

O'HANLON, DEMERATH & CASTILLO

ATTORNEYS AND COUNSELORS AT LAW

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October 1, 2018

Local Government Assistance & Economic Analysis
Texas Comptroller of Public Accounts
P.O. Box 13528
Austin, Texas 78711-3528

RE: 1287-Amended Application to the Danbury Independent School District from Myrtle Solar LLC.

To the Local Government Assistance & Economic Analysis Division:

Enclose is the amended application between Danbury ISD and Myrtle Solar LLC. The following changes have been made:

1. Section 9, Question 3: January 1, 2020
2. Section 10, Question 5: Tab 6 has been updated
3. Tab 12 – Job Wavier Letter has been updated
4. Myrtle Solar is not known by any other names
5. ERCOT number is 19INR0041
6. New signature page has been added

A copy of the application will be submitted to the Brazoria County Appraisal District.

Sincerely,



Kevin O'Hanlon
School District Consultant

Cc: Brazoria County Appraisal District
Myrtle Solar LLC

AMENDMENT ONE [9-27-18]

Texas Comptroller of Public Accounts

Data Analysis and
Transparency
Form 50-296-A

SECTION 9: Projected Timeline

1. Application approval by school board August 2018
2. Commencement of construction December 2019
3. Beginning of qualifying time period January 1, 2020
4. First year of limitation January 2021
5. Begin hiring new employees October 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 Brazoria County
2. Identify Central Appraisal District (CAD) that will be responsible for appraising the property Brazoria CAD
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: Brazoria, 0.380234 (100%) City: Freeport 0.0401 (100%)
(Name, tax rate and percent of project) (Name, tax rate and percent of project)
 Hospital District: Angleton-Danbury 0.273681 (100%) Water District: Angleton Drainage 0.146855 (100%)
(Name, tax rate and percent of project) (Name, tax rate and percent of project)
 Other (describe): Road & Bridge 0.06 (100%) Other (describe): Emergency Services 0.10 (100%)
(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

For more information, visit our website: comptroller.texas.gov/economy/local/ch313/

AMENDMENT ONE [9-27-18]



September 19th, 2018

Mr. Greg Anderson, Superintendent
Danbury Independent School District
5611 Panther Drive
Danbury, Texas 79501

RE: Chapter 313 Job Waiver Request

Dear Mr. Anderson,

Myrtle Solar LLC requests that the Danbury Independent School District's Board of Trustees waive the job requirement provision as allowed by Section 313.025(f-1) of the tax code. This waiver would be based on the school district's board findings that the jobs creation requirement exceeds the industry standard for the number of employees reasonably necessary for the operation of the facility of the property owner that is described in the application.

Myrtle Solar LLC requests that the Danbury ISD makes such finding and waive the job creation requirement for 10 permanent jobs. In line with current industry standards for job requirements, Myrtles Solar LLC has committed to create two (2) qualifying job in Danbury ISD.

Solar projects create many full and part-time, but temporary jobs during the construction phase of the project. However, they require a relatively small number of highly-skilled technicians to operate and maintain the project after commercial operation commences. Therefore, a 200-megawatt project requires approximately 2 FTE employees. The waiver would be for 2 jobs.

The permanent employees of a solar project maintain and service PV panels and inverters, underground electrical connections, substations and other infrastructure associated with the safe and reliable operation of the project. In addition to the onsite employees, there may be managers or technicians who support the project from offsite locations.

Sincerely,

A handwritten signature in blue ink that reads "Mike Fry". The signature is written in a cursive, flowing style.

Mike Fry,
Director-Energy Services

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Tab 6

Located 100% in Brazoria County, Texas.

*Although the project is entirely within Brazoria County, it will lie on the boundary between Angleton and Danbury ISDs. Because of this, some of the project will be in Angleton ISD. This application will only apply to the project located in Danbury ISD, and no agreement is being pursued for the property located within Angleton ISD.

Angleton ISD Property will include:

- 161,100 Panels
- 14 inverters
- 229 Combiner Boxes
- 19,448 linear feet of fencing



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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 ▶	Greg Anderson	Superintendent
	<small>Print Name (Authorized School District Representative)</small>	<small>Title</small>
sign here ▶		10-1-18
	<small>Signature (Authorized School District Representative)</small>	<small>Date</small>

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 ▶	Heather Otten	Manager
	<small>Print Name (Authorized Company Representative (Applicant))</small>	<small>Title</small>
sign here ▶		9/24/18
	<small>Signature (Authorized Company Representative (Applicant))</small>	<small>Date</small>



(Notary Seal)

GIVEN under my hand and seal of office this, the

1 day of October, 2018



Notary Public in and for the State of Texas

My Commission expires: 3/18/22

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.