



Application for Tax Credit on Qualified Property (Tax Code, Chapter 313, Subchapter B)

Form 50-300
(Revised May 2010)

Taft ISD

School district name

400 College St • Taft, TX 78390

Address

2009

First complete year of qualifying time period

(361) 528-2636

Phone (Area code and number)

October 19, 2011

Application File # date

This application is for credit for school district maintenance and operations taxes paid on the portion of value in excess of the value limit under Tax Code Chapter 313 Subchapter B or C, during the two complete tax years of the qualifying time period. File this completed application with the school district no earlier than the date the property taxes are paid for the last year of the qualifying time period. The school board must determine eligibility of this applicant.

STEP 1: APPLICANT NAME AND ADDRESS

Only entities that received an appraised value limitation under Tax Code Chapter 313 Subchapter B or C are eligible for this tax credit.

EC&R Papalote Creek Wind Farm, LLC

Applicant's name

812 San Antonio St., Suite 201

Austin, Texas

76701

Mailing address

City, State

ZIP Code - 4

32037132720

Various

Texas Taxpayer ID Number (11 digits)

Appraisal district account number

Mike Fry

Consultant-Renewable Energy Services

Name of person preparing the application

etc

469-298-1594

Phone (area code and number)

STEP 2: PROVIDE ATTACHMENTS AND SUPPLEMENTS

Attach the following items to this application:

1. A copy of report from the local county appraisal district (CAD) reflecting both the market value before any exemptions, and taxable value of the qualified property for each complete tax year of the qualifying time period.
2. A copy of receipts for M&O and I&S taxes paid on qualified property during the first two years of the qualifying time period.
3. Schedule A—updated for all years from amounts in application schedule.
4. Schedule B—updated for all years from amounts in application schedule.
5. Schedule C—Tax Credit.

Note: Excel spreadsheet versions of Schedules are available for downloading and printing at URL listed below.

STEP 3. SHOW TAX CREDIT AMOUNT

	Year 1	Year 2
1. Taxable Value of Property for the purpose of School M&O tax	0	102,185,343
2. Limitation Value of Property under Agreement	10,000,000	10,000,000
3. School District Maintenance and Operations Tax Rate	1.17	1.17
4. Total Maintenance and Operations Taxes Paid	0	1,195,569
5. M&O Tax Obligation under Limited Value ((Line 2 Amount/100) x Line 3)	0	117,000
6. Tax Credit for which you are applying (Line 4 - Line 5)	0	1,078,569
7. Total Tax Credit (Sum of Line 6 Year 1 and Year 2 amounts)		1,078,569

STEP 4: SIGN AND DATE APPLICATION

By signing this application, you certify that this information is true and correct and that you are in full compliance with the terms of the attached agreement to the best of your knowledge and belief.

print
here

Name of authorized company officer

sign
here

Signature of authorized company officer

On behalf of

Name of corporation/company

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

Schedule A (Rev. May 2010): Investment

Applicant Name: ECR Papilote Creek Wind Farm, LLC
 Tdn ISD: ISD Name

Form 50-300

		PROPERTY INVESTMENT AMOUNTS (Estimated investment in each year. Do not put cumulative totals.)							
	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	Column A: Tangible Personal Property The amount of new investment (original cost) placed in service during the year	Column B: Building or permanent nonremovable component of building (terral amount only)	Column C: Sum of A and B Qualifying Investment (during the qualifying time period)	Column D: Other investment that is not qualified investment but investment affecting economic spread and total value	Column E: Total Investment (A+B+D)	
The year preceding the first complete tax year of the qualifying time period (assuming no deferrals) Investment made before filing complete application with district (neither qualified property nor eligible to become qualified investment) Investment made after filing complete application with district, but before final board approval of application (eligible to become qualified property) Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period (qualified investment and eligible to become qualified property) Complete tax years of qualifying time period 1 2009-2010 2009 2 2010-2011 2010 3 2011-2012 2011 4 2012-2013 2012 5 2013-2014 2013 6 2014-2015 2014 7 2015-2016 2015 8 2016-2017 2016 9 2017-2018 2017 10 2018-2019 2018 11 2019-2020 2019 12 2020-2021 2020 13 2021-2022 2021 14 2022-2023 2022 15 2023-2024 2023	Investment made before filing complete application with district (neither qualified property nor eligible to become qualified investment)								
	Investment made after filing complete application with district, but before final board approval of application (eligible to become qualified property)		2008-2009	2008					
	Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period (qualified investment and eligible to become qualified property)								
	Complete tax years of qualifying time period				109,675,000		109,675,000		109,675,000

Qualifying Time Period usually begins with the final board approval of the application and extends generally for the following two complete tax years.

Column A:
This represents the total dollar amount of planned investment in tangible personal property, the applicant considers qualified investment - as defined in Tax Code §313.0211 (K)(4)(D). For the purposes of investment, please list amount invested each year, not cumulative totals.
[For the years outside the qualifying time period, this number should simply represent the planned investment in tangible personal property.]
Include estimates of investment for "replacement" property/property that is part of original agreement but scheduled for probable replacement during limitation period.
The total dollar amount of planned investment each year in buildings or nonremovable components of buildings that the applicant considers qualified investment under Tax Code §313.0211 (K)(E).

Column B:
For the years outside the qualifying time period, this number should simply represent the planned investment in new buildings or nonremovable components of buildings.
Dollar value of other investment that may not be qualified investment but that may affect economic impact and total value-for planning, construction and operation of the facility.
The most significant example for many projects would be land. Other examples may be items such as professional services, etc.
Note: Land can be listed as part of investment during the "pre-year 1" time period. It cannot be part of qualifying investment.

Column D:
Notes: For advanced clean energy projects, nuclear projects, projects with deleted qualifying time periods, and projects with lengthy application review periods, insert additional rows as needed. This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

Mike Fry
 SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE
 DATE: 10/19/2011

Applicant Name
ISD Name

Schedule B (Rev. May 2010): Estimated Market And Taxable Value
EC&R Papalote Creek Wind Farm, LLC

Taft ISD

Form 50-300

				Qualified Property		Reductions from Market Value	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 building or "in or on the new improvement"	Final taxable value for IRS - after all reductions	Final taxable value for M&O - after all reductions		
Tax Credit Period (with 50% cap on credit)	Value Limitation Period	Complete tax years of qualifying time period	Year	School Year (YYYY-YYYY)	Tax Year (fill in actual tax year) YYYY						
			pre-year 1	2008-2009	2008						
			1	2009-2010	2009						
			2	2010-2011	2010						
			3	2011-2012	2011		102,185,343		102,185,343	102,185,343	
			4	2012-2013	2012		84,903,000		84,903,000	10,000,000	10,000,000
			5	2013-2014	2013		80,657,850		80,657,850	10,000,000	10,000,000
			6	2014-2015	2014		76,412,700		76,412,700	10,000,000	10,000,000
			7	2015-2018	2015		72,167,550		72,167,550	10,000,000	10,000,000
			8	2016-2017	2016		67,922,400		67,922,400	10,000,000	10,000,000
			9	2017-2018	2017		63,677,250		63,677,250	10,000,000	10,000,000
			10	2018-2019	2018		59,432,100		59,432,100	10,000,000	10,000,000
			11	2019-2020	2019		55,188,950		55,188,950	10,000,000	10,000,000
			12	2020-2021	2020		50,941,800		50,941,800	10,000,000	10,000,000
			13	2021-2022	2021		46,696,650		46,696,650	10,000,000	10,000,000
Post-Settle-Up Period	Continue to Maintain Viable Presence			42,451,500		42,451,500	10,000,000	10,000,000			
Post-Settle-Up Period				38,206,350		38,206,350	10,000,000	10,000,000			
Post-Settle-Up Period				33,961,200		33,961,200	10,000,000	10,000,000			

Notes: Market value in future years is good faith estimate of future taxable value for the purposes of property taxation. This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

Mike Fry



SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

10/19/2011

DATE

Schedule C- Tax Credit: Employment Information

Applicant Name

EC&R Papalote Creek Wind Farm, LLC

ISD Name

Taft ISD

Form 50-300

Complete tax years of qualifying time period	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	New Jobs		Qualifying Jobs	
				Column A: Number of new jobs created (cumulative)	Column B: Number of qualifying jobs applicant created meeting all criteria of Sec. 313.021(3) (cumulative)	Column C: Lowest wage of any qualifying job	
pre-year 1	1	2009-2010	2009	9	9	49,832.20	
	2	2010-2011	2010	9	9	49,832.20	

Notes: For job definitions see TAC §9.1051(14) and Tax Code §313.021(3).

Mike Fry

 SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE 10/19/2011

This is NOT a Tax Statement Notice Of Appraised Value Do NOT Pay From This Notice

SAN PATRICIO COUNTY APPR DIST
P. O. BOX 938
SANTON TEXAS 78387
361-364-9402

APPRAISAL YEAR 2010
THE APPRAISAL REVIEW BOARD WILL BEGIN HEARING PROTESTS ON 7/12/2010 AT: 9:00 AM
SAN PATRICIO COUNTY APPR DIST
1146 E MARKET ST
SANTON TEXAS 78387
QUESTIONS ON MINERALS AND PERSONAL PROPERTY CONTACT PLA 832-243-9600
Protest Deadline: 6-21-2010
ARB Hearing: 7-12-2010
Owner: 707044 39

040
ECAR PAPALOTE CREEK I LP
V K E ANDREWS & COMPANY
1900 DALROCK RD
BOWLETT TX 75088-5526
|||...|||

Dear Property Owner,
The value of your property listed below is based on an appraisal date of January 1st of this year.

MINERAL APPRAISAL INFORMATION		LAST YEAR	PROPOSED 2010	PROPERTY DESCRIPTION		
COUNTY			101,923,500	Seq: 9900005	Type: REAL	Owner #: 707044
CO SPEC			101,923,500	Legal: PAPALOTE CREEK I WIND FARM		
DRAINAGE			101,923,500	TAFT ISD		
TAFT ISD			101,923,500	Agent: 040		
No History available for: 2005.				Category: P2 REAL - INDUSTRIAL IMPROVEMENTS		
Taxing Units	Last Year's Taxable	Proposed Exemptions	Proposed Taxable (Less Exemptions)	Estimated Tax Rate	Proposed Tax Estimate	
COUNTY	0	0	101,923,500	.45820	467,013.48	
CO SPEC	0	0	101,923,500	.06630	67,575.28	
DRAINAGE	0	0	101,923,500	.07928	80,804.95	
TAFT ISD	0	0	101,923,500	1.30970	1,334,892.08	
PARCEL TOTAL					1,950,285.79	

Additional Owner's Properties are continued on following page(s).
The above tax estimates use last year's tax rates for the taxing units. The governing body of each unit -- school board, county commissioners, and so on -- decides whether the property taxes increase. The Appraisal District only determines your property's value. The taxing units will set tax rates later this year. The Texas Legislature does not set the amount of your local taxes. Your property tax burden is decided by your locally elected officials, and all inquiries concerning your taxes should be directed to those officials.
Contact the appraisal office if you disagree with this year's proposed value for your property, or if you have any problems with the property description or address information. If the problem cannot be resolved, you have a right to appeal to the Appraisal Review Board (ARB). To appeal, you must file a WRITTEN protest with the ARB before protest deadline. Enclosed is a protest form to mail or bring to the appraisal district office at the address above before the above date. The ARB will notify you of the date, time, and place of your scheduled hearing. Enclosed also is information to help you in preparing your protest. You do not need to use the enclosed form to file your protest. You may protest by letter, if it includes your name, your property description, and what appraisal office action you disagree with.
If you have any other questions or need more information, please contact the appraisal office at the phone number or addresses listed above.
Sincerely,

RUFINO H LOZANO, CA
Chief Appraiser

#101,923,500
150,000

#102,073,500

MINERAL APPRAISAL INFORMATION		LAST YEAR	PROPOSED 2010	PROPERTY DESCRIPTION		
COUNTY			77,656,000	Seq: 9900010 Type: REAL Owner #: 707044		
CO SPEC			77,656,000	Legal: PAPALOTE CREEK I WIND FARM		
DRAINAGE			77,656,000	SINTON ISD		
SINTON ISD			77,656,000	Agent: 040		
Category: F2 REAL - INDUSTRIAL IMPROVEMENTS						
No History available for: 2005.						
Taxing Units		Last Year's Taxable	Proposed Exemptions	Proposed Taxable (Less Exemptions)	Estimated Tax Rate	Proposed Tax Estimate
COUNTY		0	0	77,656,000	.45820	355,819.79
CO SPEC		0	0	77,656,000	.06630	51,485.93
DRAINAGE		0	0	77,656,000	.07928	61,565.68
SINTON ISD		0	0	77,656,000	1.35120	1,049,287.87
PARCEL TOTAL						1,518,159.27

MINERAL APPRAISAL INFORMATION		LAST YEAR	PROPOSED 2010	PROPERTY DESCRIPTION		
COUNTY			63,095,500	Seq: 9900015 Type: REAL Owner #: 707044		
CO SPEC			63,095,500	Legal: PAPALOTE CREEK I WIND FARM		
DRAINAGE			63,095,500	ODEN-EDROY ISD		
ODEN ISD			63,095,500	Agent: 040		
Category: F2 REAL - INDUSTRIAL IMPROVEMENTS						
No History available for: 2005.						
Taxing Units		Last Year's Taxable	Proposed Exemptions	Proposed Taxable (Less Exemptions)	Estimated Tax Rate	Proposed Tax Estimate
COUNTY		0	0	63,095,500	.45820	289,103.58
CO SPEC		0	0	63,095,500	.06630	41,832.32
DRAINAGE		0	0	63,095,500	.07928	50,022.11
ODEN ISD		0	0	63,095,500	1.29240	815,446.24
PARCEL TOTAL						1,196,404.25

MINERAL APPRAISAL INFORMATION		LAST YEAR	PROPOSED 2010	PROPERTY DESCRIPTION		
COUNTY			150,000	Seq: 9900020 Type: PERSONAL Owner #: 707044		
CO SPEC			150,000	Legal: PERSONAL PROPERTY		
DRAINAGE			150,000	TAFT ISD		
TAFT ISD			150,000	Agent: 040		
Category: L2J INDUS.- FURNITURE & FIXTURES						
Taxing Units		Last Year's Taxable	Proposed Exemptions	Proposed Taxable (Less Exemptions)	Estimated Tax Rate	Proposed Tax Estimate
COUNTY		0	0	150,000	.45820	687.30
CO SPEC		0	0	150,000	.06630	99.45
DRAINAGE		0	0	150,000	.07928	118.92
TAFT ISD		0	0	150,000	1.30970	1,964.55
PARCEL TOTAL						2,870.22

Total of all Above Parcels					
Taxing Units	Owner's Last Year's Taxable	Owner's Proposed Exemptions	Owner's Proposed Taxable	Owner's Estimated Tax Rate	Owner's Proposed Tax Estimate
COUNTY	0	0	242,825,000	.45820	1,117,634.15
CO SPEC	0	0	242,825,000	.06630	160,997.98
DRAINAGE	0	0	242,825,000	.07928	192,511.66
TAFT ISD	0	0	102,071,500	1.30970	1,336,856.63
SINTON ISD	0	0	77,656,000	1.35120	1,049,287.87
ODEN ISD	0	0	63,095,500	1.29240	815,446.24
OWNER'S TOTAL					4,667,719.53

FONT SIZE: Normal

Dalia Sanchez, RTA
 San Patricio County Tax Assessor-Collector
 P.O. Box 280
 Sinton, TX 78387
 Ph: (361) 364-9373 Fax: (361) 364-9473
 www.co.san-patricio.tx.us

San Patricio County
 Tax Office



MENU

- Home
- Pay Taxes Now
- Research Taxes

[NEW PROPERTY SEARCH](#) | [SEARCH RESULTS](#) | [PROPERTY INFO](#) | [CURRENT TAX STATEMENT](#) | [ACCOUNT SUMMARY](#)

OWNERSHIP INFORMATION

Account #	Owner Name	Mailing Address	Legal Description
070704409900005	EC&R PAPALOTE CREEK I LP	%PROPERTY TAX DEPARTMENT 812 SAN ANTONIO ST., STE. 201 AUSTIN, TX 78701	Lease # 9900005 PAPALOTE CREEK I WIND FARM TAFT ISD, 0 ACRES 0% FULL

ACCOUNT HISTORY

Tax Year	Base Tax	Base Tax Paid	Base Tax Due	P / I	Atty Fees	Total Due
2010	\$1,432,895.84	\$1,432,895.84	\$0.00	\$0.00	\$0.00	\$0.00
Entity	Base Tax	Base Tax Paid	Base Tax Due	P / I	Atty Fees	Total Due
COUNTY SPECIAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
SAN PATRICIO COUNTY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DRAINAGE DISTRICT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TAFT ISD	\$1,432,895.84	\$1,432,895.84	\$0.00	\$0.00	\$0.00	\$0.00

Total Due: \$0.00
Other Fees: \$0.00
Grand Total Due: \$0.00

[PRIVACY POLICY](#) | [SECURITY POLICY](#) | [LEGAL DISCLAIMER](#)
 ©2004, 2008, 2009 Easy Access, Inc. - All Rights Reserved.

FONT SIZE:

Dalia Sanchez, RTA
 San Patricio County Tax Assessor-Collector
 P.O. Box 280
 Sinton, TX 78387
 Ph: (361) 364-9373 Fax: (361) 364-9473
 www.co.san-patricio.tx.us

San Patricio County
 Tax Office



MENU

- Home
- Pay Taxes Now
- Research Taxes

[NEW PROPERTY SEARCH](#) | [SEARCH RESULTS](#) | [PROPERTY INFO](#) | [CURRENT TAX STATEMENT](#) | [ACCOUNT SUMMARY](#)

OWNERSHIP INFORMATION

Account #	Owner Name	Mailing Address	Legal Description
070704409900020	EC&R PAPALOTE CREEK I LP	%PROPERTY TAX DEPARTMENT 812 SAN ANTONIO ST., STE. 201 AUSTIN, TX 78701	Lease # 9900020 PERSONAL PROPERTY TAFT ISD, 0 ACRES 0% FULL

ACCOUNT HISTORY

Tax Year	Base Tax	Base Tax Paid	Base Tax Due	P/I	Atty Fees	Total Due
2010	\$2,109.60	\$2,109.60	\$0.00	\$0.00	\$0.00	\$0.00
Entity	Base Tax	Base Tax Paid	Base Tax Due	P/I	Atty Fees	Total Due
COUNTY SPECIAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
SAN PATRICIO COUNTY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DRAINAGE DISTRICT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TAFT ISD	\$2,109.60	\$2,109.60	\$0.00	\$0.00	\$0.00	\$0.00

Total Due: \$0.00
Other Fees: \$0.00
Grand Total Due: \$0.00

[PRIVACY POLICY](#) | [SECURITY POLICY](#) | [LEGAL DISCLAIMER](#)
 ©2004, 2008, 2009 Easy Access, Inc. - All Rights Reserved.

RESOLUTION

DETERMINING ELIGIBILITY FOR TAX CREDIT PURSUANT TO TEXAS TAX CODE §313.104

STATE OF TEXAS §

COUNTY OF SAN PATRICIO §

WHEREAS, on September 2, 2008, the Superintendent of Schools of the Taft Independent School District (the "Superintendent"), acting as agent of the Board of Trustees of the District (the "Board of Trustees"), received from EC&R Papalote Creek 1, LLC (the "Applicant") an Application for Appraised Value Limitation on Qualified Property, pursuant to Chapter 313 of the Texas Tax Code; and,

WHEREAS, on October 6, 2008, the Superintendent received from the Applicant a Revised Application for Appraised Value Limitation on Qualified Property, pursuant to Chapter 313 of the Texas Tax Code; and,

WHEREAS, the Board of Trustees has acknowledged receipt of the Application along with the requisite application fee as established pursuant to Texas Tax Code §313.025(a)(1) and Local District Policy CCG (Local); and,

WHEREAS, the Application was delivered to the Texas Comptroller's Office for review pursuant to Texas Tax Code §313.025(d); and,

WHEREAS, the Application was reviewed by the Texas Comptroller's Office pursuant to Texas Tax Code §313.025(d); and,

WHEREAS, the Board of Trustees caused to be conducted an economic impact evaluation pursuant to Chapter 313 of the Texas Tax Code; and,

WHEREAS, the Board of Trustees reviewed the economic impact evaluation pursuant to Texas Tax Code §313.026 and has carefully considered such evaluation; and,

WHEREAS, the Application was reviewed by the San Patricio County Appraisal District, established in San Patricio County, Texas (the "San Patricio County Appraisal District") pursuant to Texas Property Tax Code §6.01; and,

WHEREAS, the District received a recommendation from the Texas Comptroller's Office pursuant to Texas Tax Code §313.026, and,

WHEREAS, on December 15, 2008, the Board of Trustees conducted a public hearing on the Application at which it solicited input into its deliberations on the Application from all interested parties within the District; and,

WHEREAS, on December 15, 2008, the Board of Trustees made factual findings pursuant to Texas Tax Code §313.025(f), including, but not limited to findings that: (i) the information in the Application is true and correct; (ii.) this Agreement is in the best interest of the District and the State of Texas; (iii.) the Applicant is eligible for the Limitation on Appraised Value of the Applicant's Qualified Property; (iv.) each criterion listed in Texas Tax Code §313.025(e) has been met; and, (v.) if the job creation requirement was applied, for the size and scope of the project described in the Application, the required number of jobs would exceed the industry standard for the number of employees reasonably necessary for the operation of the facility; and

WHEREAS, on December 15, 2008, the Board of Trustees of the Taft Independent School District approved an Agreement for Limitation on Appraised Value of Property for Maintenance and Operations Taxes with EC&R Papalote Creek I, LLC; and,

WHEREAS, on July 27, 2009, the San Patricio County Commissioner's Court created the *San Patricio County Reinvestment Zone*, which Reinvestment Zone expanded the area available for inclusion of Qualified Property under the terms of the Agreement ; and,

WHEREAS, Applicant had constructed 45 of the 66 1.65 megawatt wind power generators originally proposed; and,

WHEREAS, the Applicant requested that the Board of Trustees, pursuant to its authority under Texas Tax Code § 313.027(e), take official action to provide for the inclusion or substitution of additional Qualified Property, which will be located in the San Patricio County Reinvestment Zone, in the definition of Qualified Property contained in the Agreement; and,

WHEREAS, on December 15, 2009, at a duly called and noticed meeting, the Board of Trustees considered the request of the Applicant for the inclusion of other Qualified Property of the Applicant, that was not specifically described in the Original Agreement, specifically the Board has authorized the inclusion of three additional wind turbines; and,

WHEREAS, after examining the tax rolls of the San Patricio County Appraisal District; the most recent Annual Eligibility Report (Comptroller's Form #50-772); and the most recent Biennial Progress Report (Comptroller's Form #50-773) filed by EC&R Papalote Creek I, LLC, the Board has determined that during the Qualifying Time Period, running from January 1, 2009 through December 31, 2010, EC&R Papalote Creek I, LLC made a Qualifying Investment as defined by Texas Tax Code §313.021 in the amount of at least Ten Million Dollars for the purposes of renewable energy in accordance with the provisions of Texas Tax Code §313.024(b)(1); and,

WHEREAS, after examining the December 15, 2012 Agreement; the most recent Annual Eligibility Report (Comptroller's Form #50-772); and the most recent Biennial Progress Report (Comptroller's Form #50-773) filed by EC&R Papalote Creek I, LLC, the Board has determined that EC&R Papalote Creek I, LLC is, in all other respects, in compliance with the terms of the aforesaid Agreement; and,

WHEREAS, after examining Comptroller's State Franchise Tax records, the Board has determined that, at the time of the adoption of this Resolution, EC&R Papalote Creek I, LLC, is in good standing with respect to its franchise tax obligations; and,

WHEREAS, the total amount of maintenance and operations ad valorem taxes that were imposed on the portion of the appraised value of the Qualified Property that exceeded the amount of the limitation agreed to by the governing body of the school district under Texas Tax Code Section 313.027(a)(2) in the applicable Qualifying Time Period that EC&R Papalote Creek I, LLC has paid to the District has been NINE HUNDRED NINETY-NINE THOUSAND SIX HUNDRED THIRTY-SIX DOLLARS AND SEVENTY-ONE CENTS (\$999,636.71); and,

WHEREAS, as of the date of the approval of this Resolution, EC&R Papalote Creek I, LLC has not relocated its business outside of the District; and,

WHEREAS, EC&R Papalote Creek I, LLC has filed an application for a tax credit in accordance with the provisions of Texas Tax Code §313.103; and,

WHEREAS, the application for tax credit filed by EC&R Papalote Creek I, LLC was: (1) made on the form prescribed for that purpose by the Texas Comptroller of Public Accounts; (2) was verified by EC&R Papalote Creek I, LLC; (3) was accompanied by tax receipts from the collector of taxes for the District showing full payment of all District ad valorem taxes on the Qualified Property for the applicable Qualifying Time Period.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Taft Independent School District as follows:

1. The application made by EC&R Papalote Creek I, LLC, for a tax credit pursuant to Texas Tax Code §313.103 in the total amount of NINE HUNDRED NINETY-NINE THOUSAND SIX HUNDRED THIRTY-SIX DOLLARS AND SEVENTY-ONE CENTS (\$999,636.71) is approved by the adoption of this Resolution.
2. Beginning with the Tax Year 2012, and in each of the subsequent six (6) tax years (ending in Tax Year 2018), the Superintendent is directed to issue a refund as a credit against the *ad valorem* school taxes imposed on the Qualified Property by the District the lesser amount of either: 1.) ONE HUNDRED FORTY-TWO THOUSAND EIGHT HUNDRED FIVE DOLLARS AND TWENTY-FOUR CENTS (\$142,805.24) (An amount equal to one-seventh of the total amount of tax credit to which EC&R Papalote Creek I, LLC is entitled under

Section 313.102); or, 2.) Fifty Percent (50%) of the total amount of *ad valorem* school taxes imposed on the Qualified Property by the school district in that tax year.

3. In addition to the foregoing, in the Tax Years 2019 through 2021, (The first three tax years after EC&R Papalote Creek I, LLC's eligibility for an Appraised Value Limitation on Qualified Property, pursuant to Chapter 313 of the Texas Tax Code, expires), the District's collector of taxes is directed to credit against the *ad valorem* school taxes imposed on the Qualified Property by the District the lesser of either: 1.) any remainder of the NINE HUNDRED NINETY-NINE THOUSAND SIX HUNDRED THIRTY-SIX DOLLARS AND SEVENTY-ONE CENTS (\$999,636.71) tax credit balance which was not paid under paragraph 2, above; or, 2.) the total amount of *ad valorem* school taxes imposed on the Qualified Property by the school district in that tax year.
4. Prior to making any tax credit payments under Sections (2) or (3), above, the District's Superintendent is directed to determine whether EC&R Papalote Creek I, LLC has relocated outside the District, and has otherwise met its obligations under the Agreement; under State law; and under applicable regulations promulgated either by the Texas Comptroller's Office, or by the Texas Commissioner of Education. In the event that EC&R Papalote Creek I, LLC has not met its obligation or has relocated outside the District, no tax credit will be paid for such tax year or the tax years thereafter.
5. If the Texas Comptroller of Public Accounts or the District's tax collector, after providing notice and the opportunity for a response, determine that EC&R Papalote Creek I, LLC was either not eligible for the credit or received more credit than it was entitled, then the District shall impose an additional tax on the Qualified Property that is equal to the amount of tax credit that was erroneously taken, plus interest at an annual rate of 7.0% calculated from the date on which the credit was issued. A tax lien attaches to the Qualified Property in favor of the school district to secure payment by the person of the additional tax and interest that are imposed and any penalties incurred. A taxpayer which is delinquent in the payment of an additional tax may not submit a subsequent application or receive a tax credit under this subsection in a subsequent year.

APPROVED, ADOPTED, AND ORDERED on the 21st day of May, 2013.

TAFT INDEPENDENT SCHOOL DISTRICT

By: 
JOHNNY CARVAJAL, President
Board of Trustees

ATTEST:

By: 
SYLVIA MONTEMAYOR, Secretary
Board of Trustees

August 25, 2009
Taft, Texas

Special meeting of the Board of Trustees of the Taft Independent School District, Tuesday, August 25, 2009, at 6:00 p.m. in the Board Room, 400 College Street, Taft, Texas

Present: Pedro Rodríguez, Sr., Yolanda Vallo, Mary Garrett, Johnny Carvajal, Johnny Carver, Sylvia Montemayor, Dr. Chad Kelly, Superintendent, Noel Snedeker, Assistant Superintendent for Business

Absent: Pete Lopez

Visitors: None

This meeting has been posted in accordance with Article 551.01, Texas Open Meetings Act.

Agenda Item #4 – Approve to accept the Certified Appraisal Roll for 2009 for Taft ISD.

Johnny Carver moved and Johnny Carvajal seconded the motion to approve the Certified Appraisal Roll for Taft ISD for 2009. Motion passed unanimously.

Agenda Item #5 – Presentation of the Proposed Official Budget and Tax Rate for the Fiscal Year 2009-2010.

Noel Snedeker, Assistant Superintendent for Business, updated the Board on the 2009-2010 budget and tax rate.

Agenda Item # 6 – PUBLIC HEARING and discussion on Proposed Budget and Tax Rate in Accordance with Section 44.004, Texas Education Code. Public participation in the discussion is invited. The Board will provide time for citizens to present their views, opinions, suggestions, etc.. Regarding the proposed 2009-2010 general school budget and tax rate.

A public hearing was held on the Taft Independent School District proposed 2009-2010 budget and tax rate.

Agenda Item #7 – Discussion/Action Items:

A. Approval of the Official Budget for Fiscal Year 2009-2010

Yolanda Valle moved and Mary Garrett seconded the motion to approve a balanced budget for the 2009-2010 school year. Motion passed unanimously.

B. Approval of a Order Setting Tax Rate for the 2009-2010 tax year.

Sylvia Moved and Yolanda Valle seconded the motion to approve the 2009-2010 tax rate as follows:

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TAFT INDEPENDENT SCHOOL DISTRICT

SECTION 1

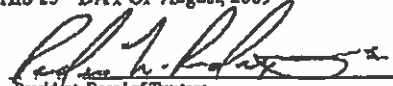
The total tax rate for the Taft Independent School District for the year 2009-2010 shall be and the same is hereby fixed and levied at the sum of \$ 1.3097 for each \$ 100.00 worth of assessed property, assessment being 100% of the total value of property within the limit of the Taft Independent School District, which is made taxable by law for the State or County purposes, and said levied and fixed for the following purposes:

First: A maintenance tax of \$ 1.17 on each \$ 100.00 of all property within the limits of the Taft Independent School District which is made taxable by law levied and fixed for the current expenses for the Taft Independent School District.

Second: A tax of \$ 0.1397 on each \$ 100.00 worth of all property within the limits of the Taft Independent School District, which is made taxable by law, is hereby levied and fixed for the purpose of creating an Interest and Sinking fund for the retirement of the General Obligation Bond.

- SECTION 2** All receipts of the Taft Independent School District not specifically appropriated by the Annual Budget are hereby made payable to the General Fund mentioned above.
- SECTION 3** That the taxes levied by the Taft Independent School District are hereby declared to be a first lien, charge and encumbrance upon property upon which the tax is due, not only against residents of this State, but are entitled to enforce and foreclose in any court having jurisdiction of same; and the lien, charge and encumbrance of the property in favor of the Taft Independent School District, for the amount of taxes due on said property, is such as to give the State courts, jurisdiction to enforce said lien due on said property of which the tax is due only against any resident of the State, but against persons who are non-residents of the State, or whose residence is unknown and against the unknown heirs of any person who owns property on which tax is due.
- SECTION 4** That all taxes levied by the Taft Independent School against personal property are hereby declared to be alien upon such property and upon the persons against whom such assessments are made and the Taft Independent School District shall enforce the collection of said taxes by suit in any court of competent jurisdiction and to foreclose any lien for personal property taxes.
- SECTION 5** That all ad valorem taxes assessed and levied shall become due and payable on or after the first day of October of each year until otherwise provided and shall any may be paid to the San Patricio County Tax-Assessor Collector at their office in the town of Sinton, Texas who shall issue a property receipt therefore; said taxes shall become delinquent upon the first day of February, 2008 and any person, firm, partnership, or corporation who shall fail or have failed to pay said tax when due shall become liable and required to pay in addition to the tax, interest, penalty, and lawyer fees, as provided by law.

PASSED AND APPROVED THIS 25TH DAY OF August, 2009

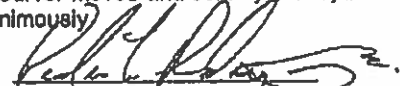

Pedro Rodriguez, Sr.
President, Board of Trustees

Motion passed unanimously.

There being no further business to discuss, Johnny Carver moved and Johnny Carvajal seconded the motion to adjourn. Motion passed unanimously.

ATTEST:


Mary Garrett
Secretary


Pedro Rodriguez, Sr.
President

August 27, 2009
Taft, Texas

Special meeting of the Board of Trustees of the Taft Independent School District, Thursday, August 27, 2009, at 8:00 p.m. at the Administration Building, 400 College Street, Taft, Texas

Present: Pedro Rodriguez, Sr., Yolanda Valle, Mary Garrett, Johnny Carvajal, Johnny Carver, Sylvia Montemayor, Dr. Chad Kelly, Superintendent, Noel Snedeker, Assistant Superintendent for Business

Absent: Pete Lopez

Visitors: None

This meeting has been posted in accordance with Article 551.01, Texas Open Meetings Act

Agenda Item #7 – Discussion/Action Item

A. Johnny Carver moved and Sylvia Montemayor seconded the motion to approve the budget amendments as follows:

1. 199 23 6119 00 0010 99	Salary-Principal HS	\$48,000.00
2. 199 31 6119 00 001 0 99	Salary-Counselor HS	14,000.00
3. 199 11 6119 00 001 0 11	Salary-HS	(62,000.00)
4. 199 11 6499 97 101 0 11	TEA Refund	\$45,736.03
5. 199 00 5812 00 000 0 00	Foundation Rev.	45,736.03

B. Yolanda Valle moved and Sylvia Montemayor seconded the motion to approve the official budget for the fiscal year 2010-2011. Motion passed unanimously.

C. Johnny Carver moved and Johnny Carvajal seconded the motion to approve the order setting the tax rate for the 2010-2011 school year as follows:

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TAFT INDEPENDENT SCHOOL DISTRICT

SECTION 1

The total tax rate for the Taft Independent School District for the year 2010-2011 shall be and the same is hereby fixed and levied at the sum of \$ 1.40840 for each \$ 100.00 worth of assessed property, assessment being 100% of the total value of property within the limit of the Taft Independent School District, which is made taxable by law for the State or County purposes, and said levied and fixed for the following purposes:

First: A maintenance tax of \$ 1.08616 on each \$ 100.00 of all property within the limits of the Taft Independent School District which is made taxable by law levied and fixed for the current expenses for the Taft Independent School District.

Second: A tax of \$ 0.320239 on each \$ 100.00 worth of all property within the limits of the Taft Independent School District, which is made taxable by law, is hereby levied and fixed for the purpose of creating an Interest and Sinking fund for the retirement of the General Obligation Bond.

SECTION 2

All receipts of the Taft Independent School District not specifically appropriated by the Annual Budget are hereby made payable to the General Fund mentioned above.

SECTION 3

That the taxes levied by the Taft Independent School District are hereby declared to be a first lien, charge and encumbrance upon property upon which the tax is due, not only against residents of this State, but are entitled to enforce and foreclose in any court having jurisdiction of same; and the lien, charge and encumbrance of the property in favor of the Taft Independent School District, for the amount of taxes due on said property, is such as to give the State courts, jurisdiction to enforce said lien due on said property of which the tax is due only against any resident of the State, but against persons who are non-residents of the State, or whose residence is unknown and against the unknown heirs of any person who owns property on which tax is due.

SECTION 4

That all taxes levied by the Taft Independent School against personal property are hereby declared to be alien upon such property and upon the persons against whom such assessments are made and the Taft Independent School District shall enforce the collection of said taxes by suit in any court of competent jurisdiction and to foreclose any lien for personal property taxes.

SECTION 5

That all ad valorem taxes assessed and levied shall become due and payable on or after the first day of October of each year until otherwise provided and shall any may be paid to the San Patricio County Tax-Assessor Collector at their office in the town of Sinton, Texas who shall issue a property receipt therefore; said taxes shall become delinquent upon the first day of February, 2011 and any person, firm, partnership, or corporation who shall fail or have failed to pay said tax when due shall become liable and required to pay in addition to the tax, interest, penalty, and lawyer fees, as provided by law.

PASSED AND APPROVED THIS 24th DAY OF August, 2010


President, Board of Trustees