

# O'HANLON, DEMERATH & CASTILLO

ATTORNEYS AND COUNSELORS AT LAW

808 WEST AVENUE  
AUSTIN, TEXAS 78701  
TELEPHONE: (512) 494-9949  
FACSIMILE: (512) 494-9919

December 18, 2019

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

RE: Application to the Anson Independent School District from Jones City Solar, LLC

To the Local Government Assistance & Economic Analysis Division:

By copy of this letter transmitting the application for review to the Comptroller's Office, the Anson Independent School District is notifying Jones City Solar, LLC of its intent to consider the application for appraised value limitation on qualified property should a positive certificate be issued by the Comptroller. Please prepare the Economic Impact Report.

The Applicant submitted the Application to the school district on August 12, 2019. The Board voted to accept the application on August 12, 2019. The application has been determined complete as of December 18, 2019. The Applicant has provided the schedules in both electronic format and paper copies. The electronic copy is identical to the hard copy that will be hand delivered.

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

Sincerely,



Kevin O'Hanlon  
School District Consultant

Cc: Jones County Appraisal District  
Jones City Solar, LLC

**JONES CITY SOLAR, LLC**

**CHAPTER 313 APPLICATION  
FOR APPRAISED VALUE LIMITATION  
TO ANSON ISD**

*Comptroller*

## 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"> <li>a) Project vicinity</li> <li>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</li> <li>c) Qualified property including location of new buildings or new improvements</li> <li>d) Existing property</li> <li>e) Land location within vicinity map</li> <li>f) Reinvestment or Enterprise Zone within vicinity map, showing the actual or proposed boundaries and size</li> </ul> <p><b>Note:</b> 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"> <li>a) evidence that the area qualifies as a enterprise zone as defined by the Governor's Office</li> <li>b) legal description of reinvestment zone*</li> <li>c) order, resolution or ordinance establishing the reinvestment zone*</li> <li>d) guidelines and criteria for creating the zone*</li> </ul> <p><b>* To be submitted with application or before date of final application approval by school board</b></p>
17	Signature and Certification page, signed and dated by Authorized School District Representative and Authorized Company Representative <i>(applicant)</i>

**TAB 1**

Pages 1 through 7 of application.



# Application for Appraised Value Limitation on Qualified Property (Tax Code, Chapter 313, Subchapter B or C)

Economic Development  
and Analysis  
**Form 50-296-A**

**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 [www.texasahead.org/tax\\_programs/chapter313/](http://www.texasahead.org/tax_programs/chapter313/). 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 12, 2019

Date Application Received by District

Jay

Baccus

First Name

Last Name

Superintendent

Title

Anson ISD

School District Name

1431 Commercial Ave.

Street Address

1431 Commercial Ave.

Mailing Address

Anson

TX

79501

City

State

ZIP

(325) 823-3671

(325) 853-4444

Phone Number

Fax Number

jbbaccus@anson.esc14.net

Mobile Number (optional)

Email Address

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)**

<p>Dan First Name</p> <p>Partner Title</p> <p>Moak, Casey &amp; Associates Firm Name</p> <p>512-485-7878 Phone Number</p> <p>Mobile Number (optional)</p>	<p>Casey Last Name</p> <p>512-485-7888 Fax Number</p> <p>dcasey@moakcasey.com Email Address</p>
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4. On what date did the district determine this application complete? ..... December 18, 2019
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)**

<p>Brian First Name</p> <p>Chief Development Officer Title</p> <p>11101 W. 120th Ave. Suite #400 Street Address</p> <p>11101 W. 120th Ave. Suite #400 Mailing Address</p> <p>Broomfield City</p> <p>(303) 439-4202 Phone Number</p> <p>Mobile Number (optional)</p>	<p>Evans Last Name</p> <p>Renewable Energy Systems Americas Inc. Organization</p> <p>CO State</p> <p>80021 ZIP</p> <p>Brian.Evans@res-group.com Business Email Address</p>
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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.

<p>Jay First Name</p> <p>Development Manager Title</p> <p>11101 W. 120th Ave. Suite #400 Street Address</p> <p>11101 W. 120th Ave. Suite #400 Mailing Address</p> <p>Broomfield City</p> <p>(720) 543-2146 Phone Number</p> <p>Mobile Number (optional)</p>	<p>Linke Last Name</p> <p>Renewable Energy Systems Americas Inc. Organization</p> <p>CO State</p> <p>80021 ZIP</p> <p>Jay.Linke@res-group.com Business Email Address</p>
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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)**

Brandon \_\_\_\_\_ Westlake \_\_\_\_\_  
 First Name Last Name  
 Consultant \_\_\_\_\_  
 Title  
 Cummings Westlake, LLC \_\_\_\_\_  
 Firm Name  
 (713) 266-4456 \_\_\_\_\_ (713) 266-2333 \_\_\_\_\_  
 Phone Number Fax Number  
 bwestlake@cwlp.net \_\_\_\_\_  
 Business Email Address

**SECTION 3: Fees and Payments**

1. 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.

2. 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

3. 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**

1. What is the legal name of the applicant under which this application is made? \_\_\_\_\_ Jones City Solar, LLC \_\_\_\_\_

2. List the Texas Taxpayer I.D. number of entity subject to Tax Code, Chapter 171 (11 digits) \_\_\_\_\_ 32069675224 \_\_\_\_\_

3. List the NAICS code \_\_\_\_\_ 221114 \_\_\_\_\_

4. 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**

1. Identify Business Organization of Applicant (corporation, limited liability corporation, etc) \_\_\_\_\_ Limited Liability Corporation \_\_\_\_\_

2. 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.

3. Is the applicant current on all tax payments due to the State of Texas?  Yes  No

4. Are all applicant members of the combined group current on all tax payments due to the State of Texas?  Yes  No  N/A

5. 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 \_\_\_\_\_
3. Beginning of qualifying time period \_\_\_\_\_
4. First year of limitation \_\_\_\_\_
5. Begin hiring new employees \_\_\_\_\_
6. Commencement of commercial operations \_\_\_\_\_
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? \_\_\_\_\_

**SECTION 10: The Property**

1. Identify county or counties in which the proposed project will be located \_\_\_\_\_
2. Identify Central Appraisal District (CAD) that will be responsible for appraising the property \_\_\_\_\_
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: \_\_\_\_\_ (Name, tax rate and percent of project)      City: \_\_\_\_\_ (Name, tax rate and percent of project)  
 Hospital District: \_\_\_\_\_ (Name, tax rate and percent of project)      Water District: \_\_\_\_\_ (Name, tax rate and percent of project)  
 Other (describe): \_\_\_\_\_ (Name, tax rate and percent of project)      Other (describe): \_\_\_\_\_ (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/](http://comptroller.texas.gov/economy/local/ch313/).

1. At the time of application, what is the estimated minimum qualified investment required for this school district? \_\_\_\_\_
2. What is the amount of appraised value limitation for which you are applying? \_\_\_\_\_  
**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)? .....  Yes  No
  - 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? . . . .  Yes  No
  - 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)? .....
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)? .....
- 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? .....
5. What is the number of new non-qualifying jobs you are estimating you will create? .....
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 .....
  - b. 110% of the average weekly wage for manufacturing jobs in the county is .....
  - c. 110% of the average weekly wage for manufacturing jobs in the region is .....
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? .....
10. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? .....
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**.

**TAB 2**

*Proof of Payment of Application Fee*

Please find on the attached page, a copy of the check for the \$75,000 application fee paid to Anson ISD.

**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)*

See Attached

# Texas Franchise Tax Affiliate Schedule

**Tcode** 13253 Annual

<b>Reporting entity taxpayer number</b> 19546837303	<b>Report year</b> 2017	<b>Reporting entity taxpayer name</b> RENEWABLE ENERGY SYSTEMS AMERICAS INC. & SUBS
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Reporting entity must be included on Affiliate Schedule. Affiliate reporting period dates must be within combined group's accounting period dates.

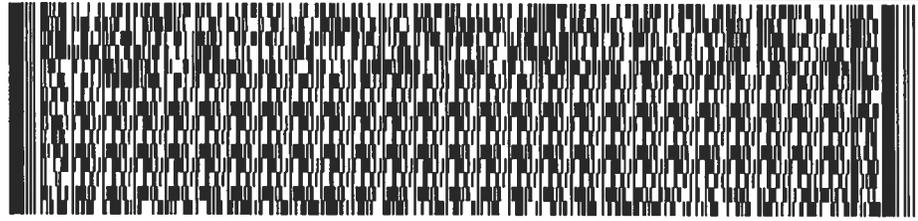
<b>1. Legal name of affiliate</b> LOWER SNAKE WIND LLC		<b>2. Affiliate taxpayer number (if none, use FEI number)</b> 260706216		<b>3. Affiliate NAICS code</b> 238990	
<b>4. Blacken box if entity is disregarded for franchise tax</b> <input checked="" type="checkbox"/>		<b>5. Blacken box if this affiliate does NOT have NEXUS in Texas</b> <input checked="" type="checkbox"/>		<b>6. Affiliate reporting begin date</b> m m d d y y 110115	
<b>7. Affiliate reporting end date</b> m m d d y y 103116		<b>8. Gross receipts subject to throwback in other states (before eliminations)</b> 0.00		<b>9. Gross receipts everywhere (before eliminations)</b> 0.00	
<b>10. Gross receipts in Texas (before eliminations)</b> 0.00		<b>11. Cost of goods sold or compensation (before eliminations)</b> 0.00			

<b>1. Legal name of affiliate</b> MAVERICK CREEK WIND LLC		<b>2. Affiliate taxpayer number (if none, use FEI number)</b> 32058653687		<b>3. Affiliate NAICS code</b> 238990	
<b>4. Blacken box if entity is disregarded for franchise tax</b> <input checked="" type="checkbox"/>		<b>5. Blacken box if this affiliate does NOT have NEXUS in Texas</b> <input type="checkbox"/>		<b>6. Affiliate reporting begin date</b> m m d d y y 110115	
<b>7. Affiliate reporting end date</b> m m d d y y 103116		<b>8. Gross receipts subject to throwback in other states (before eliminations)</b> 0.00		<b>9. Gross receipts everywhere (before eliminations)</b> 0.00	
<b>10. Gross receipts in Texas (before eliminations)</b> 0.00		<b>11. Cost of goods sold or compensation (before eliminations)</b> 0.00			

<b>1. Legal name of affiliate</b> MINES WIND ENERGY LLC		<b>2. Affiliate taxpayer number (if none, use FEI number)</b> 32061717784		<b>3. Affiliate NAICS code</b> 238990	
<b>4. Blacken box if entity is disregarded for franchise tax</b> <input checked="" type="checkbox"/>		<b>5. Blacken box if this affiliate does NOT have NEXUS in Texas</b> <input type="checkbox"/>		<b>6. Affiliate reporting begin date</b> m m d d y y 092116	
<b>7. Affiliate reporting end date</b> m m d d y y 103116		<b>8. Gross receipts subject to throwback in other states (before eliminations)</b> 0.00		<b>9. Gross receipts everywhere (before eliminations)</b> 0.00	
<b>10. Gross receipts in Texas (before eliminations)</b> 0.00		<b>11. Cost of goods sold or compensation (before eliminations)</b> 0.00			

The reporting entity of a combined group with a temporary credit for business loss carryforwards preserved for itself and/or affiliates must submit common owner information. This information must be provided to satisfy franchise tax reporting requirements. Learn more at [www.comptroller.texas.gov/taxes/franchise/](http://www.comptroller.texas.gov/taxes/franchise/). An information report (Form 05-102 or Form 05-167) must be filed for each affiliate that is organized in Texas or that has a physical presence in Texas.

**Texas Comptroller Official Use Only**



<b>VE/DE</b>	<input type="checkbox"/>	<b>FM</b>	<input type="checkbox"/>
--------------	--------------------------	-----------	--------------------------



**TAB 4**

Detailed Description of the Project

*Provide 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.*

Jones City Solar, LLC (Jones City Solar) is requesting an appraised value limitation from Anson Independent School District (ISD) for the Jones City Solar Project (the “Project”), a proposed solar powered electric generating facility in Jones County. The proposed Anson ISD Project (this application) will be constructed within a Reinvestment Zone of approximately 3,805 acres that will be established by Jones County. A map showing the location of the project is included in TAB 11.

The proposed Project is anticipated to have a capacity of approximately 200 MW located in Anson ISD. The exact number and location of panels and inverters will vary depending upon ongoing siting analysis, manufacturer’s availability, prices, and the megawatt generating capacity of the Project when completed. Current estimated plans are to install approximately 654,976 PV modules and 70 inverters with all improvements located in Anson ISD. The Applicant requests a value limitation for all facilities and equipment installed for the Project, including; solar modules/panels, racking and mounting structures, inverters, combiner boxes, meteorological equipment, foundations, roadways, O&M building, paving, fencing, collection system, electrical substations, generation transmission tie line and associated towers, interconnection facilities and all eligible ancillary and necessary equipment.

Full construction of the Project is anticipated to begin in the June of 2020 with completion by December 31, 2021.

*\*NOTE:* The map in TAB 11 shows the potential locations of improvements within Anson ISD boundaries; however, the final number of panels and inverters and the location of each of these facilities is dependent upon ongoing negotiations with power purchasers and other factors.

**TAB 5**

*Documentation to assist in determining if limitation is a determining factor.*

As one of the top renewable energy companies in the world, Renewable Energy Systems (RES) has been providing services in development, engineering, construction, and operations since 1982. RES has developed and/or built over 16 GW of renewable energy capacity worldwide, has an asset management portfolio exceeding 3 GW, and is active in a range of energy technologies including onshore wind, solar, energy storage, transmission, and demand side management (DSM).

RES is keen to develop and build the proposed Jones City Solar Project as per this application, but since this Project is still in the early stages of development, further investment could be, if necessary, redeployed to other counties and states competing for similar solar projects. RES is active in states throughout the United States, where each project individually competes for a finite pool of capital investment. State and local tax incentives contribute to the lowering of the cost of power sold to our customers and making our investment more viable and marketable. RES has various projects in development throughout the country and are continually comparing investment opportunities, rate of return, and market viability of each project based upon project financial metrics. For example, RES currently has ongoing project developments in many states, including but not limited to, Arkansas, Kansas and New Mexico.

Due to the extremely competitive power market in Texas most if not all PPA's economic model assumptions are based on the Project securing this Chapter 313 appraised value limitation and other local tax incentives. The property tax liabilities of a project without tax incentives in Texas lowers the return to investors and financiers to an unacceptable level at today's contracted power rates under a PPA. A signed PPA in the Texas market is at a much lower rate than other states because of competitively low electricity prices. Both parties of the PPA have an escape clause if the terms of the PPA cannot be met. Without the tax incentives in Texas, a project with a PPA becomes non-financeable. Therefore, this appraised value limitation is critical to the ability of the proposed Project to move forward as currently sited.

**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).

- |                            |        |
|----------------------------|--------|
| 1) Jones County            | - 100% |
| 2) Anson ISD               | - 100% |
| 3) Anson Hospital District | - 100% |

**TAB 7**

*Description of Qualified Investment*

Jones City Solar, LLC plans to construct a 200 MW solar farm in Jones County.

This application covers all qualified property within Anson ISD necessary for the commercial operations of the proposed solar farm described in Tab 4. Two hundred megawatts (200 MW) will be located in Anson ISD. Panel placement is subject to change but for purposes of this application, the Project anticipates using approximately 654,976 PV modules or equivalent and 70 inverters.

This application covers all qualified investment and qualified property necessary for the commercial operations of the solar farm.

Qualified Investment and qualified property includes; solar modules/panels, racking and mounting structures, inverters, combiner boxes, meteorological equipment, foundations, roadways, O&M building, paving, fencing, collection system, electrical substations, generation transmission tie line and associated towers, interconnection facilities, control systems necessary for commercial generation of electricity and all eligible ancillary and necessary equipment.

*\*NOTE:* The map in TAB 11 shows the potential locations of improvements within Anson ISD boundaries; however, the final number of panels and inverters and the location of each of these facilities is dependent upon ongoing negotiations with power purchasers and other factors.

**TAB 8**

*Description of Qualified Property*

Jones City Solar, LLC plans to construct a 200 MW solar farm in Jones County.

This application covers all qualified property within Anson ISD necessary for the commercial operations of the proposed solar farm described in Tab 4. Two hundred megawatts (200 MW) will be located in Anson ISD. Panel placement is subject to change but for purposes of this application, the Project anticipates using approximately 654,976 PV modules or equivalent and 70 inverters.

This application covers all qualified investment and qualified property necessary for the commercial operations of the solar farm.

Qualified Investment and qualified property includes; solar modules/panels, racking and mounting structures, inverters, combiner boxes, meteorological equipment, foundations, roadways, O&M building, paving, fencing, collection system, electrical substations, generation transmission tie line and associated towers, interconnection facilities, control systems necessary for commercial generation of electricity and all eligible ancillary and necessary equipment.

*\*NOTE:* The map in TAB 11 shows the potential locations of improvements within Anson ISD boundaries; however, the final number of panels and inverters and the location of each of these facilities is dependent upon ongoing negotiations with power purchasers and other factors.

**TAB 9**

*Description of Land*

Not Applicable

**TAB 10**

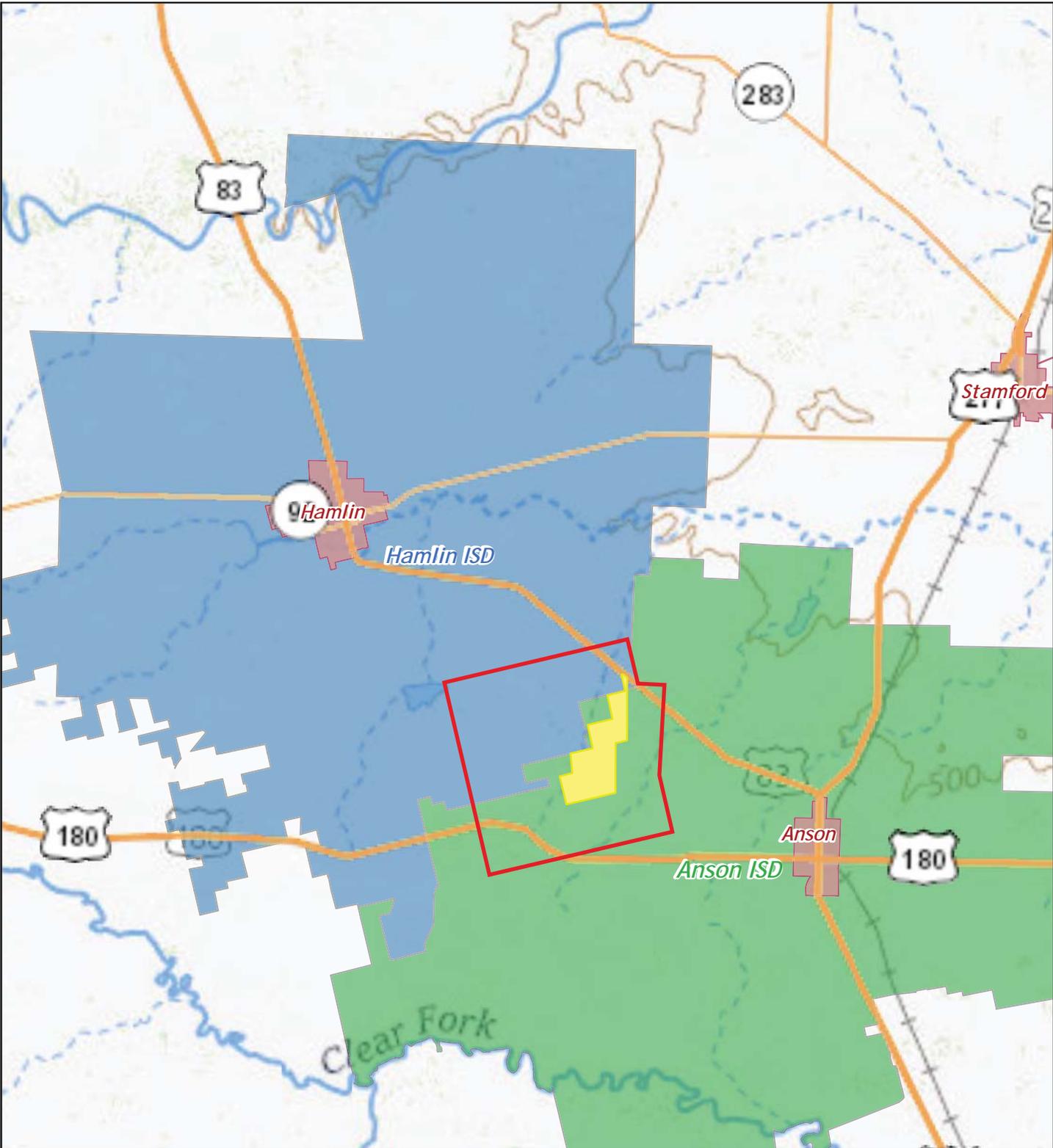
*Description of all property not eligible to become qualified property (if applicable)*

Not Applicable

**TAB 11**

Maps that clearly show:

- a) Project vicinity
- b) Qualified investment including location of new building or new improvements
- c) Qualified property including location of new building 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



 Jones City Solar Phase 1 Project Boundary

 Incorporated Places

 Proposed Reinvestment Zone

**School Districts**

 Anson ISD

 Hamlin ISD



PROJECT  
Jones City Solar P1

STATE  
TX

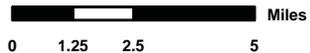
FORMAT  
**LETTER**

TITLE  
Vicinity Map

CODE  
LON

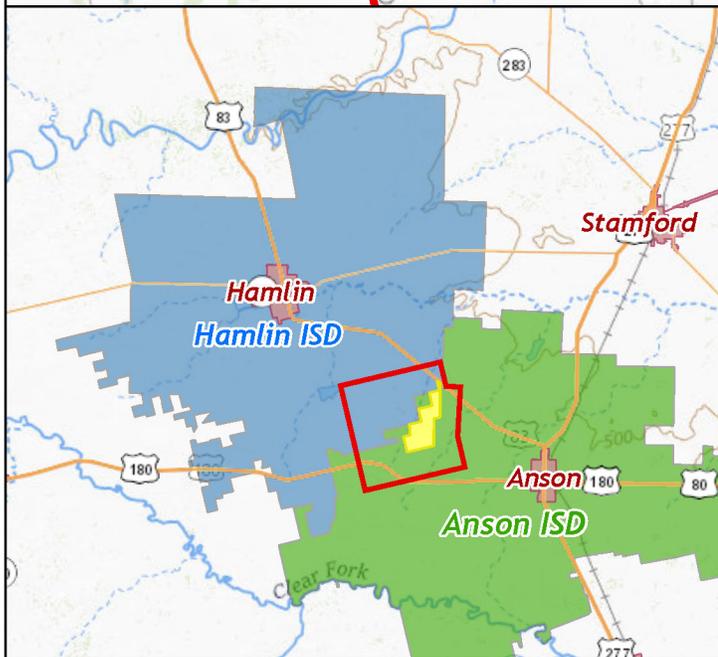
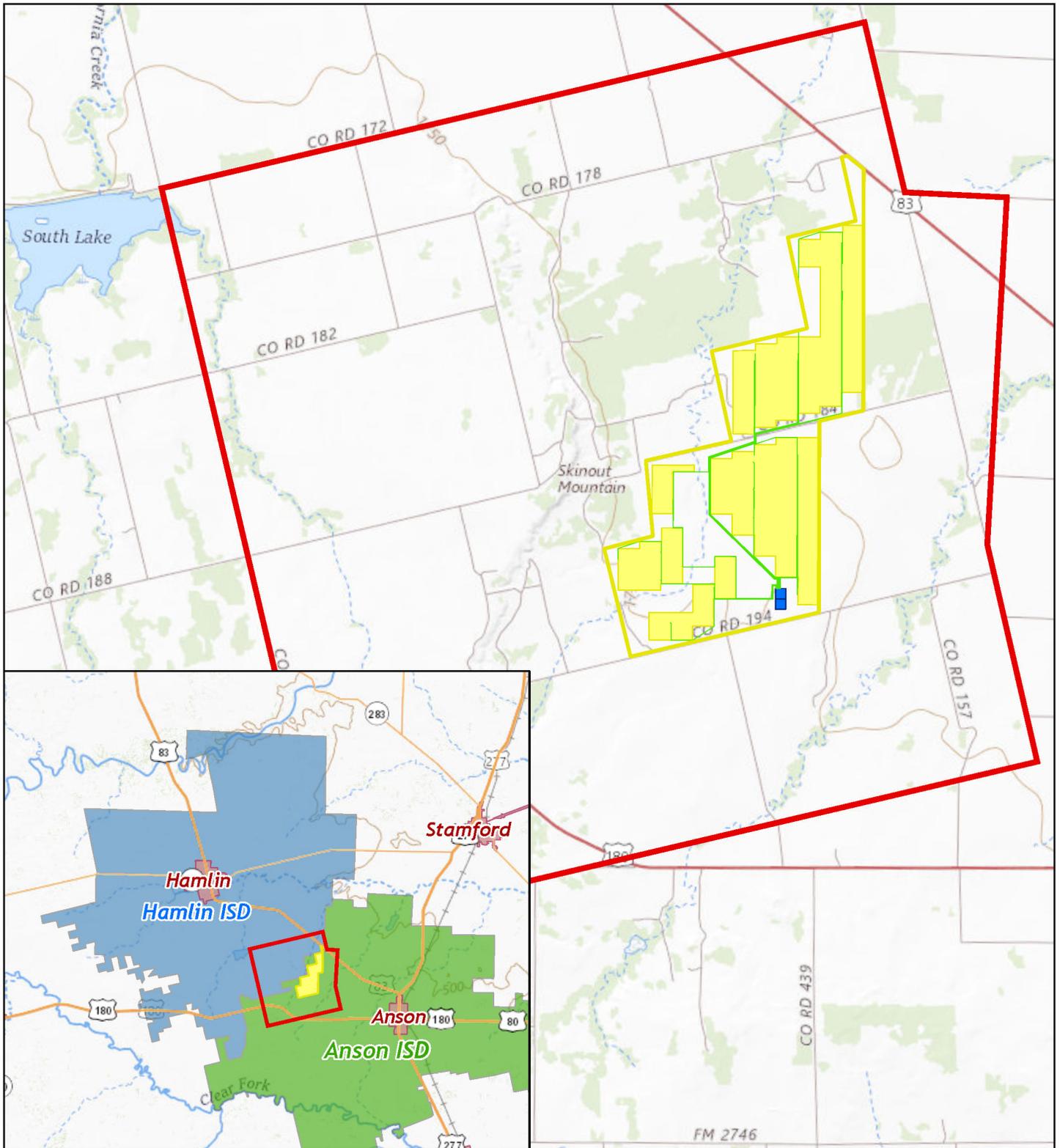
SCALE  
1:250,000

COORD  
NAD83 HARN  
SP TX NoCe



**Renewable Energy Systems**

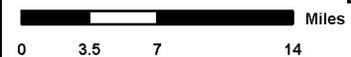
11101 W. 120th Ave., Suite 400  
Broomfield, CO, 80021  
Phone: (303) 429-4200  
Fax: (303) 429-4299



- Phase 1 MV
- Solar Array
- Substation
- Jones City Solar Phase 1 Boundary
- Proposed Reinvestment Zone
- Incorporated Places



PROJECT	Jones City Solar P1	STATE	TX	FORMAT	LETTER
TITLE	Improvements Map	CODE	LON	SCALE	1:625,000
			COORD	NAD83 HARN SP TX NoCe	



**res** Renewable Energy Systems  
 11101 W. 120th Ave., Suite 400  
 Broomfield, CO, 80021  
 Phone: (303) 429-4200  
 Fax: (303) 429-4299  
 power for good®

**TAB 12**

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

See Attached



**CUMMINGS WESTLAKE**  
PROPERTY TAX ADVISORS

August 12, 2019

Mr. Jay Baccus, Superintendent  
Anson Independent School District  
1431 Commercial Ave.  
Anson, TX 79501

Re: Chapter 313 Job Waiver Request

Dear Mr. Baccus,

Jones City Solar, LLC requests that the Anson 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.

Jones City Solar, LLC requests that the Anson ISD makes such a finding and waive the job creation requirement for 10 permanent jobs. In line with industry standards for job requirements, Jones City Solar, LLC has committed to create one qualified job in Anson ISD.

Solar projects create a large number of full and part-time, but temporary, jobs during the construction phase of the project, but require a relatively small number of highly skilled technicians to operate and maintain the project after commercial operation commences. The number of jobs committed to in this application is in line with the industry standards for a solar project this size. This is evidenced by previously certified limitation agreement applications by solar developers who also requested a waiver of the job requirements. In addition, there are educational materials and other documentation that also suggest that Jones City Solar, LLC has the appropriate number of jobs for this project at one permanent job per 250MW of installed capacity.

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 black ink, appearing to read 'Branon Westlake', with a long horizontal line extending to the right.

Branon Westlake  
Senior Tax Consultant

**TAB 13**

*Calculation of three possible wage requirements with TWC documentation*

- Jones County average weekly wage for all jobs (all industries)
- Jones County average weekly wage for all jobs (manufacturing)
- See attached Council of Governments Regional Wage Calculation and Documentation

**ANSON SOLAR CENTER, LLC  
TAB 13 TO CHAPTER 313 APPLICATION**

**JONES COUNTY  
CHAPTER 313 WAGE CALCULATION - ALL JOBS - ALL INDUSTRIES**

QUARTER	YEAR	AVG WEEKLY WAGES*	ANNUALIZED
FIRST	2019	\$ 746	\$ 38,792
SECOND	2019	\$ 722	\$ 37,544
THIRD	2018	\$ 727	\$ 37,804
FOURTH	2018	\$ 772	\$ 40,144
AVERAGE		\$ 741.75	\$ 38,571

**JONES COUNTY  
CHAPTER 313 WAGE CALCULATION - MANUFACTURING JOBS**

QUARTER	YEAR	AVG WEEKLY WAGES*	ANNUALIZED
FIRST	2019	\$ 691	\$ 35,932
SECOND	2019	\$ 724	\$ 37,648
THIRD	2018	\$ 753	\$ 39,156
FOURTH	2018	\$ 719	\$ 37,388
AVERAGE		\$ 722	\$ 37,531
		X 110%	110%
		\$ 793.93	\$ 41,284

**CHAPTER 313 WAGE CALCULATION - REGIONAL WAGE RATE**

	YEAR	AVG WEEKLY WAGES*	ANNUALIZED
West Central	2018	\$ 874	\$ 45,431
		X 110%	110%
		\$ 961.04	\$ 49,974

\* SEE ATTACHED TWC DOCUMENTATION

Drag a column header and drop it here to group by that column

Year	Period	Area	Ownership	Industry Code	Industry	Average Weekly Wage
2018	01	Jones	Total All	10	Total, All Industries	729
2018	02	Jones	Total All	10	Total, All Industries	710
2018	03	Jones	Total All	10	Total, All Industries	727
2018	04	Jones	Total All	10	Total, All Industries	772
2019	01	Jones	Total All	10	Total, All Industries	746
2019	02	Jones	Total All	10	Total, All Industries	722

Showing 6 items



Follow the Texas Workforce Commission  
Enter your email address

Drag a column header and drop it here to group by that column

Year	Period	Area	Ownership	Industry Code	Industry	Average Weekly Wage
2018	01	Jones	Private	31-33	Manufacturing	759
2018	02	Jones	Private	31-33	Manufacturing	724
2018	03	Jones	Private	31-33	Manufacturing	753
2018	04	Jones	Private	31-33	Manufacturing	719
2019	01	Jones	Private	31-33	Manufacturing	691
2019	02	Jones	Private	31-33	Manufacturing	724

Showing 6 items



Follow the Texas Workforce Commission  
 Enter your email address

**2018 Manufacturing Average Wages by Council of Government Region  
Wages for All Occupations**

COG	COG Number	Wages	
		Hourly	Annual
<b>Texas</b>		<b>\$27.04</b>	<b>\$56,240</b>
<a href="#">Alamo Area Council of Governments</a>	18	\$22.80	\$47,428
<a href="#">Ark-Tex Council of Governments</a>	5	\$18.73	\$38,962
<a href="#">Brazos Valley Council of Governments</a>	13	\$18.16	\$37,783
<a href="#">Capital Area Council of Governments</a>	12	\$32.36	\$67,318
<a href="#">Central Texas Council of Governments</a>	23	\$19.60	\$40,771
<a href="#">Coastal Bend Council of Governments</a>	20	\$28.52	\$59,318
<a href="#">Concho Valley Council of Governments</a>	10	\$21.09	\$43,874
<a href="#">Deep East Texas Council of Governments</a>	14	\$18.28	\$38,021
<a href="#">East Texas Council of Governments</a>	6	\$21.45	\$44,616
<a href="#">Golden Crescent Regional Planning Commission</a>	17	\$28.56	\$59,412
<a href="#">Heart of Texas Council of Governments</a>	11	\$22.71	\$47,245
<a href="#">Houston-Galveston Area Council</a>	16	\$29.76	\$61,909
<a href="#">Lower Rio Grande Valley Development Council</a>	21	\$17.21	\$35,804
<a href="#">Middle Rio Grande Development Council</a>	24	\$20.48	\$42,604
<a href="#">NORTEX Regional Planning Commission</a>	3	\$25.14	\$52,284
<a href="#">North Central Texas Council of Governments</a>	4	\$27.93	\$58,094
<a href="#">Panhandle Regional Planning Commission</a>	1	\$24.19	\$50,314
<a href="#">Permian Basin Regional Planning Commission</a>	9	\$25.90	\$53,882
<a href="#">Rio Grande Council of Governments</a>	8	\$18.51	\$38,493
<a href="#">South East Texas Regional Planning Commission</a>	15	\$36.26	\$75,430
<a href="#">South Plains Association of Governments</a>	2	\$20.04	\$41,691
<a href="#">South Texas Development Council</a>	19	\$17.83	\$37,088
<a href="#">Texoma Council of Governments</a>	22	\$21.73	\$45,198
<a href="#">West Central Texas Council of Governments</a>	7	\$21.84	\$45,431

Calculated by the Texas Workforce Commission Labor Market and Career Information Department.

Data published: July 2019

Data published annually, next update will be July 31, 2020

Annual wage figure assumes a 40-hour work week.

Note: Data is not supported by the Bureau of Labor Statistics (BLS).

Wage data is produced from Texas Occupational Employment Statistics (OES) data, and is not to be compared to BLS estimates.

Data intended only for use in implementing Chapter 313, Tax Code.

**TAB 14**

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

See attached Schedules A1, A2, B, C and D

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

Date **7/9/2019**  
 Applicant Name **Jones City Solar, LLC**  
 ISD Name **Anson ISD**

Form 50-296A

Revised May 2014

PROPERTY INVESTMENT AMOUNTS								
(Estimated Investment in each year. Do not put cumulative totals.)								
	Year	School Year (YYYY)	Tax Year (Fill in actual tax year below) (YYYY)	Column A New investment (original cost) in <b>tangible personal property</b> placed in service during this year that will become Qualified Property	Column B New investment made during this year in <b>buildings or permanent nonremovable components of buildings</b> that will become Qualified Property	Column C Other new investment made during this year that will <u>not</u> become Qualified Property [SEE NOTE]	Column D Other new investment made during this year that may become Qualified Property [SEE NOTE]	Column E <b>Total Investment</b> (Sum of Columns A+B+C+D)
Investment made before filing complete application with district				Not eligible to become Qualified Property			[The only other investment made before filing complete application with district that may become Qualified Property is land.]	0
Investment made after filing complete application with district, but before final board approval of application	--	Year preceding the first complete tax year of the qualifying time period (assuming no deferrals of qualifying time period)	2020	0	0	0	0	0
Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period				34,000,000	0	0	0	34,000,000
Complete tax years of qualifying time period	QTP1	2021-2022	2021	135,300,000	700,000	0	0	136,000,000
	QTP2	2022-2023	2022	0	0	0	0	0
<b>Total Investment through Qualifying Time Period [ENTER this row in Schedule A2]</b>				169,300,000	700,000	0	0	170,000,000
				Enter amounts from TOTAL row above in Schedule A2				
<b>Total Qualified Investment (sum of green cells)</b>				170,000,000				

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 <b>tangible personal property</b> placed in service during this year that will become Qualified Property	New investment made during this year in <b>buildings or permanent nonremovable components of buildings</b> 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*	--	<b>TOTALS FROM SCHEDULE A1</b>			169,300,000	700,000	0	0	170,000,000
Enter amounts from TOTAL row in Schedule A1 in the row below									
Each year prior to start of value limitation period** <i>Insert as many rows as necessary</i>	0	2021-2022	2021	0	0	0	0	0	
Value limitation period***	1	2022-2023	2022	0	0	0	0	0	
	2	2023-2024	2023	0	0	0	0	0	
	3	2024-2025	2024	0	0	0	0	0	
	4	2025-2026	2025	0	0	0	0	0	
	5	2026-2027	2026	0	0	0	0	0	
	6	2027-2028	2027	0	0	0	0	0	
	7	2028-2029	2028	0	0	0	0	0	
	8	2029-2030	2029	0	0	0	0	0	
	9	2030-2031	2030	0	0	0	0	0	
	10	2031-2032	2031	0	0	0	0	0	
<b>Total Investment made through limitation</b>				169,300,000	700,000	0	0	170,000,000	
Continue to maintain viable presence	11	2032-2033	2032			0		0	
	12	2033-2034	2033			0		0	
	13	2034-2035	2034			0		0	
	14	2035-2036	2035			0		0	
	15	2036-2037	2036			0		0	
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2037-2038	2037			0		0	
	17	2038-2039	2038			0		0	
	18	2039-2040	2039			0		0	
	19	2040-2041	2040			0		0	
	20	2041-2042	2041			0		0	
	21	2042-2043	2042			0		0	
	22	2043-2044	2043			0		0	
	23	2044-2045	2044			0		0	
	24	2045-2046	2045			0		0	
	25	2046-2047	2046			0		0	

\* 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

**7/9/2019**

Applicant Name

**Jones City Solar, LLC**

**Form 50-296A**

ISD Name

Anson 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
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	0	2021-2022	2021	0	0	3,060,000	3,060,000	3,060,000	3,060,000
Value Limitation Period	1	2022-2023	2022	0	679,000	109,029,200	109,708,200	109,708,200	20,000,000
	2	2023-2024	2023	0	662,000	99,548,400	100,210,400	100,210,400	20,000,000
	3	2024-2025	2024	0	645,500	90,067,600	90,713,100	90,713,100	20,000,000
	4	2025-2026	2025	0	629,400	79,401,700	80,031,100	80,031,100	20,000,000
	5	2026-2027	2026	0	613,700	68,735,800	69,349,500	69,349,500	20,000,000
	6	2027-2028	2027	0	598,400	58,069,900	58,668,300	58,668,300	20,000,000
	7	2028-2029	2028	0	583,400	46,218,900	46,802,300	46,802,300	20,000,000
	8	2029-2030	2029	0	568,800	35,553,000	36,121,800	36,121,800	20,000,000
	9	2030-2031	2030	0	554,600	28,442,400	28,997,000	28,997,000	20,000,000
	10	2031-2032	2031	0	540,700	24,887,100	25,427,800	25,427,800	20,000,000
Continue to maintain viable presence	11	2032-2033	2032	0	527,200	24,887,100	25,414,300	25,414,300	25,414,300
	12	2033-2034	2033	0	514,000	24,887,100	25,401,100	25,401,100	25,401,100
	13	2034-2035	2034	0	501,200	24,887,100	25,388,300	25,388,300	25,388,300
	14	2035-2036	2035	0	488,700	24,887,100	25,375,800	25,375,800	25,375,800
	15	2036-2037	2036	0	476,500	24,887,100	25,363,600	25,363,600	25,363,600
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2037-2038	2037	0	464,600	24,887,100	25,351,700	25,351,700	25,351,700
	17	2038-2039	2038	0	453,000	24,887,100	25,340,100	25,340,100	25,340,100
	18	2039-2040	2039	0	441,700	24,887,100	25,328,800	25,328,800	25,328,800
	19	2040-2041	2040	0	430,700	24,887,100	25,317,800	25,317,800	25,317,800
	20	2041-2042	2041	0	419,900	24,887,100	25,307,000	25,307,000	25,307,000
	21	2042-2043	2042	0	409,400	24,887,100	25,296,500	25,296,500	25,296,500
	22	2043-2044	2043	0	399,200	24,887,100	25,286,300	25,286,300	25,286,300
	23	2044-2045	2044	0	389,200	24,887,100	25,276,300	25,276,300	25,276,300
	24	2045-2046	2045	0	379,500	24,887,100	25,266,600	25,266,600	25,266,600
	25	2046-2047	2046	0	370,000	24,887,100	25,257,100	25,257,100	25,257,100

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 7/9/2019  
 Applicant Name Jones City Solar, LLC  
 ISD Name Anson 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 Number of Construction FTE's or man-hours (specify)	Column B Average annual wage rates for construction workers	Column C Number of non-qualifying jobs applicant estimates it will create (cumulative)	Column D Number of new qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Column E 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	2020-2021	2020	50 FTE	50,000	0	0	0
	0	2021-2022	2021	150 FTE	50,000	0	0	0
Value Limitation Period <i>The qualifying time period could overlap the value limitation period.</i>	1	2022-2023	2022	N/A	N/A	0	1	41,290
	2	2023-2024	2023	N/A	N/A	0	1	41,290
	3	2024-2025	2024	N/A	N/A	0	1	41,290
	4	2025-2026	2025	N/A	N/A	0	1	41,290
	5	2026-2027	2026	N/A	N/A	0	1	41,290
	6	2027-2028	2027	N/A	N/A	0	1	41,290
	7	2028-2029	2028	N/A	N/A	0	1	41,290
	8	2029-2030	2029	N/A	N/A	0	1	41,290
	9	2030-2031	2030	N/A	N/A	0	1	41,290
10	2031-2032	2031	N/A	N/A	0	1	41,290	
Years Following Value Limitation Period	11 through 25	2032-2047	2032-2046	N/A	N/A	0	1	41,290

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 qualifying jobs in Subchapter B districts, 10 qualifying jobs in Subchapter C districts)  Yes  No  
 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 7/9/2019  
 Applicant Name Jones City Solar, LLC  
 ISD Name Anson 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:	N/A	N/A	N/A	N/A	N/A
	City:	N/A	N/A	N/A	N/A	N/A
	Other:	N/A	N/A	N/A	N/A	N/A
Tax Code Chapter 312	County: Jones County	2022	10 Years	Annual Avg. of \$505,140	75%	Annual Avg. of \$126,000
	City:	N/A	N/A	N/A	N/A	N/A
	Other:	N/A	N/A	N/A	N/A	N/A
Local Government Code Chapters 380/381	County:	N/A	N/A	N/A	N/A	N/A
	City:	N/A	N/A	N/A	N/A	N/A
	Other:	N/A	N/A	N/A	N/A	N/A
Freeport Exemptions	N/A	N/A	N/A	N/A	N/A	N/A
Non-Annexation Agreements	N/A	N/A	N/A	N/A	N/A	N/A
Enterprise Zone/Project	N/A	N/A	N/A	N/A	N/A	N/A
Economic Development Corporation	N/A	N/A	N/A		N/A	
Texas Enterprise Fund	N/A	N/A	N/A		N/A	
Employee Recruitment	N/A	N/A	N/A		N/A	
Skills Development Fund	N/A	N/A	N/A		N/A	
Training Facility Space and Equipment	N/A	N/A	N/A		N/A	
Infrastructure Incentives	N/A	N/A	N/A		N/A	
Permitting Assistance	N/A	N/A	N/A		N/A	
Other:	N/A	N/A	N/A		N/A	
Other:	N/A	N/A	N/A		N/A	
Other:	N/A	N/A	N/A		N/A	
Other:	N/A	N/A	N/A		N/A	
<b>TOTAL</b>				505,140		126,000

Additional information on incentives for this project:

**TAB 15**

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

None

**TAB 16**

*Description of Reinvestment Zone or Enterprise Zone, including:*

- 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 established the reinvestment zone\**
- d) Guidelines and criteria for creating the zone\**

See Attached

Designation of Jones  
City Solar Center  
Reinvestment Zone

§  
§  
§

The Commissioners' Court  
of  
Jones County, Texas

**ORDER**

**Approving Motion for Designation  
of Jones City Solar Center Reinvestment Zone**

The Commissioners' Court of Jones County, Texas, meeting in regular session on the 9th day of September, 2019, considered the following resolution:

BE IT ORDERED BY THE COMMISSIONERS' COURT OF JONES COUNTY, TEXAS AS FOLLOWS

Motion by Commissioner Davis, seconded by Spurgin, that the following action be taken by the court:

1. THAT the County designate the property located in Jones County, having the boundary description in Exhibit A and shown on the map in Exhibit B, both attached to this **Order**, as a Reinvestment Zone under the Jones County Guidelines and Criteria for Granting Tax Abatements, having determined that the designation will contribute to the retention or expansion of primary employment and will attract major investment in the zone that will benefit the zone and will contribute to the economic development of the County, and
2. THAT the zone shall be called the "Jones City Solar Reinvestment Zone."

This ORDER shall become effective as of September 9, 2019. PASSED AND APPROVED at this public hearing of the Jones County Commissioners Court, at which a quorum was present, on the 9th day of September, 2019.

Dale Spurgin Dale Spurgin, Jones County Judge

Janice Date: 9/9/19, Commissioner Precinct 1

Jimmie B. Vinson Date: 9/9/19, Commissioner Precinct 2

Boss Davis Date: 9/9/19, Commissioner Precinct 3

Jeel Date: 9/9/19, Commissioner Precinct 4

ATTESTED: Leelan Jennings Date: 9/9/2019, County Clerk



# **Jones County State of Texas**

## **Amended Tax Abatement Guidelines and Criteria**

The following Amended Guidelines and Criteria have been adopted by the Jones County Commissioners Court establish a uniform policy of tax abatement for owners or lessees of eligible facilities willing to execute tax abatement contracts designed to provide long-term significant positive economic impact to the community by utilizing the area contractors and work force to the maximum extent feasible, and by developing, redeveloping, and improving property, except as otherwise provided. These Amended Guidelines and Criteria are effective as of the date adopted.

In order to be eligible for designation as a reinvestment zone and receive tax abatement, the planned improvement:

1. Must be reasonably expected to have an increase in positive net economic benefit to Jones County of at least \$1,000,000.00 over the life of the abatement, computed to include (but not limited to) new sustaining payroll and/or capital improvement. The creation of (number and type) new jobs will also factor into the decision to grant an abatement; and
2. Must not be expected to solely or primarily have the effect of transferring employment from one part of Jones County to another.

In addition to the criteria set forth above, the Jones County Commissioners Court reserves the right to negotiate a tax abatement agreement in order to compete favorably with other communities.

Only that increase in the fair market value of the property directly resultant from the development, redevelopment, and improvement specified in the contract 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 abatement contracts will be for a term no longer than allowed by law.

It is the goal of Jones 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 Jones County Commissioners Court to consider, adopt, modify or decline any tax abatement request.

This policy is effective as of the date adopted by the Jones County Commissioners Court and shall at all times be kept current with regard to the needs of Jones County and reflective of the official views of the County Commissioners Court and shall be reviewed every two (2) years.

**Exhibit K**

The adoption of these amended guidelines and criteria by the Jones County Commissioners Court does not:

1. Limit the discretion of the governing body to decide whether or not 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 1 Definitions

- A. “Abatement” means the full or partial exemption from ad valorem taxes of certain property in a reinvestment zone designated by Jones County or a school district within Jones County for economic development purposes.
- B. “Agreement” means a contractual agreement for a tax abatement between a property owner and/or lessee and Jones 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 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 Jones County, but does not include facilities which are intended to be primarily to provide goods or services to residents for existing businesses located in Jones County, such as, but not limited to, restaurants and retail sales establishments, eligible facilities may include, but shall not be limited to hotels and office buildings.
- F. “Expansion” means the addition of building structures, machinery, equipment, or payroll for purposes of increasing production capacity.
- G. “Facility” means property improvements 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, or both.

- 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 a property improvement is expected to be in service in a facility.

## Section 2 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 improvements made subsequent to and specified in an abatement agreement between Jones County and the property owner or lessee, subject to such limitations as Jones County may require.
- C. New and existing facilities. Abatement may be granted for the additional value of eligible property improvements made subsequent to and specified in an abatement agreement between Jones County and the property owner or lessee, subject to such limitations as Jones County may require.
- D. Eligible property. Abatement may be extended to the value of buildings, structures, fixed machinery and equipment, site improvements and related fixed improvements necessary to the operation and administration of the facility.
- E. Ineligible Property. The following types of property shall be fully taxable and ineligible for tax abatement: land, supplies, tools, furnishings, and other forms of movable personal property, housing, deferred maintenance, property to be rented or leased except as provided in Section 2 F, property which has a productive life of less than ten (10) years.
- F. Owned/leased facilities. If a leased facility is granted abatement, the agreement shall be executed with the lessor and the lessee.
- G. Economic Qualifications. In order to be eligible for designation as a reinvestment zone and receive tax abatement, the planned improvement:
  - 1. Must be reasonably expected to have an increase in positive net benefit to Jones County of at least \$1,000,000.00 over the life of the abatement agreement, computed to include (but not limited to) new sustaining payroll and/or capital improvement. The creation of (number and type) new jobs will also factor into the decision to grant an abatement; and

2. Must not be expected to solely or primarily have the effect of transferring employment from one part of Jones County to another.

H. Standards for Tax Abatement. The following factors, among others, shall 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 affected taxing jurisdiction;
8. Amount 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 \$1,000,000.00;
9. The costs to be incurred by Jones County to provide facilities directly resulting from the new improvements;
10. The amount of ad valorem taxes to be paid to Jones 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 Jones 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 businesses;
15. The attraction of other new businesses to the area;
16. The overall compatibility with the zoning ordinances and comprehensive plan for the area;
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. Neither a reinvestment zone nor abatement agreement shall 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. Planned or potential use of the property would constitute a hazard to public safety, health, or morals;
  4. Violation of other codes or laws; or
  5. Any other reason deemed appropriate by Jones 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 2 E shall be fully taxable; and
  2. The base year value of existing eligible property as determined each year shall be fully taxable.

The additional value of new eligible property shall be fully taxable at the end of the abatement period.

### Section 3 Application

- A. Any present or potential owner of taxable property in Jones County may request the creation of a reinvestment zone and tax abatement by filing a written application with the County Judge.
- B. The application shall consist of a general description of the new improvements to be undertaken; a descriptive list of the kind and number of improvements for which an abatement is requested; a map of the reinvestment zone where the improvements will be located and property description; and an estimated 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 County 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 non-refundable application fee for administrative costs associated with the processing of the tax abatement request. All checks in payment of the administrative fee shall be made payable to Jones County. For abatement requests for improvements with a planned value equal to or in excess of \$1,000,000.00 the fee shall be one thousand and no/100 dollars (\$1,000.00), accompanied by the agreement that the Applicant shall pay costs of publishing the statutorily required notices and reasonable attorney and consulting fees as may be incurred by Jones County in the examination of the application as well as the preparation, negotiation and implementation of any tax abatement agreement.

- C. Jones County shall give notice as provided by the Property Tax Code, i.e. written notice, to the presiding officer of the governing body of each taxing unit in which the property to be subject of the agreement is located not later than the seventh day before the public hearing and publication in a newspaper of general circulation within such taxing jurisdiction not later than the seventh day before the public hearing on the establishment of a reinvestment zone. Before acting upon application, Jones County shall, through public hearing, afford the applicant and the designated representative of any governing body referenced hereinabove opportunity to show cause why the abatement should or should not be granted.
- D. If a city within Jones County designates a reinvestment zone within its corporate limits and enters into or proposes to enter into or proposes to enter into an abatement agreement with a present or potential owner of a taxable property, such present or potential owner of taxable property may request tax abatement by Jones County by following the same application process described in Section 3 A hereof. No other notice of hearing shall be required except compliance with the Open Meetings Act, unless the Commissioners Court deems them necessary in a particular case.

#### Section 4 Agreement

- A. After approval, the Commissioners Court of Jones County shall formally pass a resolution and execute an agreement with the owner of the facility and lessee as required which shall:
  - 1. Include a list of the kind, number, and location of all proposed improvements to the property;
  - 2. Provide access to and authorize inspection of the property by the taxing unit to ensure compliance with the agreement;
  - 3. Limit the use of the property consistent with the taxing unit's development goals;
  - 4. Provide for recapturing property tax revenues that are lost if the owner fails to make improvements as provided by the agreement;
  - 5. Include each term that was agreed upon with the property owner and require the owner of the facility to annually certify compliance with the terms of the agreement to each taxing unit;
  - 6. 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
  - 7. Provide for open access to substations and transmission lines in Jones County by including in the abatement agreement a section in substantial conformity with Exhibit "A".
- B The owner of the facility and lessee shall also agree to the following:
  - 1. A specified number of permanent full time jobs at facility shall be created, and the owner and lessee shall make reasonable efforts to employ persons who are

- residents of Jones County in such jobs, provided, however, that there shall be no obligation to employ residents who are not:
- a. equally or more qualified than nonresident applicants;
  - b. available for employment on terms and/or salaries comparable to those required by nonresident applicants; or
  - c. able to become qualified with 72 hours training provided by Owner.
2. Each person employed in such job shall perform a portion, if not all, of their work in Jones County.
  3. Owner shall agree that it and its contractors, if any, will use reasonably commercial efforts to maximize its use of goods and services available through Jones County businesses in the construction, operation, and maintenance of the improvements and the project; provided, however, that there shall be no requirement to use goods and services provided by Jones County residents that are not:
    - a. of similar quality to those provided by nonresidents; or
    - b. made available on terms and conditions (including pricing) comparable to those offered by nonresidents. Comparable price shall be defined as less than or equal to 105% of the nonresident price for equivalent quality, conditions and terms.
  4. Owner or its construction contractor, if any, shall designate a coordinator of local services who will act as liaison between any individuals, businesses, and contractors residing or doing business in Jones County who are interested in obtaining information about providing goods or services related to the construction of the project. Additionally, Owner or its construction contractor, if any, shall advertise in local newspapers in Jones County for local contractors to perform work on the construction of the project.
  5. Owner shall agree to maintain a viable presence (as below defined) within the reinvestment zone for a period of time, as set by the Jones County Commissioners Court, not to exceed twenty (20) years from the date that the abatement agreement first takes effect. For purposes hereof, "Maintain a Viable Presence" means (i) the operation of the Eligible Facilities, as the same may from time to time be expanded, upgraded, improved, modified, changed, remodeled, repaired, restored, reconstructed, reconfigured and/or reengineered, and (ii) the retention of not fewer than three (3) Qualifying Jobs as defined by Texas Tax Code Section 313.021(3)(E) to be located and performed, in part, within Jones County.
  6. On May 1<sup>st</sup> of each year that the agreement shall be in effect, Owner shall certify to the County Judge of Jones County, and to the governing body of each taxing unit, that Owner is in compliance with each applicable term set forth above.

Such agreement shall normally be executed within sixty (60) days after the applicant has forwarded all necessary information and documentation to the Commissioners Court.

## Section 5 Recapture

- A. In the event that the Owner or its assignee:

1. Allows its ad valorem taxes owed Jones County to become delinquent and fails to timely and properly follow the legal procedures for their protest and/or contest; or
  2. Violates any of the terms and conditions of the abatement agreement and fails to cure during the cure period, the agreement then 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 Jones County determine that the applicant or its assignee is in default according to the terms and conditions of its agreement, Jones County shall notify the company or individual in writing at the address stated in the agreement, and if such is not cured within the time set forth in such notice (“Cure Period”) then the agreement may be terminated.

## Section 6 Administration

- A. The Chief Appraiser of the Jones 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 Court of Jones County of the amount of the assessment.
- B. Jones County may execute a contract with any other jurisdiction(s) to inspect the facility to determine if the terms and conditions of the abatement agreement are being met. The abatement agreement shall stipulate that employees and/or designated representatives of Jones 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 the giving of 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 company or individual and in accordance with its safety standards.
- C. Upon completion of construction, the designated representative of Jones County shall annually evaluate each facility receiving abatement to insure compliance with the agreement. A formal report shall be made to the Commissioners Court.

## Section 7 Assignment

The abatement agreement may be transferred and assigned by the holder to a new owner or lessee of the same facility upon the approval by resolution of the Commissioners Court of Jones County subject to the financial capacity of the assignee and provided that all conditions and obligations in the abatement agreement are guaranteed by the execution of a new contractual agreement and/or assumption agreement with Jones County. No assignment or transfer shall be approved if the parties to the existing agreement, the new owner or new lessee are liable to any

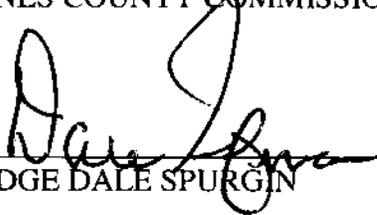
jurisdiction for outstanding taxes or other obligations. Approval shall not be unreasonably delayed or withheld.

### Section 8 Sunset Provision

These Amended Guidelines and Criteria are effective upon the date of their adoption and will remain in force for two (2) years unless amended by three-quarters vote of the Commissioners Court of Jones County, 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 the review, the Amended Guidelines and Criteria will be modified, renewed, or eliminated.

ADOPTED the 14<sup>th</sup> day of May, 2018.

JONES COUNTY COMMISSIONERS' COURT

  
\_\_\_\_\_  
JUDGE DALE SPURGIN

  
\_\_\_\_\_  
COMM. JAMES CLAWSON

  
\_\_\_\_\_  
COMM. STEVE LEFEVRE

  
\_\_\_\_\_  
COMM. JOE WHITEHORN

  
\_\_\_\_\_  
COMM. ROSS DAVIS

## EXHIBIT "A"

Each Tax Abatement Agreement executed by Jones County after the date of approval of these Amended Guidelines and Criteria shall contain provisions assuring open access to Transmission Infrastructure in substantial conformity with the following:

### Assuring Open Access to Transmission Infrastructure

- (a) The Parties acknowledge that this Agreement is meant to enhance the development of wind, solar and other electricity generating facilities in Jones County. The Owner further acknowledges that the County hosts certain critical transmission infrastructure ("Public Infrastructure"), including substation(s) and transmission lines which have been planned and approved by the Texas Public Utilities Commission and funded by the ratepayers of Texas. The existence of this infrastructure creates the potential for future transmission line development ("Competing Lines") in support of additional wind and other electricity generating facilities in the County by other project sponsors/owners ("Competing Line Owners").
- (b) The Owner agrees to reasonably accommodate the planning, construction and operation of such Competing Lines, including the interconnection of such lines to substations. Owner also agrees to cooperate reasonably with Competing Line Owners to facilitate access to Public Infrastructure. Such cooperation may include: i) attempting to agree with a Competing Line Owner on mutually satisfactory arrangements for the siting and operation of a Competing Line, including exchanging respective lease or easement rights to avoid line crossings; and ii) allowing a Competing Line to cross the Owner's leased area, provided Competing Line Owner and Owner execute a crossing agreement reasonably acceptable to both parties.
- (c) The Owner agrees not to seek unreasonable compensation, limit Competing Line Owner transmission line or generating facility capacity, perverse termination clauses or insurance requirements.
- (d) In the spirit of maintaining a fair, competitive and robust environment in Jones County for electricity generating projects in Jones County, the County agrees that any future abatement agreement between the County and Competing Line Owners will contain provisions substantially similar to this Section.

**TAB 17**

*Signature and Certification page, signed and dated by Authorized School District Representative and Authorized Company Representative (applicant)*

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** ▶ Jay Baccus Superintendent  
Print Name (Authorized School District Representative) Title

**sign here** ▶  8/12/19  
Signature (Authorized School District Representative) Date

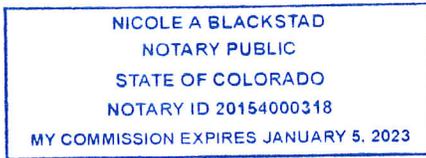
**2. Authorized Company Representative (Applicant) Signature and Notarization**

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** ▶ Brian Evans Chief Development Officer  
Print Name (Authorized Company Representative (Applicant)) Title

**sign here** ▶  7/30/19  
Signature (Authorized Company Representative (Applicant)) Date



(Notary Seal)

GIVEN under my hand and seal of office this, the

30 day of July, 2019  
  
 Notary Public in and for the State of ~~Texas~~ Colorado  
 My Commission expires: January 5, 2023

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.