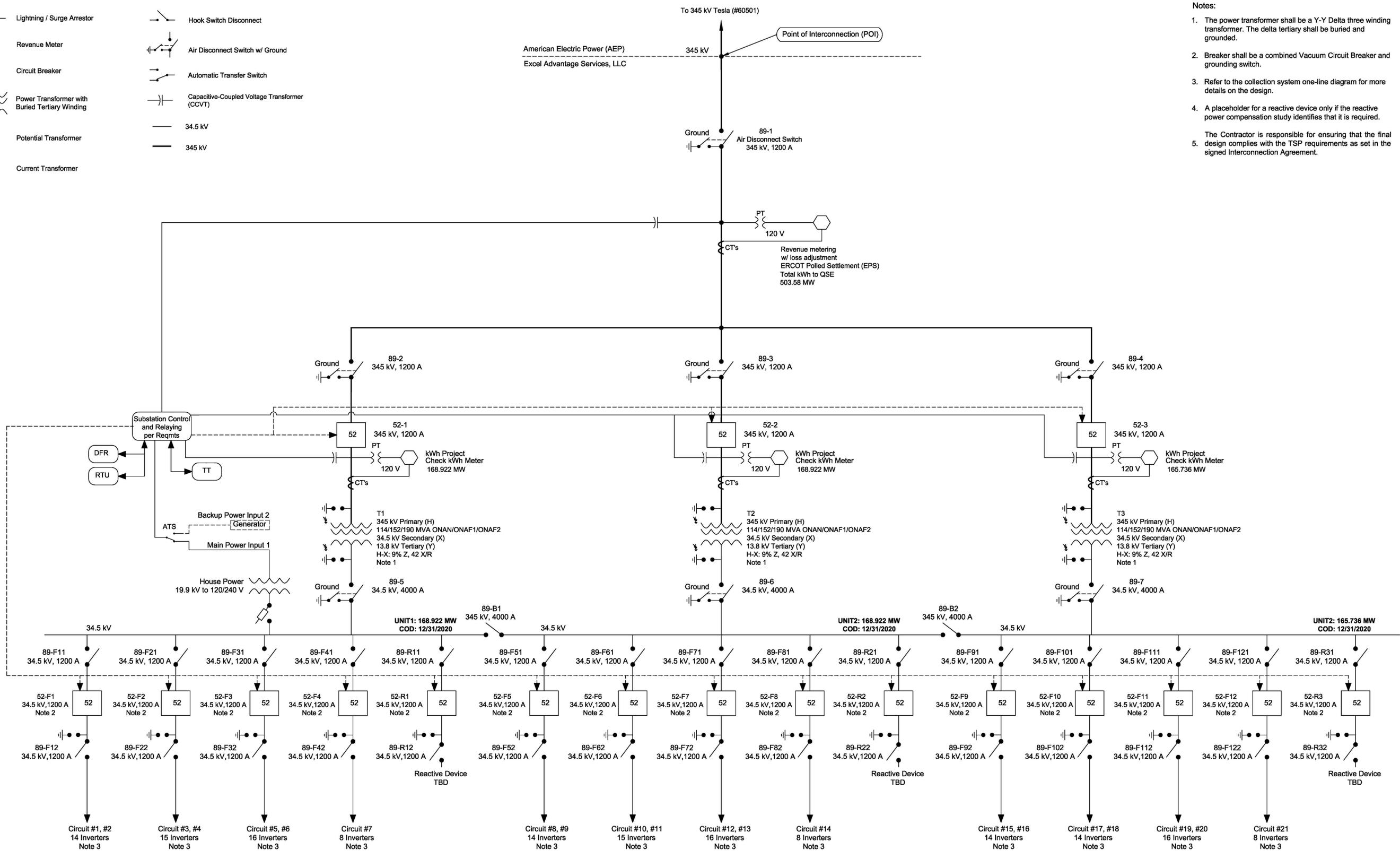
[See attached.]

The attached one-line diagram further identifies the location(s) of any proposed tie-ins to the existing electric transmission infrastructure:

[See attached.]



- Notes:**
- The power transformer shall be a Y-Y Delta three winding transformer. The delta tertiary shall be buried and grounded.
 - Breaker shall be a combined Vacuum Circuit Breaker and grounding switch.
 - Refer to the collection system one-line diagram for more details on the design.
 - A placeholder for a reactive device only if the reactive power compensation study identifies that it is required.
- The Contractor is responsible for ensuring that the final design complies with the TSP requirements as set in the signed Interconnection Agreement.



Not for Construction

REV.	DATE	DESCRIPTION	DRAWN BY	CHECKED BY	APPROVED BY
0	05/04/2018	Preliminary One Line	JR	CFM	HEM

This document is released for the purpose of preliminary design for generation interconnection under the authority of Hugo E. Mena, P.E. 110112 on 05/04/18. It is not to be used for construction purposes.



"The seal appearing on this document was authorized by Hugo E. Mena P.E. 110112, on May 04, 2018."

EXCEL ADVANTAGE SERVICES, LLC
3824 Cedar Springs Rd. #801-2245
955-534-2245
onetolejandrod@gmail.com

EPE
ELECTRIC POWER ENGINEERS, INC.
#3386
19001 Highway 71, Suite G100
Austin, TX 78738
512.382.6700
contact@epeconsulting.com

MISAE SOLAR PARK II PROJECT
(503.58 MW)
SIMPLIFIED ONE LINE DIAGRAM

PLOT SCALE:	ARCH	ENGRG	0	1	2
PROJ. NO.:	SCALE:	NA			
DWG. NO.:	SHEET:	1/1	REV.:	0	

Tab
5

Documentation to assist in determining if limitation is a determining factor

The applicant was formed by a landowner in Childress County with the intention of further developing the market viability of transmission-grade, solar electric generation in the Panhandle region of Texas. The Applicant requires the proposed limitation on appraised value in order to be able to develop the proposed generation facility in Childress County, Texas. Specifically, absent the grant of the limitation on appraised value, the project economics simply fail to meet the target rate of return demanded by solar energy investors for facilities of this kind. Consequently, absent the grant of the limitation, the facility will not be constructed in Childress County.

An affiliate of the Applicant previously began development of the first solar farm in the Panhandle region. The Applicant seeks to expand from its affiliate's initial work and create a much larger solar facility—the largest of its kind by far in the Panhandle region. The project admittedly will face the challenge of energy curtailment due to the high production from numerous wind farms in west Texas. The ERCOT Locational Marginal Pricing (LMP) analysis shows that the Misae Solar Park II to be developed by Excel Advantage Services, LLC, will face roughly 12.8% curtailment, which further constrains project economics.

Texas wholesale electricity prices can be significantly below national averages. Other states both have higher average clearing prices for electricity and also offer (for example, in California) subsidies for renewable energy projects. As a result of the higher electricity prices and those subsidies, the potential for a solar electric generation project to meet its investors' desired returns is significantly higher in those states. At the same time as the potential margin is smaller in Texas, Texas imposes significant school and other property taxes. To meet investor returns for the proposed project in Childress County—given the low electricity prices (even, as a general matter, if via bilateral contract with an off-taker) and the lack of direct subsidies—the only option for the project to be viable is for the property tax burden significantly to be reduced. To be explicit, absent the grant of the requested limitation sought by Applicant, the property tax liabilities upon the project will result in returns that are deemed too low by project investors and financiers. Consequently, the Applicant will not be able to finance, build, or operate the facility in Childress County or in Texas—even with the existence of a signed off-take agreement (e.g. power purchase agreement)—due to the low clearing prices of energy in the state. Without the tax incentives requested, the Applicant will have no choice but to abandon the project in Childress County altogether and pursue investment options in other states. Please note: the statements in this paragraph are true regardless of whether the electricity is sold on the open market (e.g. through the ERCOT clearing system) or via bilateral agreement (e.g. a PPA).

Finally, in support of the answer Applicant gave to Question 2 of Section 8 of the Application, the Applicant stipulates that it has leased the land on which the Applicant intends to develop the project.

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 (100%) of the project is located within the territorial limits of the Childress Independent School District in Childress County, Texas.

Tab
7

Description of Qualified Investment

Excel Advantage Services, LLC, seeks to build a transmission-grade (i.e. utility-scale), solar photovoltaic (PV) electric generation facility with an approximate nameplate capacity of 515.11 MW (AC). The actual nameplate capacity and specific photovoltaic (or related) technology and components will be finalized during the development process. As currently envisioned, the 515.11 MW (AC) facility would be comprised of a qualified investment consisting of the following improvements:

- 1,743,590 solar PV modules from Jinko Solar (Model 390-400 Watt, Monocrystalline module, Eagle HC 72-V);
- Medium and high-voltage electricity cables;
- 158 DC-to-AC inverters from Power Electronics, model FS3225M 1500Vdc 3550 KVA integrated solution;
- 1,677 single axis trackers from Grupo Clavijo S.L., model SP1000
- Facility substation and related equipment (i.e. high-voltage transformer, switchgear, telecommunications, and SCADA equipment); and
- Meteorological equipment to measure weather conditions.

Tab
8

Description of Qualified Property

The Qualified Investment describes Qualified Property exactly. Please refer to Tab 7.

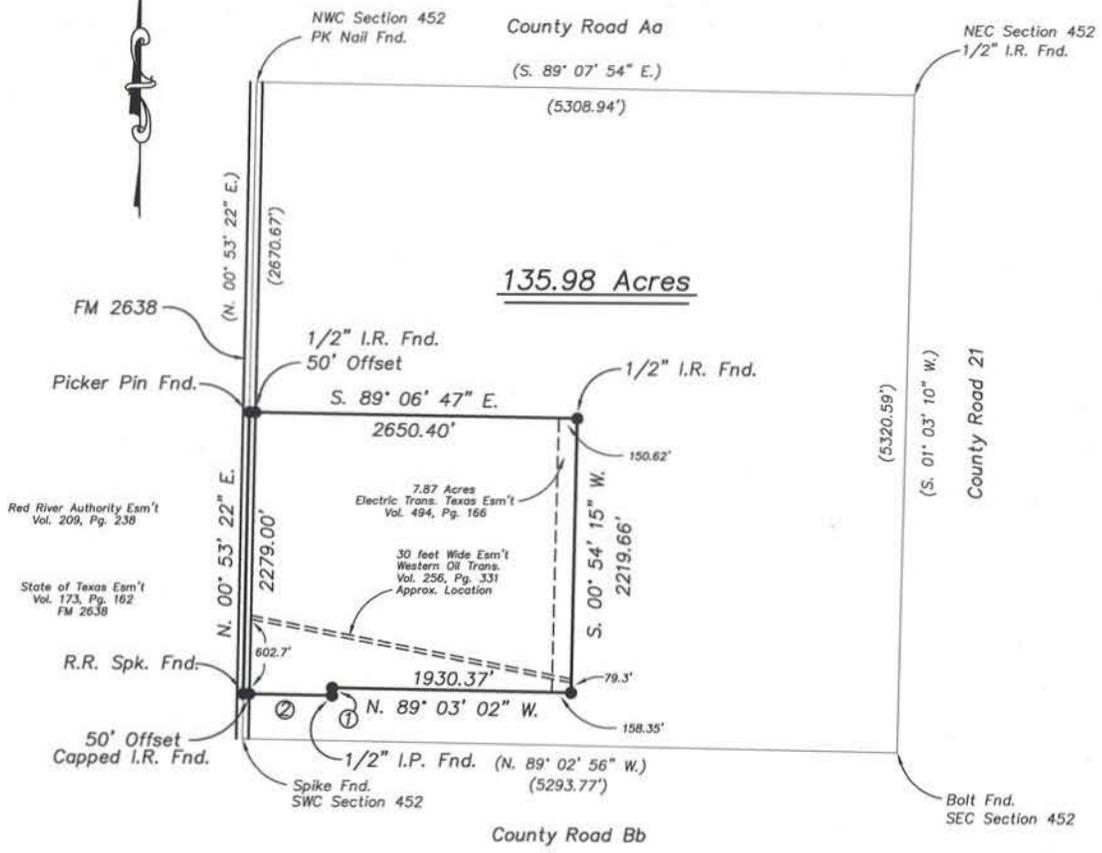
Tab
9

Description of Land

In Childress County, Texas, the following tracts of land as more fully described in the attached surveys and descriptions:

- 1-SW/4 BLK HW&NW Sec 452 abst 1122
- 2-NW/4 BLK HW&NW Sect 451 abst 224
- 3-SW/4 Sec 441 BLK HW&NW Abst 219
- 4-NW/4 Sec 442 BLK HW&NW Abst 1038
- 5-N W 1/4 of SEC 443 Abstract 220
- 6-E 100 ac SE/4 BLK HW&NW Sec 442 Abst 1111
- 7-NE/4 BLK HW&NW SEC 443 ABST 220
- 8-South 1/2 BLK HW&NW SEC 443 ABST 220
- 9-SW/4 & 11.39 Ac 1/4 BLK HW&NW Sec 419 Abs 207
- 10-East 1/2 & NW 1/4 (3/4) of SEC 417 Abstract 206
- 11-N/2 Sec 413 Abst 5728 BLK HW&NW
- 12-SE/4 BLK HW&NW Sec 413 abst 204
- 13-SW/4 BLK HW&NW Sec 389 abst 192
- 14-N/2 & SW/4 BLK HW&NW Sec 388
- 15-SE 1/4 BLK HW&NW Sec 388 abst 573
- 16-NW/4 Section 389
- 17-SE/4 Section 390
- 18-SE 1/4 BLK HW&NW, Sec 419 Abst 207 (possible)
- 19-SW 1/4 BLK HW&NW, Sec 413 Abst 204 (possible)
- 20-SW 1/4 BLK HW&NW, Sec 417 (possible)

[See attached.]



135.98 Acres

Bearings based on U.S. State Plane of 1983
 "Texas North Zone" - #4201
 Distances are Grid Distances

All corners are 1/2" iron rods set with a cap unless otherwise noted

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS,
 that I, Richard E. Johnson, Registered
 COUNTY OF COLLINGSWORTH : Professional Land Surveyor, do hereby
 certify that I did cause to be surveyed
 on the ground the tract of land shown on this plat, and to the best
 of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 10th day of October,
 A.D., 2017.

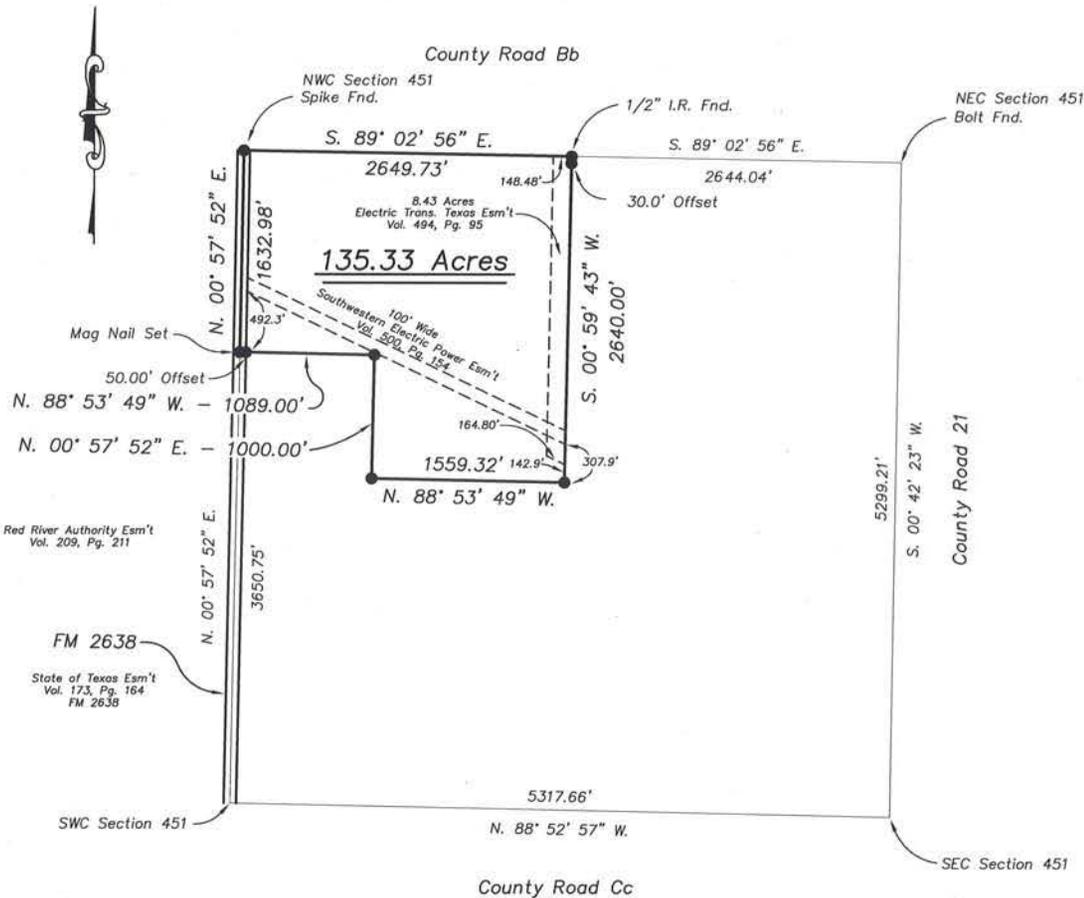


Richard E. Johnson
 Registered Professional
 Land Surveyor #4263

- ① S. 00° 53' 40" W. - 62.28'
- ② N. 89° 02' 50" W. - 719.46'

A Plat of 135.98 acres out of the west half of Section 452,
 Block H, W. & N. W. Ry. Co. Survey, Childress County, Texas.

SCALE: 1" = 1000'	APPROVED BY:	DRAWN BY:
DATE: 10/10/2017		FILE NAME:
OJD Engineering, L.P. Consulting Engineers & Surveyors		806-447-2503 P.O. Box 543 Wellington, Texas 79095
Firm No. 10090900	DRAWING NUMBER	



Bearings based on U.S. State Plane of 1983
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IN WITNESS THEREOF, my hand and seal, this the 10th day of October,
A.D., 2017.



Richard E. Johnson

Richard E. Johnson
Registered Professional
Land Surveyor #4263

A Plat of 135.33 acres out of the northwest quarter of Section 451,
Block H, W. & N. W. Ry. Co. Survey, Childress County, Texas.

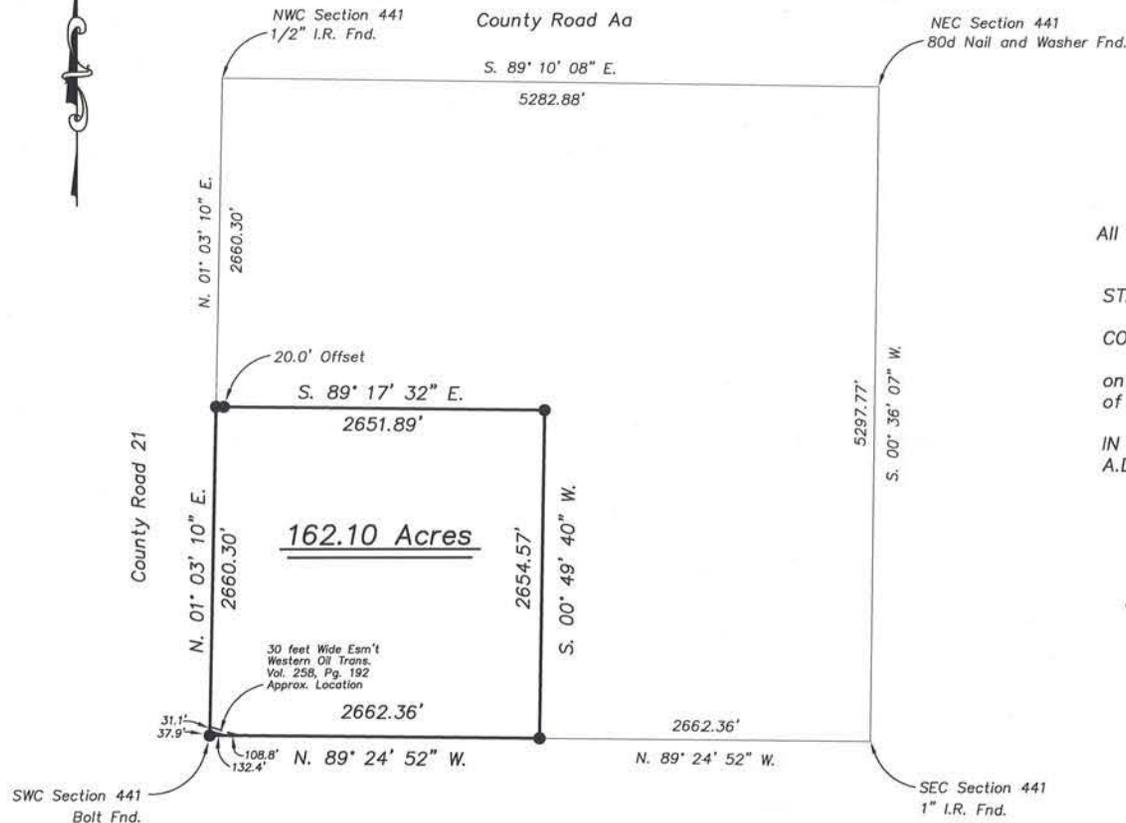
SCALE: 1" = 1000'	APPROVED BY:	DRAWN BY:
DATE: 10/10/2017		FILE NAME:

OJD Engineering, L.P.
Consulting Engineers & Surveyors

806-447-2503
P.O. Box 543
Wellington, Texas 79095

Firm No. 10090900

DRAWING NUMBER



Bearings based on U.S. State Plane of 1983
 "Texas North Zone" - #4201
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STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS,
 that I, Richard E. Johnson, Registered
 COUNTY OF COLLINGSWORTH : Professional Land Surveyor, do hereby
 certify that I did cause to be surveyed
 on the ground the tract of land shown on this plat, and to the best
 of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 10th day of October,
 A.D., 2017.



Richard E. Johnson
 Richard E. Johnson
 Registered Professional
 Land Surveyor #4263

A Plat of the southwest quarter of Section 441, Block H,
 W. & N. W. Ry. Co. Survey, Childress County, Texas.

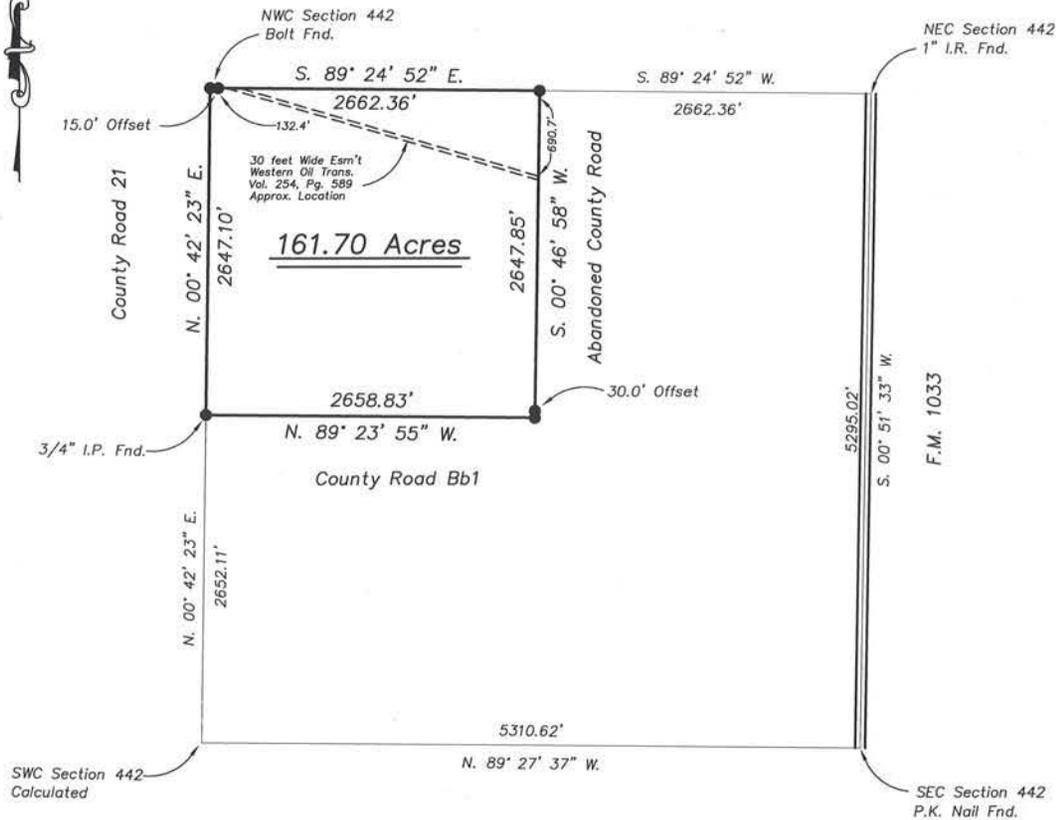
SCALE: 1" = 1000'	APPROVED BY:	DRAWN BY:
DATE: 10/10/2017		FILE NAME:

 **OJD Engineering, L.P.**
 Consulting Engineers & Surveyors

806-447-2503
 P.O. Box 543
 Wellington, Texas 79095

Firm No. 10090900

DRAWING NUMBER



Bearings based on U.S. State Plane of 1983
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IN WITNESS THEREOF, my hand and seal, this the 10th day of October,
A.D., 2017.



Richard E. Johnson
Registered Professional
Land Surveyor #4263

A Plat of the northwest quarter of Section 442, Block H,
W. & N. W. Ry. Co. Survey, Childress County, Texas.

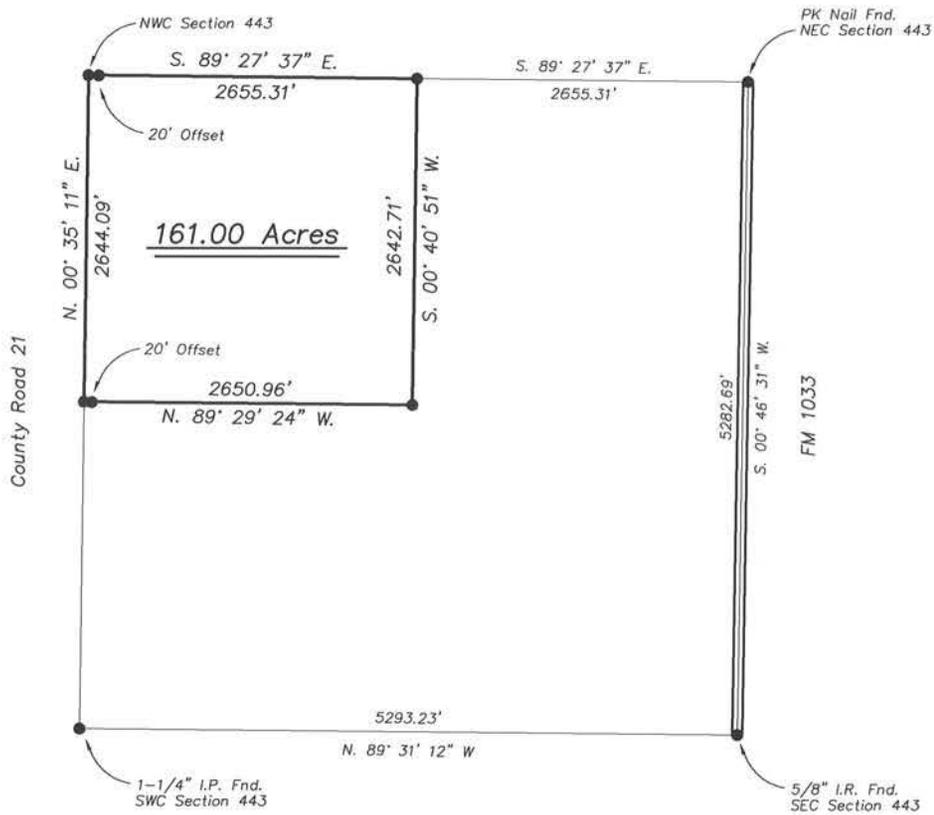
SCALE: 1" = 1000'	APPROVED BY:	DRAWN BY:
DATE: 10/10/2017		FILE NAME:

OJD Engineering, L.P.
Consulting Engineers & Surveyors

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P.O. Box 543
Wellington, Texas 79095

Firm No. 10090900

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 COUNTY OF COLLINGSWORTH : Professional Land Surveyor, do hereby
 certify that I did cause to be surveyed
 on the ground the tract of land shown on this plat, and to the best
 of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 7th day of June,
 A.D., 2018.



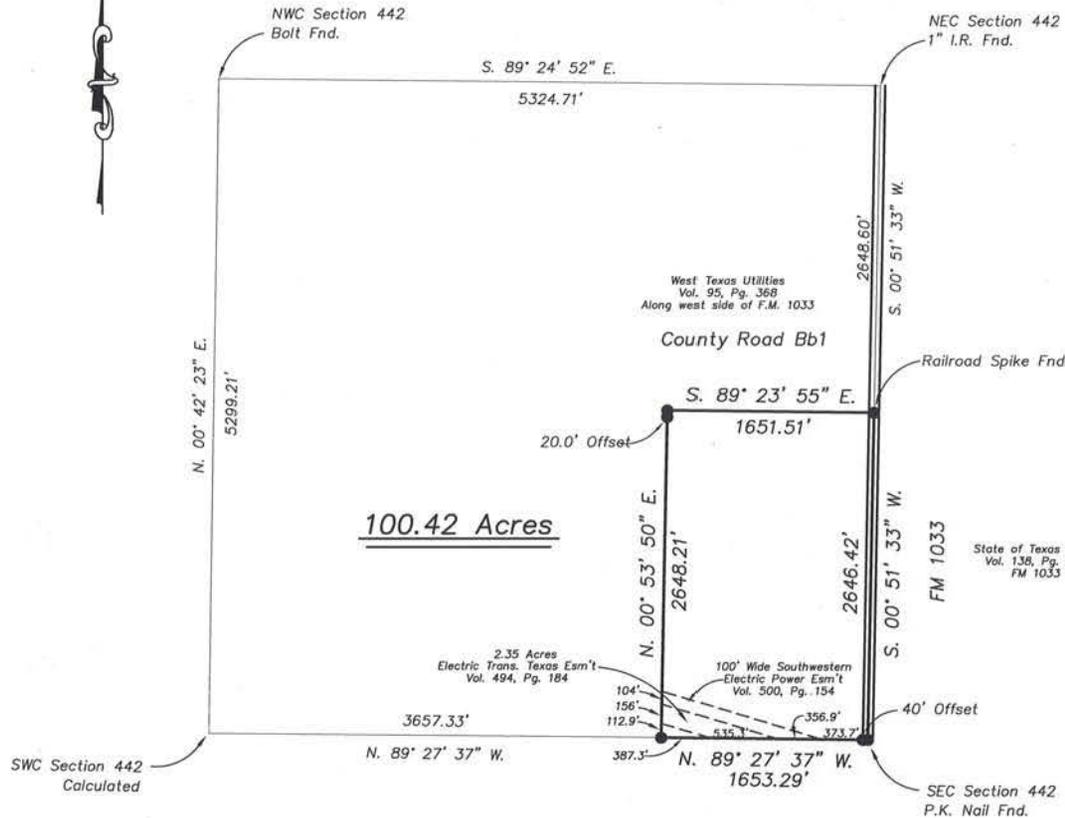
Richard E. Johnson
 Registered Professional
 Land Surveyor #4263

A Plat of the northwest quarter of Section 443, Block H,
 W. & N. W. Ry. Co. Survey, Childress County, Texas.

SCALE: 1" = 1000'	APPROVED BY:	DRAWN BY:
DATE: 06/07/2018		FILE NAME:

	OJD Engineering, L.P. Consulting Engineers & Surveyors	806-447-2503
		P.O. Box 543 Wellington, Texas 79095

Firm No. 10090900	DRAWING NUMBER
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Bearings based on U.S. State Plane of 1983
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 of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 10th day of October,
 A.D., 2017.

State of Texas Esm't
 Vol. 138, Pg. 537
 FM 1033



Richard E. Johnson
 Richard E. Johnson
 Registered Professional
 Land Surveyor #4263

A Plat of the east 100.42 acres of the southeast quarter of Section 442, Block H, W. & N. W. Ry. Co. Survey, Childress County, Texas.

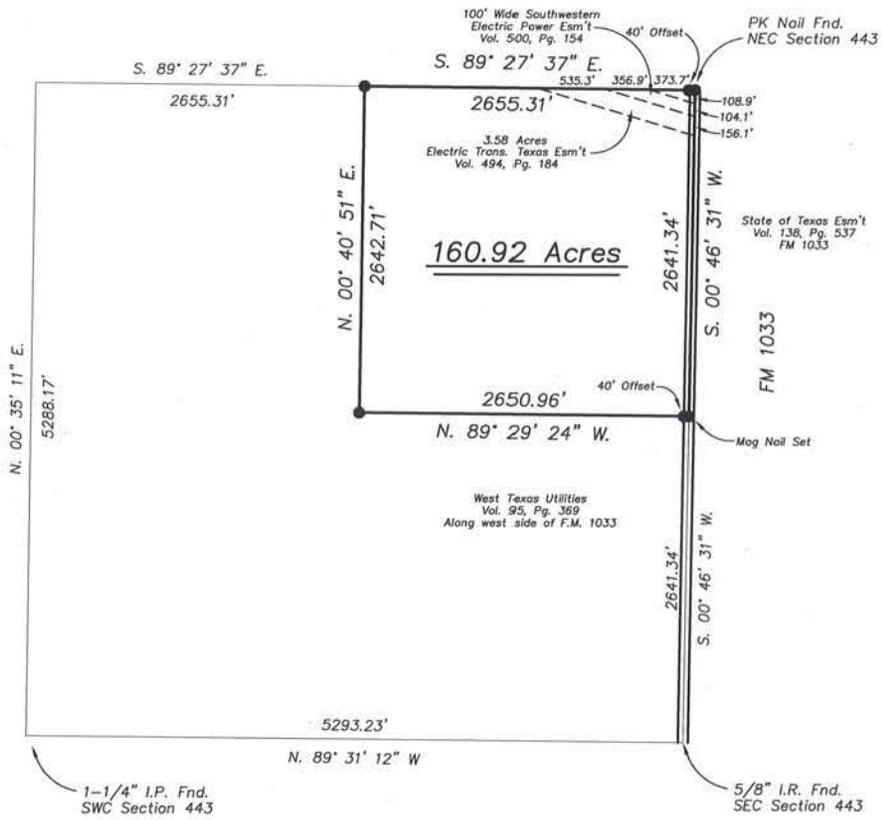
SCALE: 1" = 1000'	APPROVED BY:	DRAWN BY:
DATE: 10/10/2017		FILE NAME:

	OJD Engineering, L.P.	806-447-2503
	Consulting Engineers & Surveyors	P.O. Box 543 Wellington, Texas 79095

Firm No. 10090900	DRAWING NUMBER
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County Road 21



Bearings based on U.S. State Plane of 1983
"Texas North Zone" - #4201
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COUNTY OF COLLINGSWORTH : Professional Land Surveyor, do hereby
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on the ground the tract of land shown on this plat, and to the best
of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 10th day of October,
A.D., 2017.



Richard E. Johnson
Registered Professional
Land Surveyor #4263

A Plat of the northeast quarter of Section 443, Block H,
W. & N. W. Ry. Co. Survey, Childress County, Texas.

SCALE: 1" = 1000'	APPROVED BY:	DRAWN BY:
DATE: 10/10/2017		FILE NAME:

OJD Engineering, L.P.
Consulting Engineers & Surveyors

806-447-2503
P.O. Box 543
Wellington, Texas 79095

Firm No. 10090900

DRAWING NUMBER

FIELD NOTES for the northeast quarter of Section 443, Block H, W. & N. W. Ry. Co. Survey, Childress County, Texas.

BEGINNING at a PK nail found in F.M. Highway 1033 at the northeast corner of said Section 443 for the northeast corner of this tract.

THENCE S. 00° 46' 31" W., along said highway, a distance of 2641.34 feet to a mag nail set in said highway for the southeast corner of this tract.

THENCE N. 89° 29' 24" W., at 40.0 feet pass a 1/2" iron rod set with a yellow cap (hereafter referred to as an OJD cap) in the west right-of-way line of said highway, a total distance of 2650.96 feet to an OJD cap set for the southwest corner of this tract.

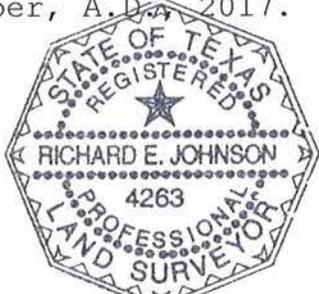
THENCE N. 00° 40' 51" E., a distance of 2642.71 feet to an OJD cap set in the north line of said Section 443 for the northwest corner of this tract.

THENCE S. 89° 27' 37" E., along said north line, at 2615.31 feet pass an OJD cap set in said west right-of-way line, a total distance of 2655.31 feet to the place of BEGINNING and containing 160.92 acres of land.

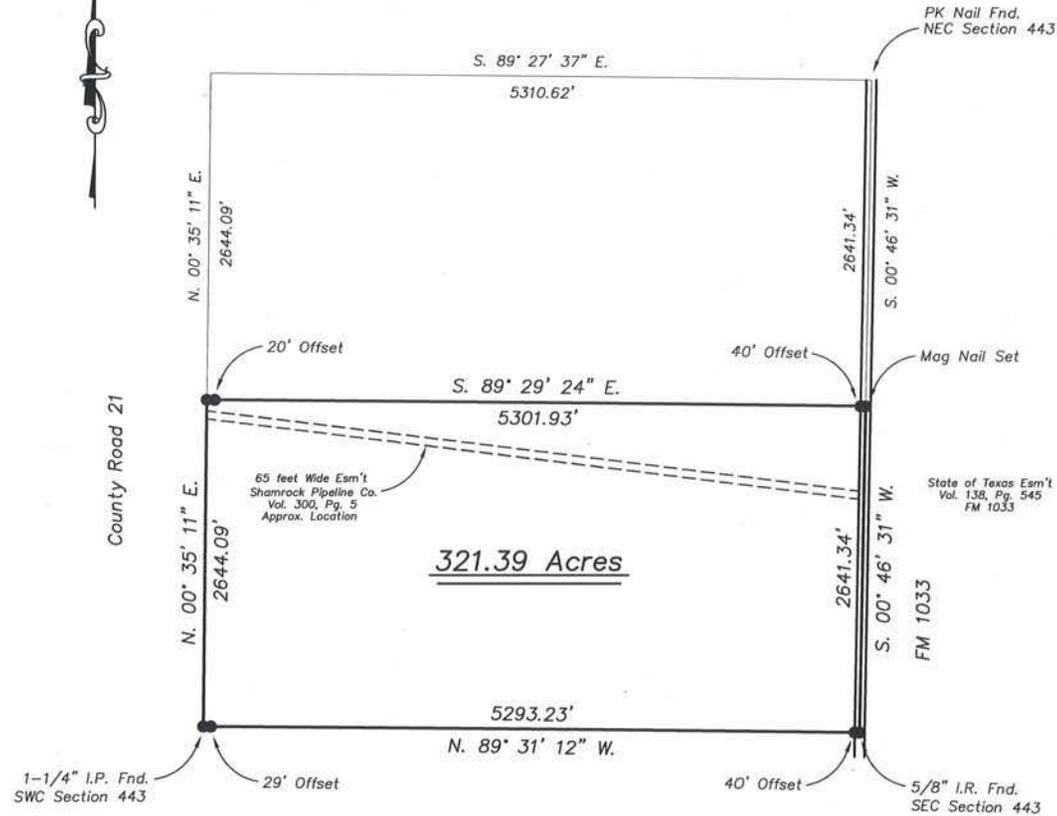
* * * * *

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS,
COUNTY OF COLLINGSWORTH : that I, Richard E. Johnson,
Registered Professional Land Surveyor, do hereby certify that
I did cause to be surveyed on the ground the above described tract of land, and to the best of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 10th day of October, A.D. 2017.



Richard E. Johnson
Richard E. Johnson
Registered Professional
Land Surveyor #4263



Bearings based on U.S. State Plane of 1983
 "Texas North Zone" - #4201
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 COUNTY OF COLLINGSWORTH : Professional Land Surveyor, do hereby
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 on the ground the tract of land shown on this plat, and to the best
 of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 12th day of October,
 A.D., 2017.



Richard E. Johnson
 Richard E. Johnson
 Registered Professional
 Land Surveyor #4263

A Plat of the south half of Section 443, Block H,
 W. & N. W. Ry. Co. Survey, Childress County, Texas.

SCALE: 1" = 1000'	APPROVED BY:	DRAWN BY:
DATE: 10/12/2017		FILE NAME:

OJD Engineering, L.P.
 Consulting Engineers & Surveyors

806-447-2503
 P.O. Box 543
 Wellington, Texas 79095

Firm No. 10090900

DRAWING NUMBER

FIELD NOTES for the south half of Section 443, Block H, W. & N. W. Ry. Co. Survey, Childress County, Texas.

BEGINNING at a Mag nail set in the east line of said Section 443 in F.M. Highway 1033 which bears S. 00° 46' 31" W. a distance of 2641.34 feet from a PK nail found in said highway at the northeast corner of said Section 443 for the northeast corner of this tract.

THENCE S. 00° 46' 31" W., along said highway, a distance of 2641.34 feet to a 5/8" iron rod found in said highway at the southeast corner of said Section 443 for the southeast corner of this tract.

THENCE N. 89° 31' 12" W., at 40.0 feet pass a 1/2" iron rod set with a yellow cap (hereafter referred to as an OJD cap) in the west right-of-way line of said highway, at 5264.23 pass an OJD cap set in the east margin of County Road 21, a total distance of 5293.23 feet to a 1-1/4" iron pipe found at the southwest corner of said Section 443 for the southwest corner of this tract.

THENCE N. 00° 35' 11" E., a distance of 2644.09 feet to an OJD cap set in the middle of the west line of said Section 443 for the northwest corner of this tract.

THENCE S. 89° 29' 24" E., at 20.0 feet pass an OJD cap set in said east margin of said county road, at 5261.93 feet pass an OJD cap set in said west right-of-way line, a total distance of 5301.93 feet to the place of BEGINNING and containing 321.39 acres of land.

* * * * *

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS,
COUNTY OF COLLINGSWORTH : that I, Richard E. Johnson,
Registered Professional Land Surveyor, do hereby certify that I did cause to be surveyed on the ground the above described tract of land, and to the best of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 12th day of October, A.D. 2017.



Richard E. Johnson
Richard E. Johnson
Registered Professional
Land Surveyor #4263

FIELD NOTES for a 163.80 acre tract of land out of the west half of Section 419, Block H, W. & N. W. Ry. Co. Survey, Childress County, Texas.

BEGINNING at a PK nail found in the centerline of F.M. Highway No. 1033 at the southwest corner of said Section 419 for the southwest corner of this tract.

THENCE N. $00^{\circ} 51' 33''$ E., along said centerline, a distance of 431.27 feet to a mag nail set at the southwest corner of a 2.00 acre tract for an ell corner of this tract.

THENCE S. $89^{\circ} 08' 27''$ E., at 40.00 feet pass a 1/2" iron rod set with a yellow cap (hereafter referred to as an OJD cap) in the east right-of-way line of said highway, a total distance of 350.00 feet to an OJD cap set at the southeast corner of said 2.00 acre tract for an ell corner of this tract.

THENCE N. $00^{\circ} 51' 33''$ E. a distance of 248.92 feet to an OJD cap set at the northeast corner of said 2.00 acre tract for an ell corner of this tract.

THENCE N. $89^{\circ} 08' 27''$ W., at 310.00 feet pass an OJD cap set in said right-of-way line, a total distance of 350.00 feet to a mag nail set in said centerline at the northwest corner of said 2.00 acre tract for an ell corner of this tract.

THENCE N. $00^{\circ} 51' 33''$ E., along said centerline, a distance of 2207.67 feet to a mag nail set for the northwest corner of this tract.

THENCE S. $89^{\circ} 27' 58''$ E., at 40.00 feet pass an OJD cap set in said right-of-way line, a total distance of 972.22 feet to an OJD cap set for the most northerly northeast corner of this tract.

THENCE S. $00^{\circ} 51' 33''$ W. a distance of 241.45 feet to an OJD cap set for an ell corner of this tract.

THENCE S. $89^{\circ} 27' 58''$ E. a distance of 1667.66 feet to an OJD cap set for the most easterly northeast corner of this tract.

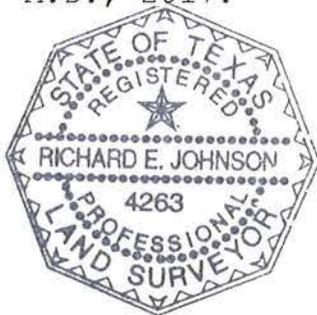
THENCE S. 00° 51' 30" W., at 2623.44 feet pass an OJD cap set in the north margin of County Road Cc, a total distance of 2647.44 feet to a 1/2" iron rod found in the south line of said Section 419 in said county road for the southeast corner of this tract.

THENCE N. 89° 26' 39" W., along said county road, a distance of 2639.92 feet to the place of BEGINNING and containing 163.80 acres of land.

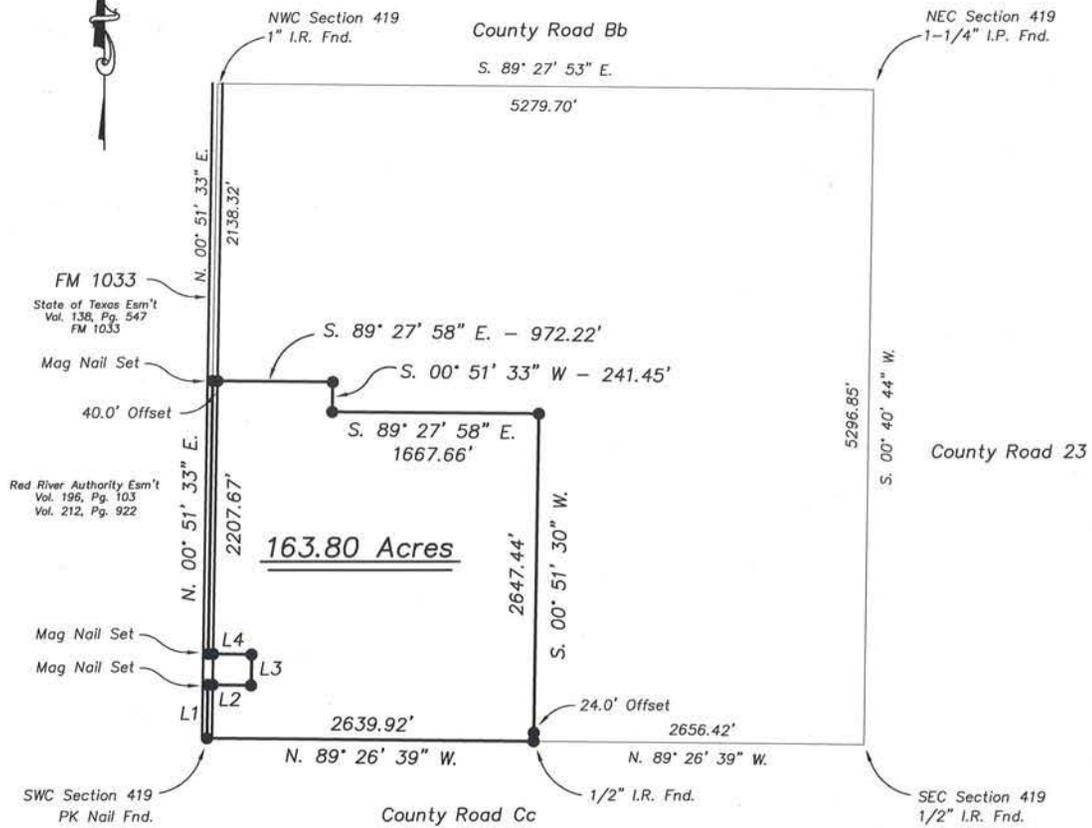
* * * * *

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS,
COUNTY OF COLLINGSWORTH : that I, Richard E. Johnson,
Registered Professional Land
Surveyor, do hereby certify that
I did cause to be surveyed on the ground the above described tract of land, and to the best of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 18th day of October, A.D., 2017.



Richard E. Johnson
Richard E. Johnson
Registered Professional
Land Surveyor #4263



NUMBER	DIRECTION	DISTANCE
L1	N. 00° 51' 33" E.	431.27'
L2	S. 89° 08' 27" E.	350.00'
L3	N. 00° 51' 33" E.	248.92'
L4	N. 89° 08' 27" W.	350.00'

Bearings based on U.S. State Plane of 1983
 "Texas North Zone" - #4201
 Distances are Grid Distances

All corners are 1/2" iron rods set with a cap unless otherwise noted

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS,
 that I, Richard E. Johnson, Registered
 COUNTY OF COLLINGSWORTH : Professional Land Surveyor, do hereby
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 of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 18th day of October,
 A.D., 2017.



Richard E. Johnson
 Richard E. Johnson
 Registered Professional
 Land Surveyor #4263

A Plat of 163.80 acres of land out of Section 419, Block H,
 W. & N. W. Ry. Co. Survey, Childress County, Texas.

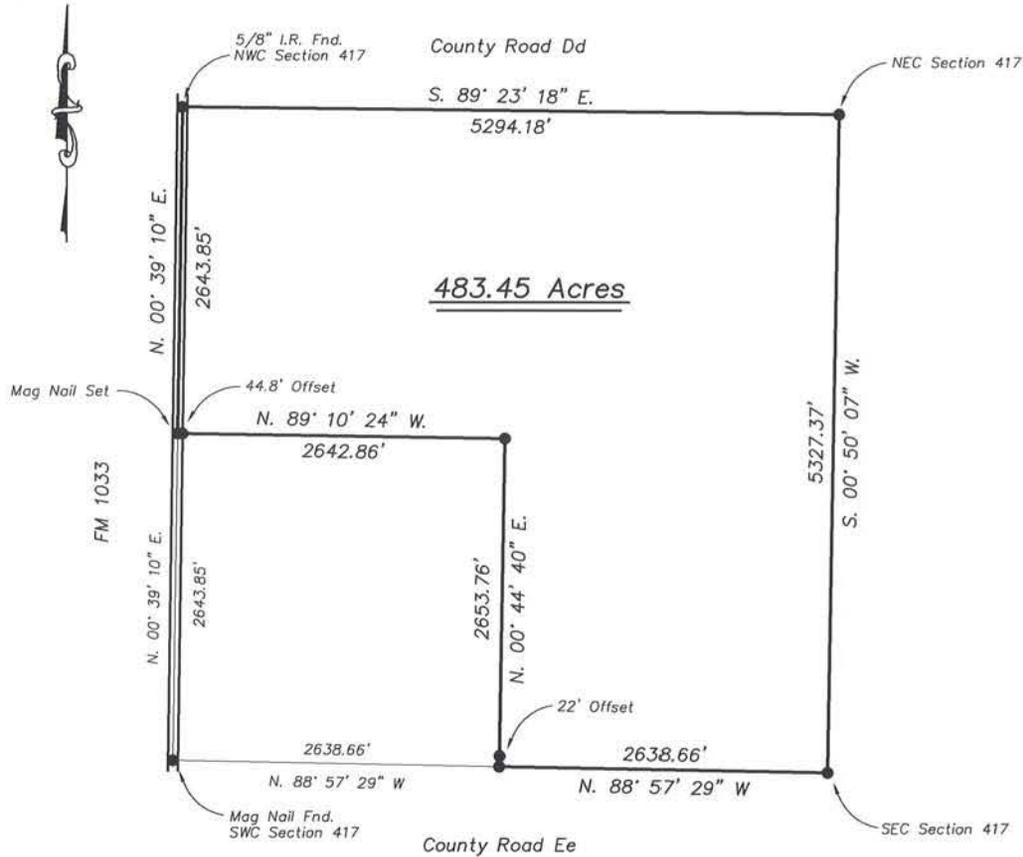
SCALE: 1" = 1000'	APPROVED BY:	DRAWN BY:
DATE: 10/18/2017		FILE NAME:

OJD Engineering, L.P.
 Consulting Engineers & Surveyors

806-447-2503
 P.O. Box 543
 Wellington, Texas 79095

Firm No. 10090900

DRAWING NUMBER



Bearings based on U.S. State Plane of 1983
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 COUNTY OF COLLINGSWORTH : Professional Land Surveyor, do hereby
 certify that I did cause to be surveyed
 on the ground the tract of land shown on this plat, and to the best
 of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 7th day of June,
 A.D., 2018.



Richard E. Johnson
 Registered Professional
 Land Surveyor #4263

A Plat of the east half and the northwest quarter of Section 417,
 Block H, W. & N. W. Ry. Co. Survey, Childress County, Texas.

SCALE: 1" = 1000'	APPROVED BY:	DRAWN BY:
DATE: 06/07/2018		FILE NAME:

OJD Engineering, L.P.
 Consulting Engineers & Surveyors

806-447-2503
 P.O. Box 543
 Wellington, Texas 79095

Firm No. 10090900

DRAWING NUMBER

FIELD NOTES for the east half and the northwest quarter of Section 417, Block H, W. & N. W. Ry. Co. Survey, Childress County, Texas.

BEGINNING at a 5/8" iron rod found at the intersection of F. M. Highway 1033 and County Road Dd at the northwest corner of said Section 417 for the northwest corner of this tract.

THENCE S. 89° 23' 18" E., along said County Road Dd, a distance of 5294.18 feet to a 1/2" iron rod set with a yellow cap (hereafter referred to as an OJD cap) at the northeast corner of said Section 417 for the northeast corner of this tract.

THENCE S. 00° 50' 07" W. a distance of 5327.37 feet to an OJD cap set at the southeast corner of said Section 417 in County Road Ee for the southeast corner of this tract.

THENCE N. 88° 57' 29" W., along the south line of said Section 417 and said County Road Ee, a distance of 2638.66 feet to an OJD cap set for the most southerly southwest corner of this tract.

THENCE N. 00° 44' 40" E., at 22.0 feet pass an OJD cap set in the north margin of said County Road Ee, a total distance of 2653.76 feet to an OJD cap set for an ell corner of this tract.

THENCE N. 89° 10' 24" W., at 2598.06 feet pass an OJD cap set in the east right-of-way line of said highway, a total distance of 2642.86 feet to a mag nail set in said highway in the west line of said Section 417 for the most westerly southwest corner of this tract.

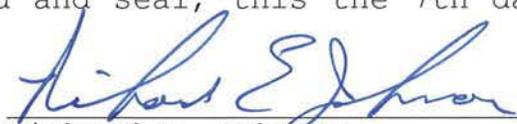
THENCE N. 00° 39' 10" E., along said west line and said highway, a distance of 2643.85 feet to the place of BEGINNING and containing 483.45 acres of land.

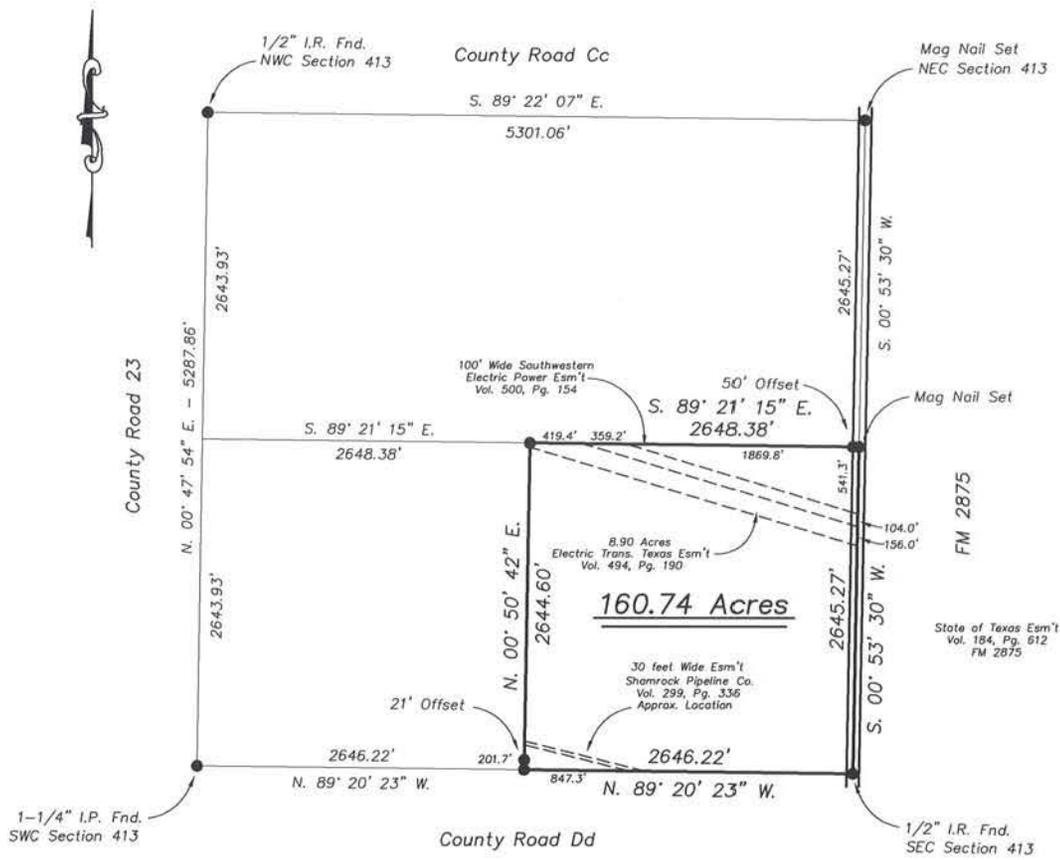
* * * * *

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS,
that I, Richard E. Johnson,
COUNTY OF COLLINGSWORTH : Registered Professional Land
Surveyor, do hereby certify that
I did cause to be surveyed on the ground the above described
tract of land, and to the best of my knowledge and belief, the
said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 7th day of June,
A.D., 2018




Richard E. Johnson
Registered Professional
Land Surveyor #4263



Bearings based on U.S. State Plane of 1983
 "Texas North Zone" - #4201
 Distances are Grid Distances

All corners are 1/2" iron rods set with a cap unless otherwise noted

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS,
 COUNTY OF COLLINGSWORTH : that I, Richard E. Johnson, Registered
 Professional Land Surveyor, do hereby
 certify that I did cause to be surveyed
 on the ground the tract of land shown on this plat, and to the best
 of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 7th day of June,
 A.D., 2018.



Richard E. Johnson
 Richard E. Johnson
 Registered Professional
 Land Surveyor #4263

A Plat of the southeast quarter of Section 413, Block H,
 W. & N. W. Ry. Co. Survey, Childress County, Texas.

SCALE: 1" = 1000'	APPROVED BY:	DRAWN BY:
DATE: 06/07/2018		FILE NAME:

OJD Engineering, L.P.
 Consulting Engineers & Surveyors
 806-447-2503
 P.O. Box 543
 Wellington, Texas 79095

Firm No. 10090900 DRAWING NUMBER

FIELD NOTES for the southeast quarter of Section 413, Block H, W. & N. W. Ry. Co. Survey, Childress County, Texas.

BEGINNING at a 1/2" iron rod found in F. M. Highway 2875 at the southeast corner of said Section 413 for the southeast corner of this tract.

THENCE N. 89° 20' 23" W., along the south line of said Section 413 and County Road Dd, a distance of 2646.22 feet to a 1/2" iron rod set with a yellow cap (hereafter referred to as an OJD cap) for the southwest corner of this tract.

THENCE N. 00° 50' 42" E., at 21.0 feet pass an OJD cap set in the north margin of said County Road Dd, a total distance of 2644.60 feet to an OJD cap set for the northwest corner of this tract.

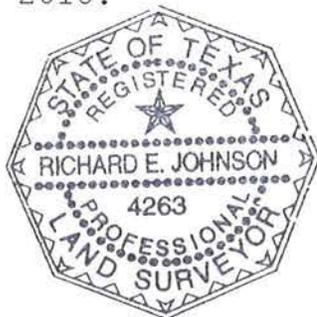
THENCE S. 89° 21' 15" E., at 2598.38 feet pass an OJD cap set in the west right-of-way line of said highway, a total distance of 2648.38 feet to a mag nail set in said highway in the east line of said Section 413 for the northeast corner of this tract.

THENCE S. 00° 53' 30" W., along said highway and said east line, a distance of 2645.27 feet to the place of BEGINNING and containing 160.74 acres of land.

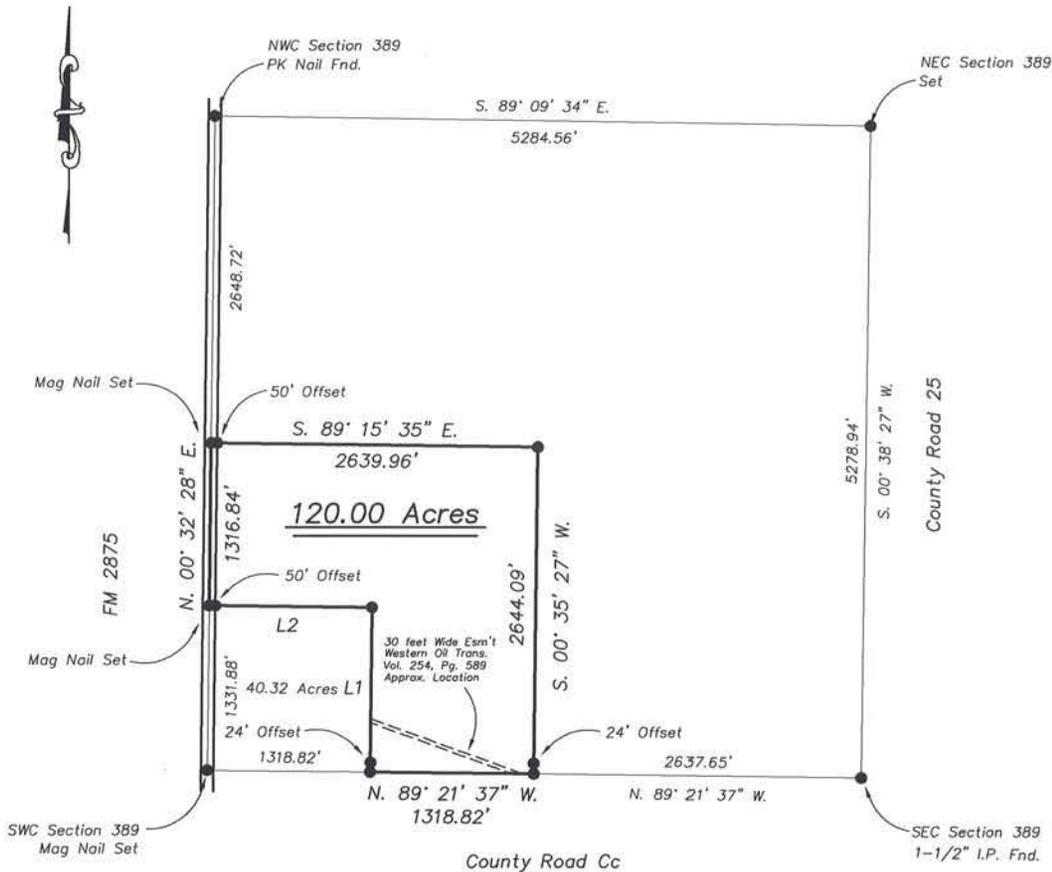
* * * * *

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Surveyor, do hereby certify that
I did cause to be surveyed on the ground the above described
tract of land, and to the best of my knowledge and belief, the
said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 7th day of June,
A.D., 2018.




Richard E. Johnson
Registered Professional
Land Surveyor #4263



NUMBER	DIRECTION	DISTANCE
L1	N. 00° 33' 57" E.	1330.72'
L2	N. 89° 18' 36" W.	1319.40'

Bearings based on U.S. State Plane of 1983
 "Texas North Zone" - #4201
 Distances are Grid Distances

All corners are 1/2" iron rods set with a cap unless otherwise noted

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS,
 that I, Richard E. Johnson, Registered
 COUNTY OF COLLINGSWORTH : Professional Land Surveyor, do hereby
 certify that I did cause to be surveyed
 on the ground the tract of land shown on this plat, and to the best
 of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 7th day of June,
 A.D., 2018.



Richard E. Johnson

Richard E. Johnson
 Registered Professional
 Land Surveyor #4263

A Plat 120.00 acres out of the southwest quarter of Section 389,
 Block H, W. & N. W. Ry. Co. Survey, Childress County, Texas.

SCALE: 1" = 1000'

APPROVED BY:

DRAWN BY:

DATE: 06/07/2018

FILE NAME:

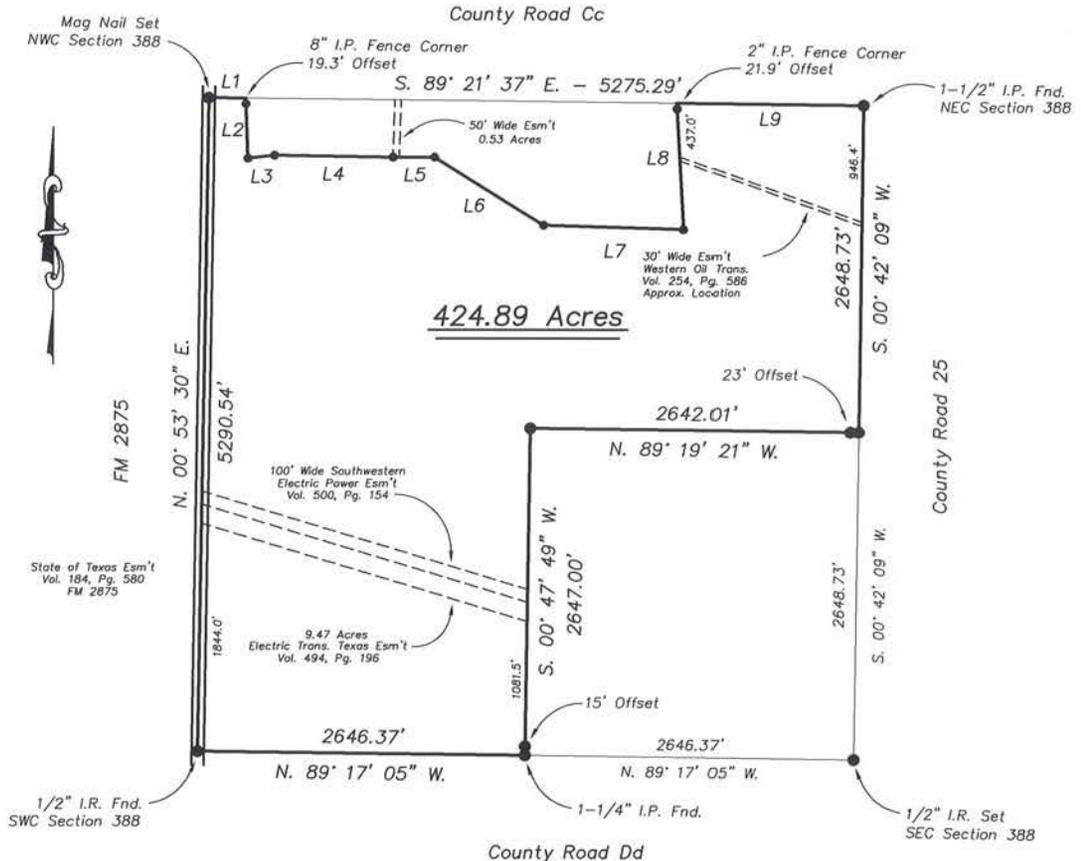


OJD Engineering, L.P.
 Consulting Engineers & Surveyors

806-447-2503
 P.O. Box 543
 Wellington, Texas 79095

Firm No. 10090900

DRAWING NUMBER



Bearings based on U.S. State Plane of 1983
 "Texas North Zone" - #4201
 Distances are Grid Distances

All corners are 1/2" iron rods set with a cap unless otherwise noted

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS,
 that I, Richard E. Johnson, Registered
 COUNTY OF COLLINGSWORTH : Professional Land Surveyor, do hereby
 certify that I did cause to be surveyed
 on the ground the tract of land shown on this plat, and to the best
 of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 7th day of June,
 A.D., 2018.



Richard E. Johnson
 Richard E. Johnson
 Registered Professional
 Land Surveyor #4263

NUMBER	DIRECTION	DISTANCE
L1	S. 89° 21' 37" E.	297.76'
L2	S. 02° 02' 07" E.	485.90'
L3	N. 83° 51' 33" E.	215.51'
L4	S. 89° 06' 07" E.	954.40'
L5	S. 89° 53' 43" E.	334.81'
L6	S. 58° 04' 14" E.	1040.70'
L7	S. 88° 16' 49" E.	1131.13'
L8	N. 03° 03' 34" W.	1025.05'
L9	S. 89° 21' 37" E.	1497.53'

A Plat of 424.89 acres out of Section 388,
 Block H, W. & N. W. Ry. Co. Survey, Childress County, Texas.

SCALE: 1" = 1000'	APPROVED BY:	DRAWN BY:
DATE: 06/07/2018		FILE NAME:
OJD Engineering, L.P. Consulting Engineers & Surveyors		806-447-2503 P.O. Box 543 Wellington, Texas 79095
Firm No. 10090900	DRAWING NUMBER	

FIELD NOTES for a 424.89 acre tract of land out of Section 388, Block H, W. & N. W. Ry. Co. Survey, Childress County, Texas.

BEGINNING at a 1/2" iron rod found in F. M. Highway 2875 at the southwest corner of said Section 388 for the southwest corner of this tract.

THENCE N. $00^{\circ} 53' 30''$ E. a distance of 5290.54 feet to a Mag nail set in said highway at the northwest corner of said Section 388 for the northwest corner of this tract.

THENCE S. $89^{\circ} 21' 37''$ E., along County Road Cc and the north line of said Section 388, a distance of 297.76 feet to 1/2" iron rod set with a yellow cap (hereafter referred to as an OJD cap) for a corner of this tract.

THENCE S. $02^{\circ} 02' 07''$ E., at 19.3 feet pass an 8" iron pipe fence corner in the south margin of said County Road Cc, a total distance of 485.90 feet to a 2" iron pipe fence corner for an angle corner of this tract.

THENCE along said fence line to 2" iron pipe fence corners at angles as follows:

N. $83^{\circ} 51' 33''$ E. a distance of 215.51 feet,

S. $89^{\circ} 06' 07''$ E. a distance of 954.40 feet,

S. $89^{\circ} 53' 43''$ E. a distance of 334.81 feet,

S. $58^{\circ} 04' 14''$ E. a distance of 1040.70 feet,

S. $88^{\circ} 16' 49''$ E. a distance of 1131.13 feet,

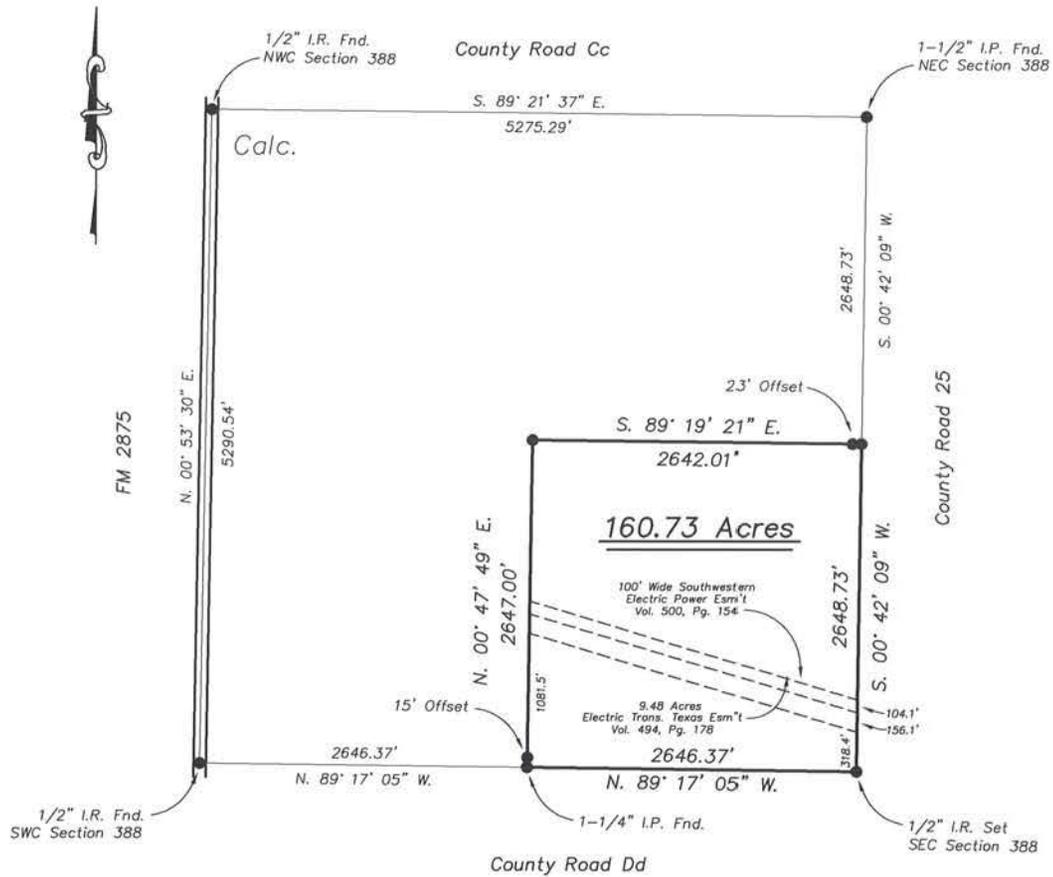
and N. $03^{\circ} 03' 34''$ W., at 1003.15 feet pass a 2" iron pipe fence corner in said south margin of said County Road Cc, a total distance of 1025.05 feet to an OJD cap set in said north line of said Section 388 in said County Road Cc for an ell corner of this tract.

THENCE S. $89^{\circ} 21' 37''$ E., along said County Road Cc and said north line of said Section 388, a distance of 1497.53 feet to a 1-1/2" iron pipe found in the intersection of County Roads Cc and 25 at the northeast corner of said Section 388 for the northeast corner of this tract.

THENCE S. $00^{\circ} 42' 09''$ W., along said County Road 25 and the east line of said Section 388, a distance of 2648.73 feet to an OJD cap set for the most easterly southeast corner of this tract.

THENCE N. $89^{\circ} 19' 21''$ W., at 23.0 feet pass an OJD cap set in the west margin of said County Road 25, a total distance of 2642.01 feet to an OJD cap set for an ell corner of this tract.

THENCE S. $00^{\circ} 47' 49''$ W., at 2631.00 feet pass an OJD cap set in the north margin of County Road Dd, a total distance of 2647.00 feet to a 1-1/4" iron pipe found in the south line of said Section 388 in said County Road Dd for the most southerly southeast corner of this tract.



Bearings based on U.S. State Plane of 1983
 "Texas North Zone" - #4201
 Distances are Grid Distances

All corners are 1/2" iron rods set with a cap unless otherwise noted

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS,
 that I, Richard E. Johnson, Registered
 COUNTY OF COLLINGSWORTH : Professional Land Surveyor, do hereby
 certify that I did cause to be surveyed
 on the ground the tract of land shown on this plat, and to the best
 of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 7th day of June,
 A.D., 2018.



Richard E. Johnson
 Registered Professional
 Land Surveyor #4263

A Plat of the southeast quarter of Section 388,
 Block H, W. & N. W. Ry. Co. Survey, Childress County, Texas.

SCALE: 1" = 1000'	APPROVED BY:	DRAWN BY:
DATE: 06/07/2018		FILE NAME:

OJD Engineering, L.P. Consulting Engineers & Surveyors	806-447-2503 P.O. Box 543 Wellington, Texas 79095
	DRAWING NUMBER

Firm No. 10090900

Tab
10

Description of all property not eligible to become qualified property (if applicable)

There are no existing improvements in the leased land.

Tab
11

Maps that clearly show: a) Project vicinity b) Qualified investment including location of tangible personal property [. . .] c) Qualified property including location of new buildings or new improvements d) Existing property e) Land location within vicinity map f) Reinvestment or Enterprise Zone within vicinity map, showing the actual or proposed boundaries and size

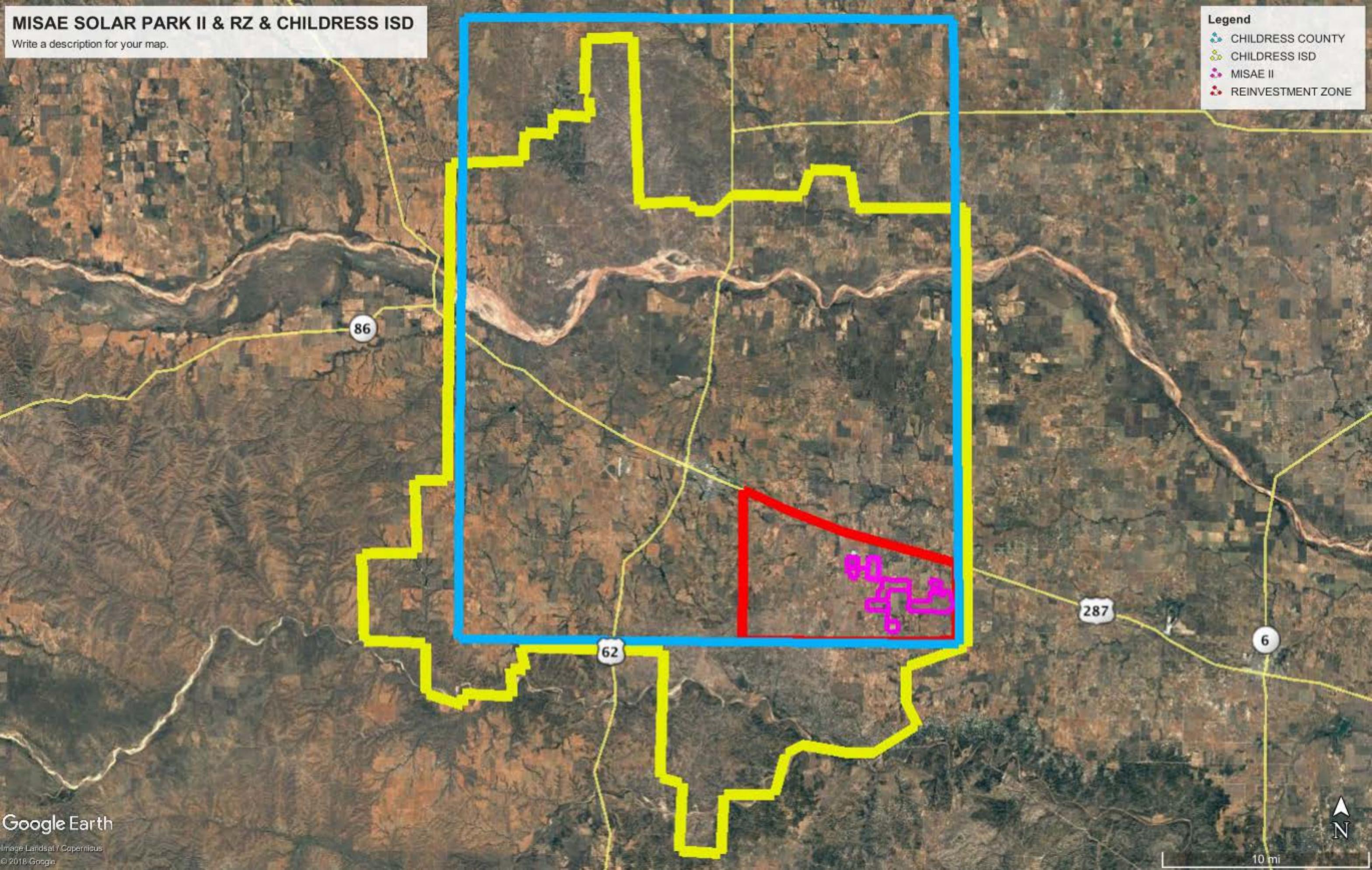
Please see the attached maps.

MISAE SOLAR PARK II & RZ & CHILDRESS ISD

Write a description for your map.

Legend

- CHILDRESS COUNTY
- CHILDRESS ISD
- MISAE II
- REINVESTMENT ZONE

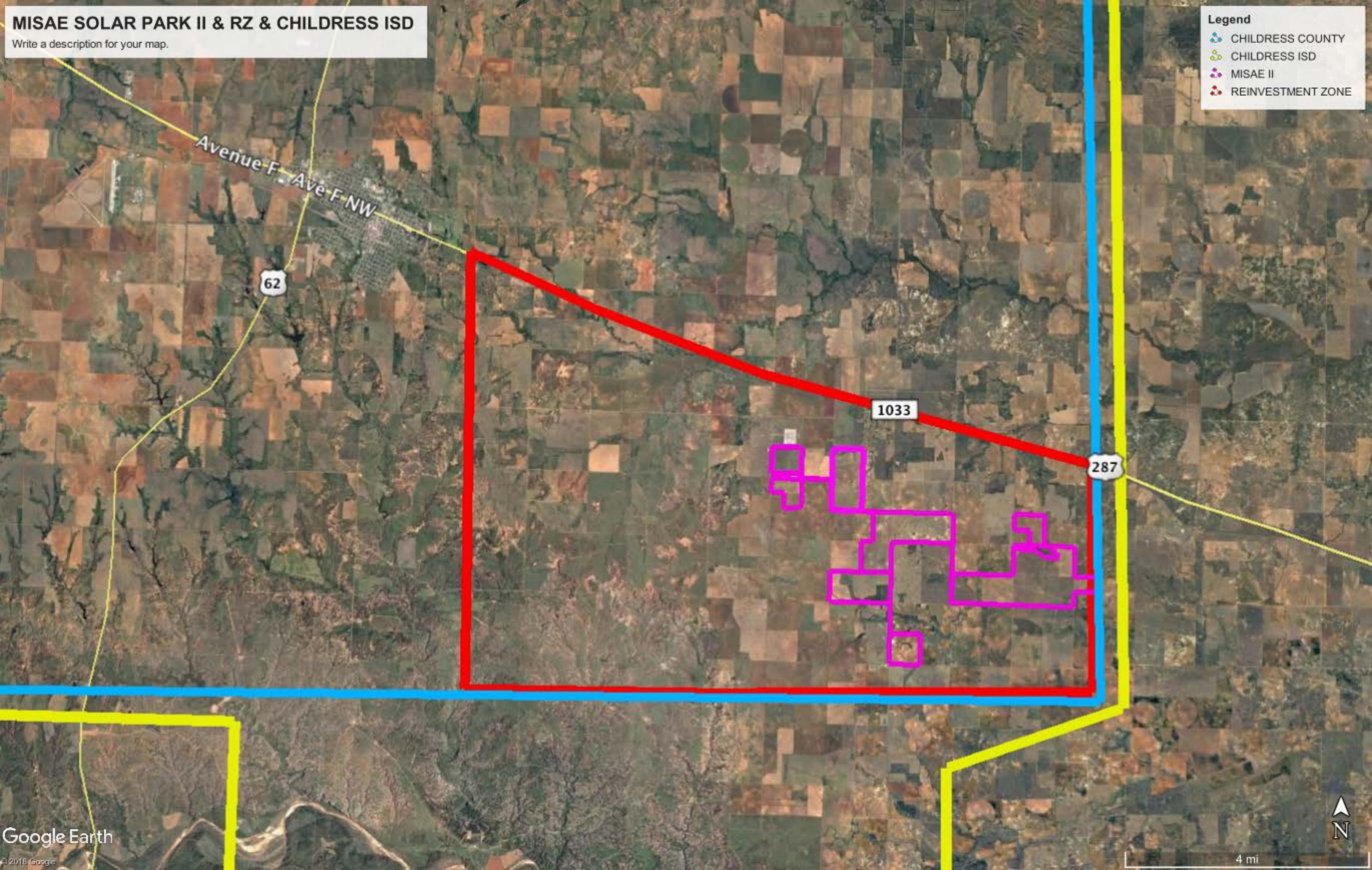


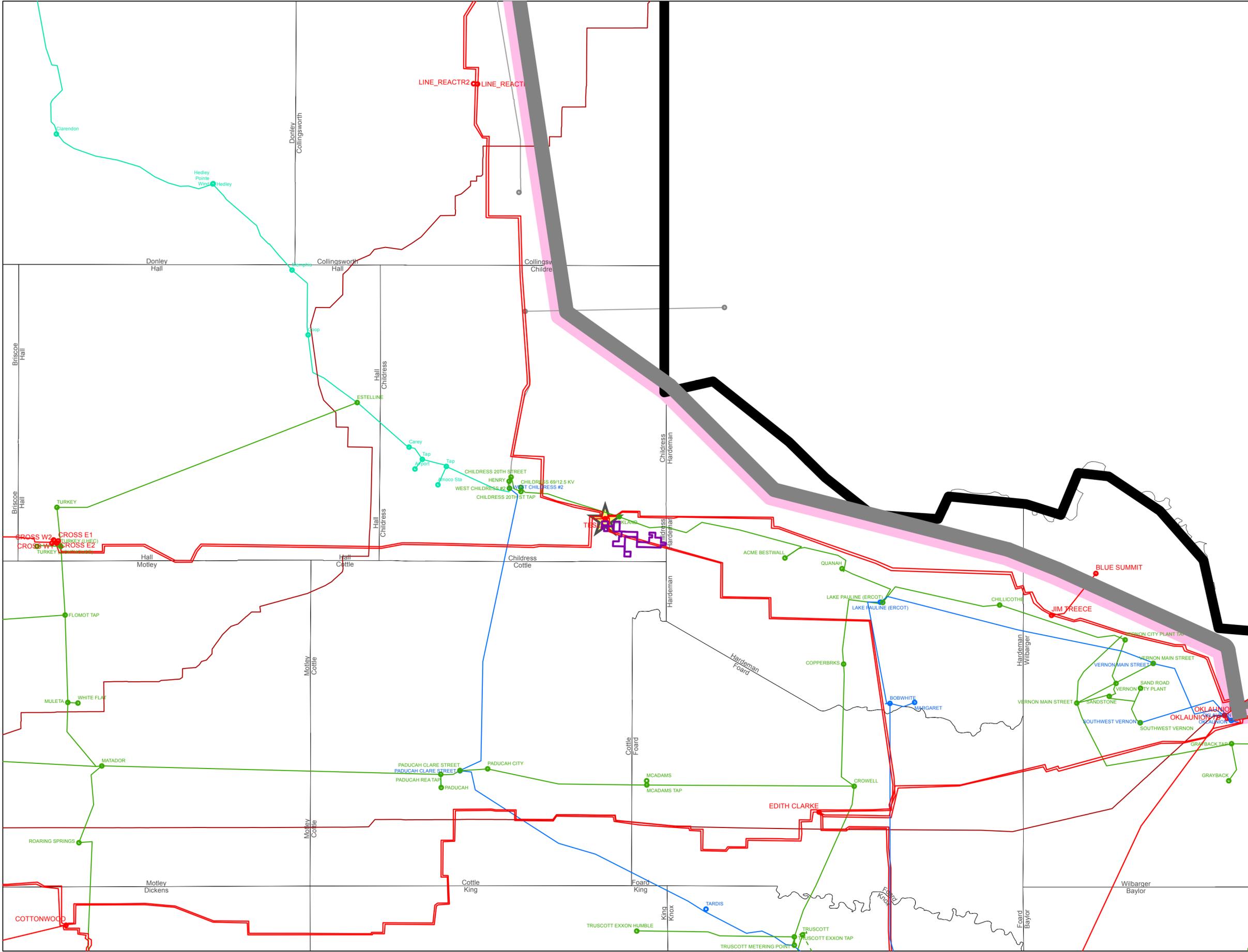
MISAE SOLAR PARK II & RZ & CHILDRESS ISD

Write a description for your map.

Legend

- CHILDRESS COUNTY
- CHILDRESS ISD
- MISAE II
- REINVESTMENT ZONE





Legend

- ★ Point of Interconnection
- Project Site

RTD Boundaries

- █ SPP Boundary

ERCOT Buses by kV

- 345
- 138
- 69

ERCOT Lines by kV

- 345
- 138
- - - 69 Planned
- 69

SPP Buses by kV

- 69
- 138

SPP Lines by kV

- 69
- 138
- 345

Date	Revision	DWN BY	APR BY



"The seal appearing on this document was authorized by Hugo E Mena, P.E. 110112, on April 26, 2018."

Excel Advantage Services, LLC
3824 Cedar Springs Rd. #801-2245
Dallas, Texas 75129
onetoalejandro@hotmail.com



Electric Power Engineers, Inc. #3386
13001 Highway 71 Suite G100
Austin, TX 78738
Office: 512.382.6700
Fax: 866.379.3635
Email: contact@epeconsulting.com

MISAE SOLAR PARK II

TRANSMISSION MAP



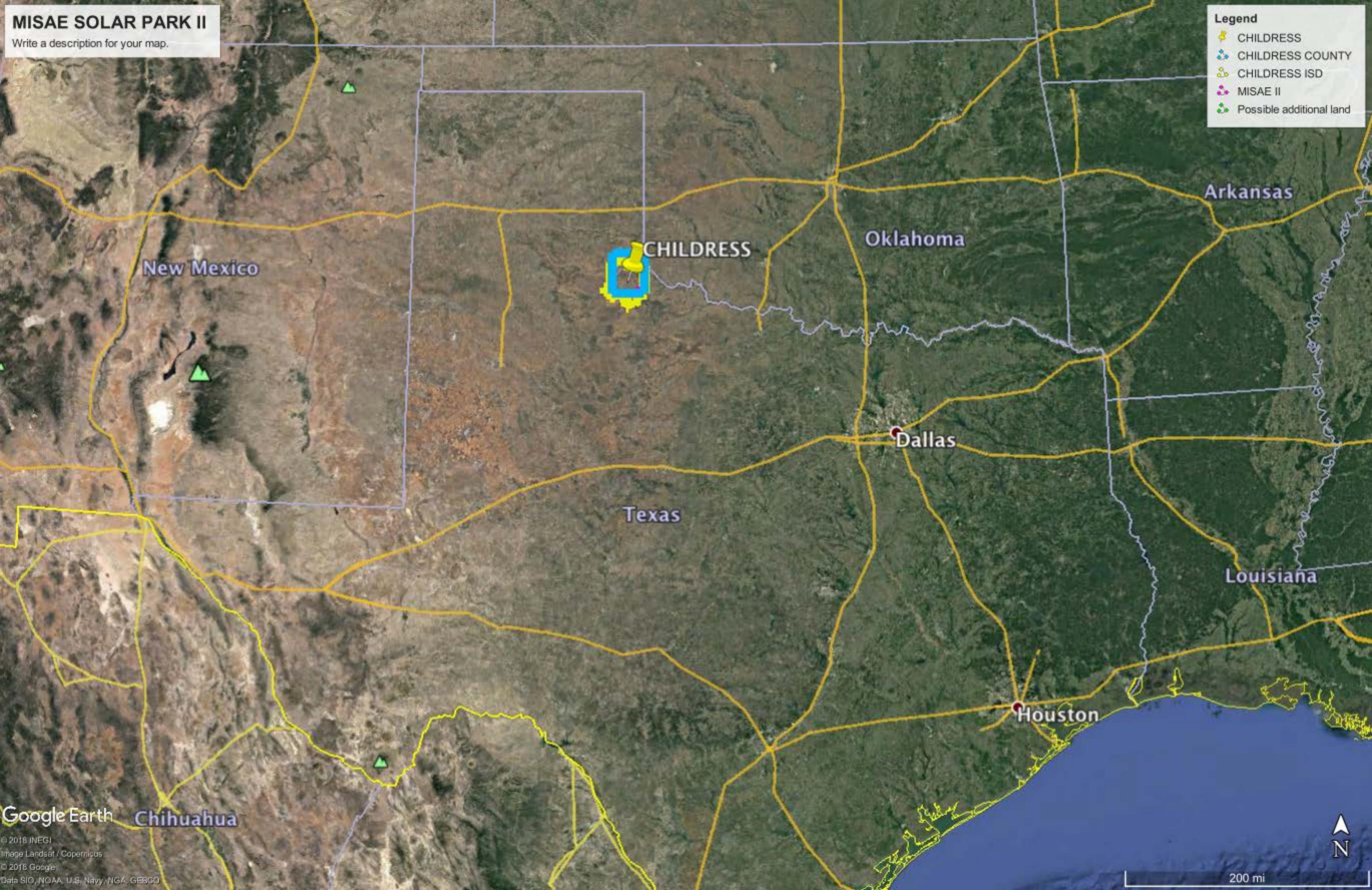
Date: 4/26/2018
Document Name: Misae Solar Park_TX_RB_04252018

MISAE SOLAR PARK II

Write a description for your map.

Legend

- CHILDRESS
- CHILDRESS COUNTY
- CHILDRESS ISD
- MISAE II
- Possible additional land



Tab
12

Request for Waiver of Job Creation Requirement and supporting information (if applicable)

See attached letter.

August 1, 2018

Mr. Rick Teran, Superintendent
Childress Independent School District
308 Third Street NW
Childress, Texas 79201

Re: *Chapter 313 Job Waiver Request*

Dear Mr. Teran:

Excel Advantage Services, LLC, d/b/a "Misae Solar Park II" ("Misae II"), pursuant to Texas Tax Code 313.025(f-1) hereby requests that Childress Independent School District waive the minimum new job creation requirement as otherwise required pursuant to Texas Tax Code 313.021(2)(A)(iv)(b) or 313.051(b) for limitations on appraised value under Chapter 313.

Large, transmission-grade solar generation facilities like the one contemplated by Misae II generally require a rough average of 300 direct jobs during the one year construction phase of the project. However, once construction is complete and commercial operations commence, Misae II only needs a very limited number of highly skilled technicians to maintain and operate the facility. Misae II has committed to creating no less than one (1) FTE year-round jobs, which jobs will provide preventative and corrective operations and maintenance of the improvements upon commercial operation of (and for the commercial life of) the solar facility.

The waiver requested herein is in keeping with general industry practice as the number of jobs being created for a solar electrical generation facility of comparable size and complexity. In support of this request, I respectfully reference the various, previously-filed Chapter 313 limitation agreements between other Texas school districts and other solar developers over the last several years. Please let me know if you have any questions or concerns or if you would like to discuss further.

Sincerely,

A handwritten signature in black ink, appearing to read "Miguel Oneto". The signature is fluid and cursive, with a large initial "M" and "O".

Miguel Oneto, Manager
Misae Solar Park II

**Tab
13**

Calculation of three possible wage requirements with TWC documentation

**AVERAGE WEEKLY WAGES FOR ALL JOBS / ALL INDUSTRIES
IN CHILDRESS COUNTY
FOUR MOST RECENT QUARTERS**

COUNTY	YEAR	QUARTER	AVG. WEEKLY WAGE
Childress	2017	Q4	\$756
Childress	2017	Q3	\$689
Childress	2017	Q2	\$705
Childress	2017	Q1	\$698
SUM:			\$2,848
CALCULATION:			$\$2,848/4 = \$712.00 \times 1.1 = \text{\$783.20}$

**AVERAGE WEEKLY WAGES FOR MANUFACTURING JOBS
IN CHILDRESS COUNTY
FOUR MOST RECENT QUARTERS**

COUNTY	YEAR	QUARTER	AVG. WEEKLY WAGE
Childress	2017	Q3	\$449
Childress	2017	Q2	\$427
Childress	2017	Q1	\$368
Childress	2012	Q3	\$386
SUM:			\$1,630
CALCULATION:			$\$1,630/4 = \$407.50 \times 1.1 = \text{\$448.25}$

Average weekly wage data for manufacturing jobs in Childress County is not available through the Texas Workforce Commission or its related www.tracer2.com website for Q4 2017 or for any period prior to Q1 2017 but after Q3 2012.

**AVERAGE WEEKLY WAGES FOR MANUFACTURING JOBS
IN PANHANDLE REGIONAL PLANNING COMMISSION (WDA)
FOUR MOST RECENT QUARTERS**

REGION	YEAR	QUARTER	AVG. WEEKLY WAGE
Panhandle	2017	Q4	\$1,130
Panhandle	2017	Q3	\$1,088
Panhandle	2017	Q2	\$1,071
Panhandle	2017	Q1	\$1,170
SUM:			\$4,459
CALCULATION:			$\$4,459/4 = \$1,114.75 \times 1.1 = \text{\$1,226.23}$

Quarterly Employment and Wages (QCEW)

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Page 1 of 1 (40 results/page)

 Year	 Period	 Area	 Ownership	 Division	 Level	 Ind Code	 Industry	 Avg Weekly Wages
								
2017	1st Qtr	Childress County	Total All	00	0	10	Total, all industries	\$698
2017	2nd Qtr	Childress County	Total All	00	0	10	Total, all industries	\$705
2017	3rd Qtr	Childress County	Total All	00	0	10	Total, all industries	\$689
2017	4th Qtr	Childress County	Total All	00	0	10	Total, all industries	\$756

Quarterly Employment and Wages (QCEW)

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Page 1 of 1 (40 results/page)

 Year	 Period	 Area	 Ownership	 Division	 Level	 Ind Code	 Industry	 Avg Weekly Wages
								
2017	1st Qtr	Childress County	Total All	31	2	31-33	Manufacturing	\$368
2017	2nd Qtr	Childress County	Total All	31	2	31-33	Manufacturing	\$427
2017	3rd Qtr	Childress County	Total All	31	2	31-33	Manufacturing	\$449

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Quarterly Employment and Wages (QCEW)

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Page 1 of 1 (40 results/page)

 Year	 Period	 Area	 Ownership	 Division	 Level	 Ind Code	 Industry	 Avg Weekly Wages
								
2012	3rd Qtr	Childress County	Total All	31	2	31-33	Manufacturing	\$386

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[TWC Home](#)

Quarterly Employment and Wages (QCEW)

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Page 1 of 1 (40 results/page)

 Year	 Period	 Area	 Ownership	 Division	 Level	 Ind Code	 Industry	 Avg Weekly Wages
								
2017	1st Qtr	Panhandle	Total All	31	2	31-33	Manufacturing	\$1,170
2017	2nd Qtr	Panhandle	Total All	31	2	31-33	Manufacturing	\$1,071
2017	3rd Qtr	Panhandle	Total All	31	2	31-33	Manufacturing	\$1,088
2017	4th Qtr	Panhandle	Total All	31	2	31-33	Manufacturing	\$1,130

Tab
14

Schedules A1, A2, B, C and D completed and signed Economic Impact (if applicable)

Please see the attached Schedules A1, A2, B, C, and D.

Schedule A1: Total Investment for Economic Impact (through the Qualifying Time Period)

Date **8/2/2018**
 Applicant Name **Excel Advantage Services, LLC**
 ISD Name **Childress ISD**

Form 50-296A

Revised May 2014

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 no deferrals of qualifying time period)	2018	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				\$0	\$0	0		0
Complete tax years of qualifying time period	QTP1	2019-2020	2019	\$20,968,000	\$500,000	0		21,468,000
Complete tax years of qualifying time period	QTP2	2020-2021	2020	\$407,892,000	\$0	0		407,892,000
Total Investment through Qualifying Time Period [ENTER this row in Schedule A2]				\$428,860,000	\$500,000			429,360,000
				Enter amounts from TOTAL row above in Schedule A2				
Total Qualified Investment (sum of green cells)				429,360,000				

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 #5 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.

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

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 investment made during this year that will <u>not</u> become Qualified Property [SEE NOTE]	Other investment made during this year that will become Qualified Property [SEE NOTE]	Total Investment (A+B+C+D)
Total Investment from Schedule A1*	--	TOTALS FROM SCHEDULE A1		428,860,000	500,000	-	-	429,360,000
Each year prior to start of value limitation period** <i>Insert as many rows as necessary</i>	0	2020-2021	2020					
Value limitation period***	1	2021-2022	2021					-
	2	2022-2023	2022					0
	3	2023-2024	2023					0
	4	2024-2025	2024					0
	5	2025-2026	2025					0
	6	2026-2027	2026					0
	7	2027-2028	2027					0
	8	2028-2029	2028					0
	9	2029-2030	2029					0
	10	2030-2031	2030					0
Total Investment made through limitation				428,860,000	500,000	-	-	429,360,000
Continue to maintain viable presence	11	2031-2032	2031					
	12	2032-2033	2032					
	13	2033-2034	2033					
	14	2034-2035	2034					
	15	2035-2036	2035					
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2036-2037	2036					
	17	2037-2038	2037					
	18	2038-2039	2038					
	19	2039-2040	2039					
	20	2029-2030	2029					
	21	2030-2031	2030					
	22	2031-2032	2031					
	23	2032-2033	2032					
	24	2033-2034	2033					
	25	2034-2035	2034					

* 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 the limitation starts at the end of the qualifying time period or the qualifying time period overlaps the limitation, no investment should be included on this line.

*** 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. Only include investments/years that were **not** captured on Schedule A1.

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. 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 #5 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.

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

Date

8/2/2018

Applicant Name

Excel Advantage Services, LLC

Form 50-296A

ISD Name

Childress ISD

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
	0	2019-2020	2019	0	0	0	0	0	0
	0	2020-2021	2020	0	500,000	20,968,000	21,468,000	21,468,000	21,468,000
Value Limitation Period	1	2021-2022	2021	0	483,333	428,860,000	429,343,333	429,343,333	20,000,000
	2	2022-2023	2022	0	466,667	394,566,533	395,033,200	395,033,200	20,000,000
	3	2023-2024	2023	0	450,000	360,256,400	360,706,400	360,706,400	20,000,000
	4	2024-2025	2024	0	433,333	325,946,267	326,379,600	326,379,600	20,000,000
	5	2025-2026	2025	0	416,667	291,636,133	292,052,800	292,052,800	20,000,000
	6	2026-2027	2026	0	400,000	257,326,000	257,726,000	257,726,000	20,000,000
	7	2027-2028	2027	0	383,333	223,015,867	223,399,200	223,399,200	20,000,000
	8	2028-2029	2028	0	366,667	188,705,733	189,072,400	189,072,400	20,000,000
	9	2029-2030	2029	0	350,000	154,395,600	154,745,600	154,745,600	20,000,000
	10	2030-2031	2030	0	333,333	120,085,467	120,418,800	120,418,800	20,000,000
Continue to maintain viable presence	11	2031-2032	2031	0	316,667	85,775,333	86,092,000	86,092,000	86,092,000
	12	2032-2033	2032	0	300,000	81,486,567	81,786,567	81,786,567	81,786,567
	13	2033-2034	2033	0	283,333	77,197,800	77,481,133	77,481,133	77,481,133
	14	2034-2035	2034	0	266,667	72,909,033	73,175,700	73,175,700	73,175,700
	15	2035-2036	2035	0	250,000	68,620,267	68,870,267	68,870,267	68,870,267
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2036-2037	2036	0	233,333	64,331,500	64,564,833	64,564,833	64,564,833
	17	2037-2038	2037	0	216,667	60,042,733	60,259,400	60,259,400	60,259,400
	18	2038-2039	2038	0	200,000	55,753,967	55,953,967	55,953,967	55,953,967
	19	2039-2040	2039	0	183,333	51,465,200	51,648,533	51,648,533	51,648,533
	20	2040-2041	2040	0	166,667	47,176,433	47,343,100	47,343,100	47,343,100
	21	2041-2042	2041	0	150,000	42,887,667	43,037,667	43,037,667	43,037,667
	22	2042-2043	2042	0	133,333	38,598,900	38,732,233	38,732,233	38,732,233
	23	2043-2044	2043	0	116,667	34,310,133	34,426,800	34,426,800	34,426,800
	24	2044-2045	2044	0	100,000	30,021,367	30,121,367	30,121,367	30,121,367
	25	2045-2046	2045	0	83,333	25,732,600	25,815,933	25,815,933	25,815,933

Notes: Market value in future years is good faith estimate of future taxable value for the purposes of property taxation.
Only include market value for eligible property on this schedule.

Schedule C: Employment Information

Date 8/2/2018
 Applicant Name Excel Advantage Services, LLC
 ISD Name Childress 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	Column B	Column C	Column D	Column E
				Number of Construction FTE's or man-hours (specify)	Average annual wage rates for construction workers	Number of non-qualifying jobs applicant estimates it will create (cumulative)	Number of new qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	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	2019-2020	2019	450 FTE	\$ 40,132			
	0	2020-2021	2020	450 FTE	\$ 40,132		1 FTE	39,111
Value Limitation Period <i>The qualifying time period could overlap the value limitation period.</i>	1	2021-2022	2021				1 FTE	39,111
	2	2022-2023	2022				1 FTE	39,111
	3	2023-2024	2023				1 FTE	39,111
	4	2024-2025	2024				1 FTE	39,111
	5	2025-2026	2025				1 FTE	39,111
	6	2026-2027	2026				1 FTE	39,111
	7	2027-2028	2027				1 FTE	39,111
	8	2028-2029	2028				1 FTE	39,111
	9	2029-2030	2029				1 FTE	39,111
	10	2030-2031	2030				1 FTE	39,111
Years Following Value Limitation Period	11 through 25						1 FTE	39,111

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 8/2/2018
Applicant Name Excel Advantage Services, LLC
ISD Name Childress 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:					
	City:					
	Other:					
Tax Code Chapter 312	County: Childress (100% abatement with 500k PILT split pro-rata among non-ISD taxing entities)	2020	10 Years	\$2,530,274	\$2,530,274	\$347,059
	City:					
	Other: Hospital District, Jr. College, Gateway Groundwater (100% abatement with \$500,000 PILT split pro-rata among non-ISD taxing entities)	2020	10 Years	\$857,720	\$857,720	\$152,941
Local Government Code Chapters 380/381	County:					
	City:					
	Other:					
Freeport Exemptions						
Non-Annexation Agreements						
Enterprise Zone/Project						
Economic Development Corporation						
Texas Enterprise Fund						
Employee Recruitment						
Skills Development Fund						
Training Facility Space and Equipment						
Infrastructure Incentives						
Permitting Assistance						
Other:						
Other:						
Other:						
Other:						
TOTAL				\$ 3,387,994	\$ 3,387,994	\$ 500,000

Additional information on incentives for this project:

Incentive proposed at 100% with a Payment in Lieu of Taxes set at \$500,000 per year, split pro-rata among non-ISD taxing entities. Above split set by the ratio of .59 cents to County (.4141+.1759) and 0.26 to Other (.2+.01+.05), so .59/(.59+.26)=76.47% County and 23.53% Other applied on the \$500,000.

Tab
15

Economic Impact Analysis, other payments made in the state or other economic information (if applicable)

The Applicant is not submitting an Economic Impact Analysis.

Tab
16

Description of Reinvestment or Enterprise Zone

By resolution passed, approved, and adopted May 8, 2017, the Commissioners Court of Childress County designated the following land as “Reinvestment Zone 2017-01” (excluding any portion of the land contained within any municipality):

All of those certain tracts of land generally described as lying west of the border between Childress County and Hardeman County, Texas; North of the border between Childress County and Cottle County, Texas; east of Childress County Road 15; and south of U.S. Highway 287.

All of the land on which Excel Advantage Services, LLC, will construct the project is located within the aforementioned Reinvestment Zone. A copy of the resolution is attached hereafter as well as a copy of the Guidelines & Criteria of Childress County.

[See attached.]

**RESOLUTION OF THE COMMISSIONERS COURT
OF CHILDRESS COUNTY, TEXAS DESIGNATING
REINVESTMENT ZONE 2017-01**

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

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

WHEREAS, on this date, a hearing before the Commissioners Court of Childress 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 Childress 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;

WHEREAS, the Commissioners Court of Childress 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 CHILDRESS 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 Childress 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 Reinvestment Zone 2017-01 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;

- (b) That the boundaries of Reinvestment Zone 2017-01 should be the area described in the attached Exhibit "A" and depicted on the map attached hereto as Exhibit "B", with Exhibit B controlling in the event of discrepancy between Exhibit A and Exhibit B, and both Exhibits being incorporated herein by reference for all purposes;
- (c) That creation of Reinvestment Zone 2017-01 will result in benefits to Childress County, Texas and to land included in the reinvestment zone and that the improvements sought are feasible and practical; and
- (d) Reinvestment Zone 2017-01 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 Childress County, Texas, and that the entire tract of land is located entirely within an unincorporated area of Childress County, Texas.

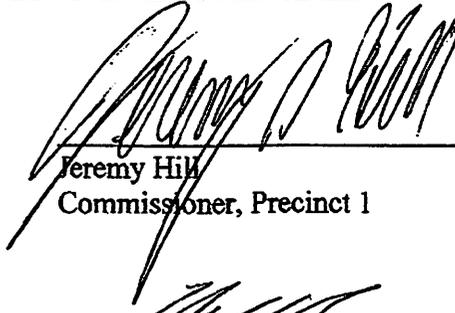
SECTION 3. That pursuant to the Property Redevelopment and Tax Abatement Act, as amended, and the Guidelines, Childress County Commissioner's Court hereby creates Reinvestment Zone 2017-01; a reinvestment zone for commercial-industrial tax abatement encompassing only the area described in "Exhibit A" and depicted in Exhibit "B", and such reinvestment zone is hereby designated and shall hereafter be referred to as Reinvestment Zone 2017-01.

SECTION 4. That Reinvestment Zone 2017-01 shall take effect on the date of this Resolution 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.

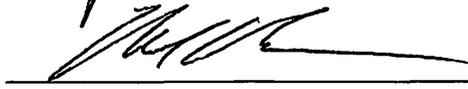
SECTION 5. That if any section, paragraph, clause or provision of this Resolution shall for any reason beheld to be invalid or unenforceable, such invalidity or unenforceability shall not affect any of the remaining provisions of this Resolution.

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 Childress 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 June, 2017.



Jeremy Hill
Commissioner, Precinct 1



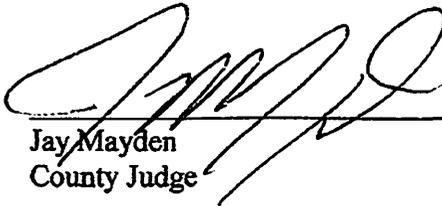
Mark Ross
Commissioner, Precinct 2



Lyall Foster
Commissioner, Precinct 3

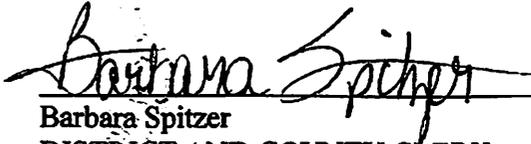


Rick Elliott
Commissioner, Precinct 4



Jay Mayden
County Judge

ATTEST:



Barbara Spitzer
DISTRICT AND COUNTY CLERK

FILED FOR RECORD
DISTRICT-COUNTY CLERK
BARBARA SPITZER
2017 JUN 14 PM 2:59

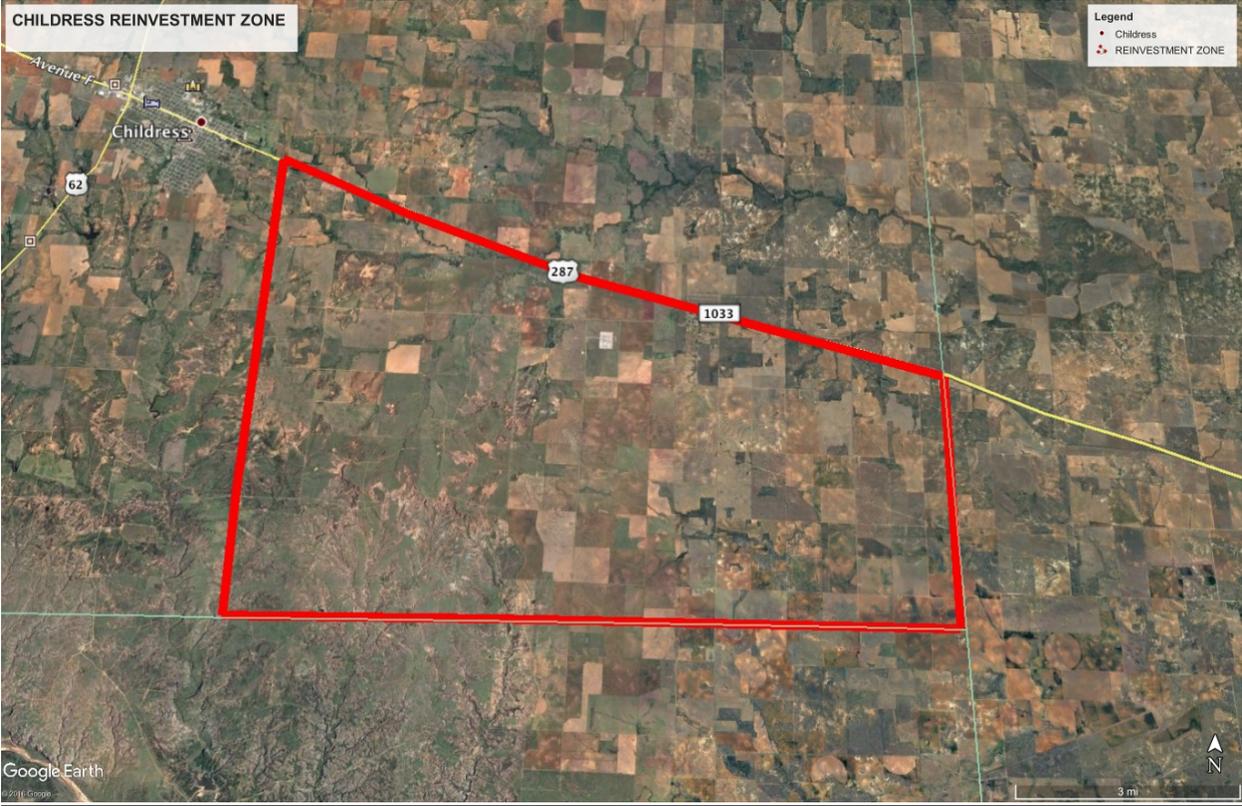
EXHIBIT A
DESCRIPTION OF
REINVESTMENT ZONE 2017-01

Reinvestment Zone 2017-01 is comprised of the following parcel(s) located in Childress County Texas. Reinvestment Zone 2017-01 shall in no way be deemed to include any portion of any municipality.

All of those certain tracts of land generally described as lying west of the border between Childress County and Hardeman County, Texas; North of the border between Childress County and Cottle County, Texas; east of Childress County Road 15; and south of U.S. Highway 287.

EXHIBIT B

MAP OF REINVESTMENT ZONE 2017-01



STATE OF TEXAS

CHILDRESS COUNTY

TAX ABATEMENT GUIDELINES AND CRITERIA

Childress County (the "County") is committed to the promotion of quality development in all parts of Childress County and to improving the quality of life for its citizens. In order to help meet these goals, the County will consider providing Tax Abatements (as defined below) to stimulate economic development. It is the policy of the County that such an incentive will be provided in accord with the guidelines and criteria outlined in this document. All applicants for Tax Abatements shall be considered on an individual basis.

In order to be eligible for designation as a Reinvestment Zone and receive Tax Abatement, and unless otherwise approved by the County, the planned improvement:

1. must be an Eligible Facility (as defined below);
2. must add at least Five Hundred Thousand Dollars (\$500,000.00) to the tax roll of eligible property;
3. must be reasonably expected to have an increase in positive net economic benefit to Childress County of at least One Million Dollars (\$1,000,000.00) over the life of the Abatement, computed to include (but not be limited to) new sustaining payroll and/or capital improvement; and
4. must not be expected to solely or primarily have the effect of transferring employment from one part of Childress County to another.

In addition to the criteria set forth above, the County reserves the right to negotiate a Tax Abatement Agreement (as defined below) in order to compete favorably with other communities.

Only that increase in the fair market value of the property that is a direct result of the development, redevelopment, or improvement specified in a Tax Abatement Agreement will be eligible for Abatement and then only to the extent that such increase exceeds any reduction in the fair market value of the other property of the applicant located within the jurisdiction creating the reinvestment zone.

All Tax Abatement Agreements will remain in effect no longer than allowed by law.

It is the goal of the County to grant Tax Abatements on the same terms and conditions as the other taxing units having jurisdiction of the property. However, nothing herein shall limit the discretion of the County to consider, adopt, modify, or decline any Tax Abatement request.

This policy is effective as of the 10 day of April, 2017, and shall at all times be kept current with regard to the needs of Childress County and reflective of the official views of the County, and shall be reviewed every two (2) years.

The adoption of these guidelines and criteria by the Commissioners does not:

1. limit the discretion of the governing body to decide whether to enter into a specific Tax Abatement Agreement;
2. limit the discretion of the governing body to delegate to its employees the authority to determine whether or not the governing body should consider a particular application or request for Tax Abatement; or
3. create any property, contract, or other legal right in any person to have the governing body consider or grant a specific application or request for Tax Abatement.

SECTION I. DEFINITIONS

A. **"Abatement" or "Tax Abatement"** means the full or partial exemption from ad valorem taxes of certain property in a reinvestment zone designated for economic development purposes.

B. **"Agreement" or "Tax Abatement Agreement"** means a contractual Agreement between a property owner and/or lessee and the County.

C. **"Base Year Value"** means the assessed value on the eligible property as of January 1 preceding the execution of the Agreement.

D. **"Deferred Maintenance"** means improvements necessary for continued operation which do not improve productivity or alter the process technology.

E. **"Eligible Facilities"** means new, expanded, or modernized buildings and structures, including fixed machinery and equipment, which is reasonably likely as a result of granting the Abatement to contribute to the retention or expansion of primary employment or to attract major investment in the reinvestment zone that would be a benefit to the property and that would contribute to the economic development of Childress County, but does not include facilities which are intended to be primarily to provide goods or services to residents for existing businesses located in Childress County such as, but not limited to, restaurants and retail sales establishments. Eligible facilities may include, but shall not be limited to:

aquaculture/agriculture facilities	regional entertainment/tourism facilities
distribution center facilities	research service facilities
manufacturing facilities	regional service facilities
office buildings	historic buildings in a designated area
wind energy facilities	other basic industrial facilities

F. **"Expansion"** means the addition of building structures, machinery, equipment, or payroll for purposes of increasing production capacity.

G. **"Facility"** means property improvement(s) completed or in the process of construction which together comprise an interregional whole.

H. **"Modernization"** means a complete or partial demolition of facilities and the complete or partial reconstruction or installation of a facility of similar or expanded production capacity. Modernization may result from the construction, alteration, or installation of buildings, structures, machinery, or equipment.

I. **"New Facility"** means a property previously undeveloped which is placed into service by means other than or in conjunction with Expansion or Modernization.

J. **"Productive Life"** means the number of years property improvement(s) is/are expected to be in service in a facility.

SECTION II. ABATEMENT AUTHORIZED

A. **Eligible Facilities.** Upon application, Eligible Facilities shall be considered for Tax Abatement as hereinafter provided.

B. **Creation of New Values.** Abatement may only be granted for the additional value of eligible property improvement(s) made subsequent to and specified in a Tax Abatement Agreement between the County and the property owner or lessee, subject to such limitations as the County may require.

C. **New and Existing Facilities.** Abatement may be granted for the additional value of eligible property improvement(s) made subsequent to and specified in a Tax Abatement Agreement between the County and the property owner or lessee, subject to such limitations as the County may require.

D. **Eligible Property.** Abatement may be extended to the value of new, expanded, or modernized buildings, structures, fixed machinery and equipment, site improvements, and related fixed improvements necessary to the operation and administration of the facility, and all other real and tangible personal property permitted by Chapter 312 of the Texas Tax Code.

E. **Ineligible Property.** The following types of property shall be fully taxable and ineligible for Tax Abatement: land; animals; inventories, supplies; tools; furnishings; vehicles; vessels; aircraft; Deferred Maintenance investments; housing and property to be rented or leased, except as provided in Section II(F); property owned or used by the State of Texas.

F. **Owned/Leased Facilities.** If taxes are abated on a leased facility, the Agreement shall be executed with the lessor and the lessee. If the land is leased, but the facility constructed or installed thereon is owned by the lessee, the lessee shall execute the Agreement.

G. **Economic Qualifications.** In order to be eligible for designation as a reinvestment zone and receive Tax Abatement, the planned improvement:

- (1) must be an Eligible Facility;
- (2) must add at least Five Hundred Thousand Dollars (\$500,000.00) to the tax roll of eligible property;
- (3) must be reasonably expected to have an increase in positive net economic benefit to Childress County of at least One Million Dollars (\$1,000,000.00) over the life of the Abatement, computed to include (but not be limited to) new sustaining payroll and/or capital improvement. The creation of new jobs will also factor into the decision to grant an Abatement; and
- (4) must not be expected to solely or primarily have the effect of transferring employment from one part of Childress County to another.

H. **Standards for Tax Abatement.** The following factors, among others, will be considered in determining whether to grant Tax Abatement:

- (1) value of existing improvements, if any;
- (2) type and value of proposed improvements;
- (3) productive life of proposed improvements;
- (4) number of existing jobs to be retained by proposed improvements;
- (5) number and type of new jobs to be created by proposed improvements;
- (6) amount of local payroll to be created;
- (7) whether the new jobs to be created will be filled by persons residing or projected to reside within the affected taxing jurisdiction;
- (8) amount by which property tax base valuation will be increased during the term of Abatement and after Abatement, which shall include a definitive commitment that such valuation shall not, in any case, be less than Five Hundred Thousand Dollars (\$500,000.00);
- (9) expenses to be incurred in providing facilities directly resulting from the new improvements;
- (10) the amount of ad valorem taxes to be paid to the County during the Abatement period considering (a) the existing values, (b) the percentage of new value abated, (c) the Abatement period, and (d) the value after expiration of the Abatement period;

- (11) the population growth of Childress County that occurs directly as a result of new improvements;
- (12) the types and values of public improvements, if any, to be made by applicant seeking Abatement;
- (13) whether the proposed improvements compete with existing businesses to the detriment of the local economy;
- (14) the impact on the business opportunities of existing business;
- (15) the attraction of other new businesses to the area;
- (16) the overall compatibility with the zoning ordinances and comprehensive plan for the area; and
- (17) whether the project obtains all necessary permits from the applicable environmental agencies.

Each Eligible Facility shall be reviewed on its merits utilizing the factors provided above. After such review, Abatement may be denied entirely or may be granted to the extent deemed appropriate after full evaluation.

I. **Denial of Abatement.** A Tax Abatement Agreement shall not be authorized if it is determined that:

- (1) there would be substantial adverse effect on the provision of government services or tax base;
- (2) the applicant has insufficient financial capacity;
- (3) applicant activities would violate applicable codes or laws; or
- (4) any other reason deemed appropriate by the County.

J. **Taxability.** From the execution of the Abatement to the end of the Agreement period, taxes shall be payable as follows:

- (1) the value of ineligible property as provided in Section II(E) shall be fully taxable;
- (2) the base year value of existing eligible property as determined each year shall be fully taxable; and
- (3) the additional value of new eligible property shall be fully taxable at the end of the Abatement period.

SECTION III. APPLICATION

A. Any present or potential owner of taxable property in the County may request Tax Abatement by filing a written application with the Commissioners.

B. The application shall consist of a general description of the new improvements to be undertaken; a descriptive list of the improvements for which an Abatement is requested; a list of the kind, number and location of all proposed improvements of a property; a map and property description; and a time schedule for undertaking and completing the proposed improvements. In the case of modernization, a statement of the assessed value of the facility, separately stated for real and personal property, shall be given for the tax year immediately preceding the application. The Commissioners may require such financial and other information as deemed appropriate for evaluating the financial capacity and other factors pertaining to the applicant to be attached to the application. The completed application must be accompanied by the payment of a nonrefundable application fee for administrative costs and legal fees associated with the processing of the Tax Abatement request. All checks in payment of the administrative fee shall be made payable to the County. The fee for Abatement requests shall be One Thousand and No/100 Dollars (\$1,000.00).

C. The County shall give notice as provided by the Property Tax Code, including written notice to the presiding officer of the governing body of each taxing unit in which the property to be subject to the Agreement is located, not later than seven (7) days before acting upon the application.

D. The application process described in this Section III shall be followed regardless of whether a particular reinvestment zone is created by Childress County or a taxing entity within Childress County. No other notice or hearing shall be required except compliance with the open meetings act, unless the Commissioners deem them necessary in a particular case.

SECTION IV. AGREEMENT

After approval, the Commissioners shall formally pass a resolution and execute an Agreement with the owner of the facility and lessee, as required, which shall:

- A. include a list of the kind, number and location of all proposed improvements to the property;
- B. provide access to and authorize inspection of the property by the taxing unit to insure compliance with the Agreement;
- C. limit the use of the property consistent with the taxing unit's development goals;
- D. provide for recapturing property tax revenues that are lost if the owner fails to make improvements as provided by the Agreement;
- E. include each term that was agreed upon with the property owner and require the

owner to annually certify compliance with the terms of the Agreement to each taxing unit; and

- F. allow the taxing unit to cancel or modify the Agreement at any time if the property owner fails to comply with the terms of the Agreement.

SECTION V. RECAPTURE

A. In the event that the applicant or its assignee (1) allows its ad valorem taxes owed to become delinquent and fails to timely and properly follow the legal procedures for their protest and/or content; or (2) violates any of the terms and conditions of the Tax Abatement Agreement and fails to cure during the cure period, the Agreement may be terminated and all taxes previously abated by virtue of the Agreement will be recaptured and paid within thirty (30) days of the termination.

B. Should the County determine that the applicant or its assignee is in default according to the terms and conditions of its Agreement, the County shall notify the applicant in writing at the address stated in the Agreement, and if such is not cured within the cure period set forth in such notice, then the Agreement may be terminated.

SECTION VI. ADMINISTRATION

A. The Chief Appraiser of the Childress County Appraisal District will annually determine an assessment of the real and personal property comprising the reinvestment zone. Each year, the company or individual receiving Abatement shall furnish the appraiser with such information as may be necessary for the Abatement. Once value has been established, the Chief Appraiser will notify the Commissioners of the amount of the assessment.

B. The County may execute a contract with any other jurisdiction(s) to inspect the facility to determine if the terms and conditions of the Tax Abatement Agreement are being met. The Tax Abatement Agreement shall stipulate that employees and/or designated representatives of the County will have access to the reinvestment zone during the term of the Abatement to inspect the facility to determine if the terms and conditions of the Agreement are being met. All inspections will be made only after giving twenty-four (24) hours prior notice and will only be conducted in such a manner as to not unreasonably interfere with the construction and/or operation of the facility. All inspections will be made with one or more representatives of the applicant present and in accordance with its safety standards.

C. Upon completion of construction, a designated representative of the County shall annually evaluate each facility receiving Abatement to insure compliance with the Agreement and shall formally report such evaluations to the Commissioners.

SECTION VII. ASSIGNMENT

The Tax Abatement Agreement may be transferred and assigned by the holder to a new owner or lessee of the same facility either upon the approval by resolution of the Commissioners or in

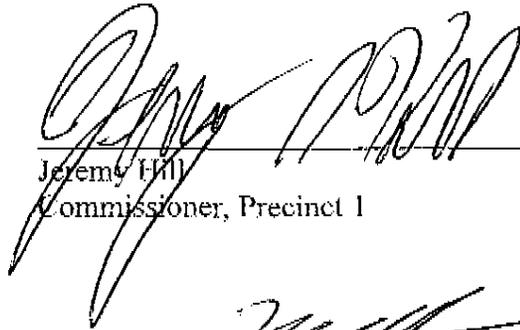
accordance with the terms of an existing Tax Abatement Agreement. No assignment or transfer shall be approved if the parties to the existing Agreement, the new owner, or new lessee are liable to any jurisdiction for outstanding taxes or other obligations. Approval shall not be unreasonably delayed or withheld. Notice shall be given to the Commissioners at least twenty (20) days in advance of any transfer or assignment.

SECTION VIII. SUNSET PROVISION

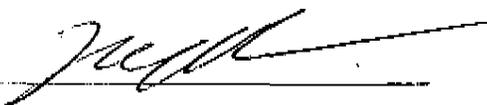
These Guidelines and Criteria are effective upon the date of their adoption, and shall supersede and replace any and all prior guidelines and criteria for Tax Abatement in the County. These Guidelines and Criteria shall remain in force for two (2) years, unless amended by a three-quarters (3/4) vote of the Commissioners, at which time all reinvestment zones and Tax Abatement Agreements created pursuant to these provisions will be reviewed to determine whether the goals have been achieved. Based on such review, the Guidelines and Criteria will be modified, renewed or eliminated; provided, however, no modification or elimination of the Guidelines and Criteria shall affect Tax Abatement Agreements that have been previously approved until the parties thereto shall agree to amend such Agreements.

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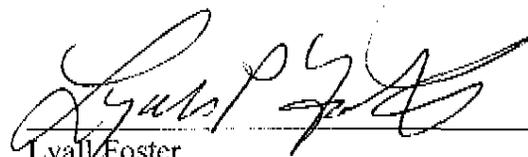
PASSED, APPROVED AND ADOPTED on this the 10 day of April, 2017.



Jeremy Hill
Commissioner, Precinct 1



Mark Ross
Commissioner, Precinct 2



Loyal Foster
Commissioner, Precinct 3



Rick Elliott
Commissioner, Precinct 4



Jay Mayden
County Judge

ATTEST:



Barbara Spitzer, DISTRICT AND COUNTY CLERK

FILED FOR RECORD
CHILDRESS COUNTY, TEXAS
2017 APR 11 AM 9:19
BARBARA SPITZER
DISTRICT-COUNTY CLERK

Tab
17

Signature and Certification Page

See attached.

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 Rick TERAN
Print Name (Authorized School District Representative)

Superintendent
Title

sign here [Signature]
Signature (Authorized School District Representative)

8-7-18
Date

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 Miguel Oneto
Print Name (Authorized Company Representative (Applicant))

Manager
Title

sign here [Signature]
Signature (Authorized Company Representative (Applicant))

8/2/18
Date



Daniel J. Otten
Commission # FF970253
Expires: May 15, 2020
Bonded thru Aaron Notary

(Notary Seal)

GIVEN under my hand and seal of office this, the

2 day of August, 2018

Notary Public in and for the State of Texas Florida

My Commission expires: 5-15-2020

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.