



Ernst & Young LLP
Suite 3200
401 Congress Avenue Austin, TX 78701

1478-kress-swishersolarenergy-appamendment01-04132020

Application for Appraised Value Limitation on Qualified Property Swisher Solar Energy LLC – Request for Additional Information (Application #1478)

Please see the attached request for additional information to the Application for Appraised Value Limitation for Swisher Solar Energy LLC (Application # 1478 per the Comptroller of Public Accounts).

This amendment reflects the following changes requested by the Comptroller's Office.

1. Tab 3: Need current (2019) Texas Franchise Affiliate List.
 - **See attached 2018 affiliate list. 2019 is not available.**
2. Section 12, Question 3 & Tab 16: Who will creating the RZ or enterprise zone? The applicable documentation is required for completeness.
 - **RZ has been created by Swisher County. Section 12 and Tab 16 have been updated with the requested documentation.**
3. RZ created by County – Guidelines and criteria are required for completeness.
 - **See attached**
4. RZ created by ISD, Chapter 41 District – ISD guidelines and criteria "OR" a letter from the ISD Superintendent (on ISD letterhead) stating the intent to establish the zone at the meeting is required for completeness.
 - **See attached.**
5. RZ created by ISD, Chapter 42 District – ISD guidelines and criteria "OR" a letter from the ISD Superintendent (on ISD letterhead) stating the intent to establish the zone at the meeting is required for completeness.
 - **Tab 16 updates attached.**
6. In Tab 4 you provide the GEN number. Please provide the date it was assigned.
 - **5/24/16**
7. Schedule D: Need percentage for column "Annual Incentive." If you have not been approved yet, please state so in the "additional information box" at the bottom.
 - **Updated Schedule D in .PDF and full Schedules in .xcl attached.**
8. Maps: You must show the proposed reinvestment zone boundary. If it will be the same as the project boundary, please show with a different colored line and in the legend also. Also, please show more highways, landmarks. I can't tell where within the county/school district this exactly is. You might include an additional map that is more zoomed in???
 - **Three new map revisions attached,**

Please do not hesitate to contact me directly if you have any additional questions regarding this filing, or need any further information.



Evan Horn | Manager | Indirect Tax Services - Property Tax

Ernst & Young LLP
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Website: <http://www.ey.com>

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.

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TX2018 05-165
Ver. 9.0 (Rev.9-11/3)

Texas Franchise Tax Extension Affiliate List

■ Tcode 13298

■ Reporting entity taxpayer number

■ Report year

Reporting entity taxpayer name

12006168525	2018	POLSKY ENERGY HOLDINGS LLC
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LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	BLACKEN BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. ACCOMACK WIND ENERGY LLC	384072682	<input checked="" type="checkbox"/>
2. ADELAIDE SOLAR ENERGY LLC	384015498	<input checked="" type="checkbox"/>
3. ALLE-CATT WIND ENERGY LLC	320495601	<input checked="" type="checkbox"/>
4. ALLEGHENY ENERGY CENTER LLC	300955537	<input checked="" type="checkbox"/>
5. ARGYLE CREEK WIND ENERGY LLC	384010870	<input checked="" type="checkbox"/>
6. BECKETT SOLAR ENERGY LLC	300733789	<input checked="" type="checkbox"/>
7. BEECH RIDGE ENERGY II CLASS B HOLDINGS LLC	371848747	<input checked="" type="checkbox"/>
8. BEECH RIDGE ENERGY II HOLDINGS LLC	384026073	<input checked="" type="checkbox"/>
9. BEECH RIDGE ENERGY II LLC	300795442	<input checked="" type="checkbox"/>
10. BEECH RIDGE ENERGY LLC	263207197	<input checked="" type="checkbox"/>
11. BEECH RIDGE ENERGY STORAGE LLC	320429469	<input checked="" type="checkbox"/>
12. BEECH RIDGE HOLDINGS LLC	371895566	<input checked="" type="checkbox"/>
13. BEECH RIDGE INVESTMENT CORPORATION	273173911	<input checked="" type="checkbox"/>
14. BETHEL WIND FARM CLASS B HOLDINGS	371826572	<input checked="" type="checkbox"/>
15. BETHEL WIND FARM HOLDINGS LLC	384003356	<input checked="" type="checkbox"/>
16. BETHEL WIND FARM LLC	32057966445	<input type="checkbox"/>
17. BIG OTTER WIND ENERGY II LLC	364891830	<input checked="" type="checkbox"/>
18. BIG OTTER WIND ENERGY LLC	320365135	<input checked="" type="checkbox"/>
19. BISHOP HILL ENERGY III CLASS B HOLDINGS LLC	384055076	<input checked="" type="checkbox"/>
20. BISHOP HILL ENERGY III HOLDINGS LLC	352610990	<input checked="" type="checkbox"/>
21. BISHOP HILL ENERGY III LLC	320358450	<input checked="" type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

Texas Comptroller Official Use Only

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1. BOARDMAN SOLAR ENERGY LLC	300947522	<input checked="" type="checkbox"/>
2. BOULEVARD SOLAR ENERGY LLC	301032182	<input checked="" type="checkbox"/>
3. BRUSH CREEK WIND ENERGY I LLC	000000001	<input checked="" type="checkbox"/>
4. BRUSH CREEK WIND ENERGY II LLC	000000002	<input checked="" type="checkbox"/>
5. BUFFALO TRAIL WIND FARM LLC	320507156	<input checked="" type="checkbox"/>
6. BULL RUN ENERGY LLC	352616890	<input checked="" type="checkbox"/>
7. BUZZARD CREEK ENERGY LLC	371880337	<input checked="" type="checkbox"/>
8. CALIFORNIA RIDGE WIND ENERGY II LLC	611713897	<input checked="" type="checkbox"/>
9. CAMILLA SOLAR ENERGY LLC	320502819	<input checked="" type="checkbox"/>
10. CANISTEO WIND ENERGY LLC (F/K/A INVENERGY NY)	061680634	<input checked="" type="checkbox"/>
11. CANNON FALLS FINANCING LLC	205264896	<input checked="" type="checkbox"/>
12. CASTRO WIND LLC	32061871847	<input type="checkbox"/>
13. CHARLTON SOLAR ENERGY CENTER LLC	000000003	<input checked="" type="checkbox"/>
14. CHRISTIAN COUNTY SOLAR ENERGY CENTER LLC	384070095	<input checked="" type="checkbox"/>
15. CLARKTON SOLAR ENERGY LLC	900886991	<input checked="" type="checkbox"/>
16. CLAY COUNTY SOLAR ENERGY CENTER LLC	320561653	<input checked="" type="checkbox"/>
17. CLEAR RIVER ENERGY LLC	384029437	<input checked="" type="checkbox"/>
18. COLUMBUS SOLAR ENERGY LLC	611667460	<input checked="" type="checkbox"/>
19. COTTONWOODS WIND ENERGY LLC	352486539	<input checked="" type="checkbox"/>
20. DARKE WIND ENERGY LLC	270667704	<input checked="" type="checkbox"/>
21. DESERT GREEN SOLAR FARM LLC	275171756	<input checked="" type="checkbox"/>

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1. DEUEL HARVEST WIND ENERGY LLC	320513359	<input checked="" type="checkbox"/>
2. DEUEL HARVEST WIND ENERGY SOUTH LLC	320548215	<input checked="" type="checkbox"/>
3. DIVERSION WIND ENERGY LLC	32061150804	<input type="checkbox"/>
4. DOUGHERTY WIND ENERGY LLC	32037772806	<input type="checkbox"/>
5. ECTOR COUNTY ENERGY CENTER HOLDING LLC	320468526	<input checked="" type="checkbox"/>
6. ECTOR COUNTY ENERGY CENTER LLC	32051582107	<input type="checkbox"/>
7. EKOLA FLATS WIND ENERGY LLC	611780585	<input checked="" type="checkbox"/>
8. EL SOL ENERGY STORAGE LLC	000000004	<input checked="" type="checkbox"/>
9. ELBERT ELECTRIC LLC	371883127	<input checked="" type="checkbox"/>
10. FORWARD ENERGY HOLDINGS LLC	301064136	<input checked="" type="checkbox"/>
11. FREEBORN WIND ENERGY LLC	301030285	<input checked="" type="checkbox"/>
12. GOLDTHWAITE CLASS B HOLDINGS LLC	800927691	<input checked="" type="checkbox"/>
13. GOLDTHWAITE INVESTCO LLC	900999710	<input checked="" type="checkbox"/>
14. GRAND RIDGE ENERGY IV LLC	263294276	<input checked="" type="checkbox"/>
15. GRAND RIDGE ENERGY STORAGE LLC	901034125	<input checked="" type="checkbox"/>
16. GRAND RIDGE ENERGY V LLC	271369315	<input checked="" type="checkbox"/>
17. GRAND RIDGE GREEN HOLDINGS LLC	800873258	<input checked="" type="checkbox"/>
18. GRAND RIDGE HOLDINGS LLC	270399906	<input checked="" type="checkbox"/>
19. GRATIOT COUNTY HOLDINGS LLC	452777576	<input checked="" type="checkbox"/>
20. GRATIOT COUNTY WIND II LLC	352616819	<input checked="" type="checkbox"/>
21. GRATIOT COUNTY WIND LLC	271070867	<input checked="" type="checkbox"/>

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1. GRATIOT COUNTY WIND PHASE II LLC	384074924	<input checked="" type="checkbox"/>
2. GRAYS HARBOR ENERGY II LLC	262139768	<input checked="" type="checkbox"/>
3. GRAYS HARBOR ENERGY LLC	760659073	<input checked="" type="checkbox"/>
4. GREAT DIVIDE SOLAR ENERGY LLC	364892519	<input checked="" type="checkbox"/>
5. HALES LAKE ENERGY II LLC	320386990	<input checked="" type="checkbox"/>
6. HALES LAKE ENERGY III LLC	364740400	<input checked="" type="checkbox"/>
7. HALES LAKE ENERGY LLC	800841363	<input checked="" type="checkbox"/>
8. HARDEE GP LLC	000000005	<input checked="" type="checkbox"/>
9. HARDEE HOLDINGS LLC	200258136	<input checked="" type="checkbox"/>
10. HARDEE LP LLC	000000006	<input checked="" type="checkbox"/>
11. HARDEE POWER PARTNERS LIMITED	593003480	<input checked="" type="checkbox"/>
12. HARDIN SOLAR ENERGY LLC	364892027	<input checked="" type="checkbox"/>
13. HARDIN WIND ENERGY CLASS B HOLDINGS LLC	364858635	<input checked="" type="checkbox"/>
14. HARDIN WIND ENERGY HOLDINGS LLC	352584261	<input checked="" type="checkbox"/>
15. HARDIN WIND ENERGY II LLC	611874274	<input checked="" type="checkbox"/>
16. HARDIN WIND ENERGY LLC	273347162	<input checked="" type="checkbox"/>
17. HARRY ALLEN SOLAR ENERGY LLC	364890305	<input checked="" type="checkbox"/>
18. HASHKNIFE ENERGY CENTER LLC	352615234	<input checked="" type="checkbox"/>
19. HEARTLAND WIND ENERGY LLC	364890362	<input checked="" type="checkbox"/>
20. HEPPNER WIND ENERGY LLC	371881357	<input checked="" type="checkbox"/>
21. HIGHLAND WIND ENERGY II LLC	364893341	<input checked="" type="checkbox"/>

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1. HIGHLAND WIND ENERGY LLC	273459353	<input checked="" type="checkbox"/>
2. HORN BUTTE WIND ENERGY LLC	000000007	<input checked="" type="checkbox"/>
3. HORSE LAKE WIND ENERGY LLC	352324869	<input checked="" type="checkbox"/>
4. HURRICANE LAKE WIND ENERGY I LLC	270942059	<input checked="" type="checkbox"/>
5. IDA GROVE WIND ENERGY II LLC	611774541	<input checked="" type="checkbox"/>
6. IDA GROVE WIND ENERGY LLC	320456833	<input checked="" type="checkbox"/>
7. IDAHO WIND GENERATION COMPANY LLC	000000008	<input checked="" type="checkbox"/>
8. INVENERGY AQUILON HOLDINGS LLC	371829325	<input checked="" type="checkbox"/>
9. INVENERGY BLANCO CANYON WIND ENERGY LLC	32052480897	<input type="checkbox"/>
10. INVENERGY CANNON FALLS II LLC	320445212	<input checked="" type="checkbox"/>
11. INVENERGY CANNON FALLS LLC	205477569	<input checked="" type="checkbox"/>
12. INVENERGY CLEAN POWER LLC	453417763	<input checked="" type="checkbox"/>
13. INVENERGY CLEAN WATER LLC	000000009	<input checked="" type="checkbox"/>
14. INVENERGY COASTAL HOLDINGS LLC	263756863	<input checked="" type="checkbox"/>
15. INVENERGY DESERT GREEN HOLDINGS LLC	364798142	<input checked="" type="checkbox"/>
16. INVENERGY DESERT SKY HOLDINGS LLC	384054282	<input checked="" type="checkbox"/>
17. INVENERGY DEVELOPMENT COMPANY LLC	202413286	<input checked="" type="checkbox"/>
18. INVENERGY ENERGY MANAGEMENT LLC	32038203900	<input type="checkbox"/>
19. INVENERGY FUTURE FUND GP LLC	371846988	<input checked="" type="checkbox"/>
20. INVENERGY FUTURE FUND LP	352583211	<input checked="" type="checkbox"/>
21. INVENERGY FUTURE FUND MANAGER LLC	371847471	<input checked="" type="checkbox"/>

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POLSKY ENERGY HOLDINGS LLC

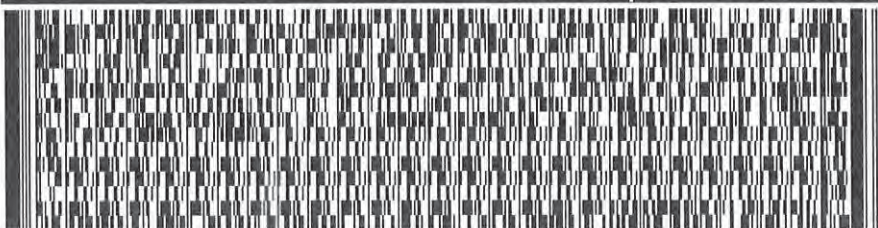
LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	BLACKEN BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. INVENERGY GOLDTHWAITE CONSTRUCTION LLC	32051304577	<input type="checkbox"/>
2. INVENERGY GOLDTHWAITE LLC	900998971	<input checked="" type="checkbox"/>
3. INVENERGY GRAYS HARBOR HOLDINGS LLC	383976343	<input checked="" type="checkbox"/>
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5. INVENERGY ILLINOIS SOLAR I HOLDINGS LLC	460828741	<input checked="" type="checkbox"/>
6. INVENERGY ILLINOIS SOLAR I LLC	273411372	<input checked="" type="checkbox"/>
7. INVENERGY ILLINOIS SOLAR II LLC	273411444	<input checked="" type="checkbox"/>
8. INVENERGY ILLINOIS SOLAR III LLC	273426043	<input checked="" type="checkbox"/>
9. INVENERGY ILLINOIS SOLAR INVESTMENT CORPORATI	460873725	<input checked="" type="checkbox"/>
10. INVENERGY ILLINOIS SOLAR IV LLC	273438626	<input checked="" type="checkbox"/>
11. INVENERGY ILLINOIS WIND HOLDINGS LLC	273965256	<input checked="" type="checkbox"/>
12. INVENERGY INTERNATIONAL HOLDINGS LLC	352591178	<input checked="" type="checkbox"/>
13. INVENERGY INVESTMENT COMPANY LLC	371456538	<input checked="" type="checkbox"/>
14. INVENERGY ISRAEL LLC	320518370	<input checked="" type="checkbox"/>
15. INVENERGY LACKAWANNA HOLDINGS LLC	364854974	<input checked="" type="checkbox"/>
16. INVENERGY LACKAWANNA PREF HOLDINGS LLC	371845060	<input checked="" type="checkbox"/>
17. INVENERGY LLC	13644627930	<input type="checkbox"/>
18. INVENERGY LOGAN FINANCE COMPANY LLC	208763301	<input checked="" type="checkbox"/>
19. INVENERGY LOGAN HOLDING COMPANY LLC	208762182	<input checked="" type="checkbox"/>
20. INVENERGY MET LLC	32037132977	<input type="checkbox"/>
21. INVENERGY MIAMI WIND I HOLDINGS #2 LLC	320430567	<input checked="" type="checkbox"/>

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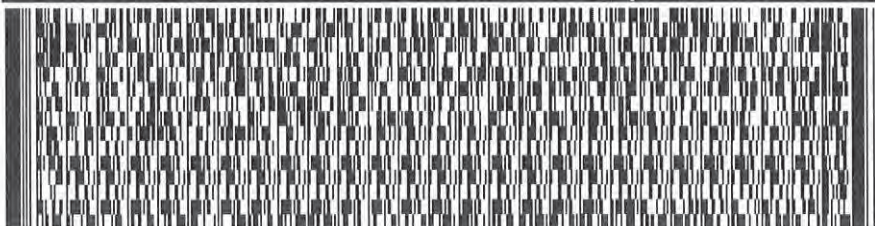
12006168525	2018	POLSKY ENERGY HOLDINGS LLC
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LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	BLACKEN BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. INVENERGY MIAMI WIND I HOLDINGS LLC	383915089	<input checked="" type="checkbox"/>
2. INVENERGY NELSON EXPANSION LLC	611792177	<input checked="" type="checkbox"/>
3. INVENERGY NELSON FACILITY MANAGER LLC	352574096	<input checked="" type="checkbox"/>
4. INVENERGY NELSON HOLDINGS LLC	383973747	<input checked="" type="checkbox"/>
5. INVENERGY NELSON LLC	205640025	<input checked="" type="checkbox"/>
6. INVENERGY PARTS LLC	32039357473	<input type="checkbox"/>
7. INVENERGY RENEWABLE ENERGY LLC (FKA INVENERGY	32039999035	<input type="checkbox"/>
8. INVENERGY RENEWABLES LLC (FKA INVENERGY WIND	32066250690	<input checked="" type="checkbox"/>
9. INVENERGY ROC HOLDINGS LLC	263866744	<input checked="" type="checkbox"/>
10. INVENERGY SANTA RITA HOLDINGS LLC	300987292	<input checked="" type="checkbox"/>
11. INVENERGY SERVICES GRAND RIDGE LLC	271168079	<input checked="" type="checkbox"/>
12. INVENERGY SERVICES INTERNATIONAL CORP.	204032359	<input checked="" type="checkbox"/>
13. INVENERGY SERVICES LLC	32020649813	<input type="checkbox"/>
14. INVENERGY SHOREHAM HOLDINGS LLC	000000022	<input checked="" type="checkbox"/>
15. INVENERGY SOLAR DEVELOPMENT LLC	32057090436	<input type="checkbox"/>
16. INVENERGY SOLAR DEVELOPMENT NORTH AMERICA LLC	32063476843	<input type="checkbox"/>
17. INVENERGY SOLAR GLOBAL LLC	371769263	<input checked="" type="checkbox"/>
18. INVENERGY SOLAR LLC F/K/A SKYGEN SOLAR LLC	270748782	<input checked="" type="checkbox"/>
19. INVENERGY SOLAR OPERATING I LLC	364859422	<input checked="" type="checkbox"/>
20. INVENERGY SOLAR OPERATIONAL HOLDINGS LLC	800843870	<input checked="" type="checkbox"/>
21. INVENERGY STORAGE DEVELOPMENT LLC	364783074	<input checked="" type="checkbox"/>

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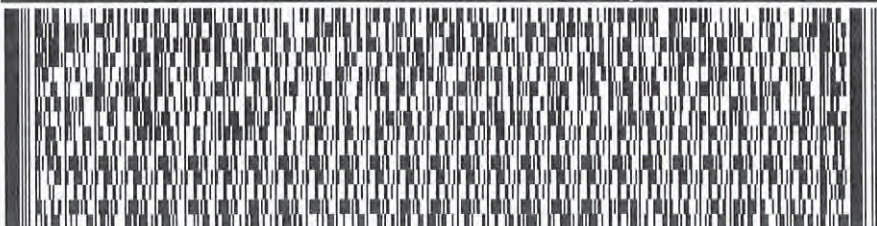
POLSKY ENERGY HOLDINGS LLC

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	BLACKEN BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. INVENERGY STORAGE LLC	383927961	<input checked="" type="checkbox"/>
2. INVENERGY THERMAL DEVELOPMENT LLC	261563294	<input checked="" type="checkbox"/>
3. INVENERGY THERMAL FINANCING II LLC	300846188	<input checked="" type="checkbox"/>
4. INVENERGY THERMAL FINANCING LLC	208687404	<input checked="" type="checkbox"/>
5. INVENERGY THERMAL GLOBAL LLC	383943965	<input checked="" type="checkbox"/>
6. INVENERGY THERMAL HOLDINGS II LLC	204577532	<input checked="" type="checkbox"/>
7. INVENERGY THERMAL HOLDINGS LLC	203903918	<input checked="" type="checkbox"/>
8. INVENERGY THERMAL LLC	203817973	<input checked="" type="checkbox"/>
9. INVENERGY THERMAL OPERATING I HOLDINGS LLC	352545276	<input checked="" type="checkbox"/>
10. INVENERGY THERMAL OPERATING I LLC	364811091	<input checked="" type="checkbox"/>
11. INVENERGY THERMAL OPERATING II LLC	300913507	<input checked="" type="checkbox"/>
12. INVENERGY TN LLC	421563391	<input checked="" type="checkbox"/>
13. INVENERGY TRENT MESA HOLDINGS LLC	364884221	<input checked="" type="checkbox"/>
14. INVENERGY TURBINE COMPANY II LLC	203960201	<input checked="" type="checkbox"/>
15. INVENERGY TX TRADING I LLC	000000010	<input checked="" type="checkbox"/>
16. INVENERGY TX TRADING II LLC	000000011	<input checked="" type="checkbox"/>
17. INVENERGY US WIND HOLDINGS LLC	800872533	<input checked="" type="checkbox"/>
18. INVENERGY US WIND I LLC	824074895	<input checked="" type="checkbox"/>
19. INVENERGY WIND CALIFORNIA LLC	611594266	<input checked="" type="checkbox"/>
20. INVENERGY WIND CANADA LLC	900130008	<input checked="" type="checkbox"/>
21. INVENERGY WIND DEVELOPMENT COLORADO LLC	352511916	<input checked="" type="checkbox"/>

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Texas Comptroller Official Use Only



VE/DE	<input type="checkbox"/>	FM	<input type="checkbox"/>
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TX2018
Ver. 9.005-165
(Rev.9-11/3)

Texas Franchise Tax Extension Affiliate List

Tcode 13298

Reporting entity taxpayer number

Report year

Reporting entity taxpayer name

12006168525	2018	POLSKY ENERGY HOLDINGS LLC
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LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	BLACKEN BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. INVENERGY WIND DEVELOPMENT HOLDINGS LLC	300703095	<input checked="" type="checkbox"/>
2. INVENERGY WIND DEVELOPMENT LLC	32034181217	<input type="checkbox"/>
3. INVENERGY WIND DEVELOPMENT MICHIGAN LLC	452605836	<input checked="" type="checkbox"/>
4. INVENERGY WIND DEVELOPMENT MONTANA LLC	273554310	<input checked="" type="checkbox"/>
5. INVENERGY WIND DEVELOPMENT NORTH AMERICA LLC	453693555	<input checked="" type="checkbox"/>
6. INVENERGY WIND EQUIPMENT MANAGEMENT LLC	300952782	<input checked="" type="checkbox"/>
7. INVENERGY WIND EUROPE DEVELOPMENT HOLDINGS LL	453693612	<input checked="" type="checkbox"/>
8. INVENERGY WIND EUROPE LLC	421698865	<input checked="" type="checkbox"/>
9. INVENERGY WIND FINANCE COMPANY LLC	202532576	<input checked="" type="checkbox"/>
10. INVENERGY WIND FINANCE NORTH AMERICA LLC	208906923	<input checked="" type="checkbox"/>
11. INVENERGY WIND FINANCE ROC LLC	262625737	<input checked="" type="checkbox"/>
12. INVENERGY WIND FINANCING LLC	000000023	<input checked="" type="checkbox"/>
13. INVENERGY WIND GLOBAL LLC	900771171	<input checked="" type="checkbox"/>
14. INVENERGY WIND HOLDINGS LLC	263467425	<input checked="" type="checkbox"/>
15. INVENERGY WIND INVESTMENT CORPORATION	300447600	<input checked="" type="checkbox"/>
16. INVENERGY WIND MANAGEMENT LLC	364896296	<input checked="" type="checkbox"/>
17. INVENERGY WIND MONTANA LLC	000000012	<input checked="" type="checkbox"/>
18. INVENERGY WIND NA OPERATING LLC	364883537	<input checked="" type="checkbox"/>
19. INVENERGY WIND NORTH AMERICA LLC	12082346938	<input type="checkbox"/>
20. INVENERGY WIND NORTH AMERICAN HOLDINGS LLC	453698038	<input checked="" type="checkbox"/>
21. INVENERGY WIND OPERATING I LLC	383926000	<input checked="" type="checkbox"/>

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POLSKY ENERGY HOLDINGS LLC

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1. INVENERGY WIND OPERATIONAL HOLDINGS LLC	611691741	<input checked="" type="checkbox"/>
2. INVENERGY WIND POWER HOLDINGS LLC	000000013	<input checked="" type="checkbox"/>
3. INVENERGY WIND POWER LLC	371650259	<input checked="" type="checkbox"/>
4. INVENERGY WIND SOUTH AMERICA LLC	611793188	<input checked="" type="checkbox"/>
5. INVENERGY WIND TURBINE II LLC	204135995	<input checked="" type="checkbox"/>
6. INVENERGY WIND TURBINE MANAGEMENT II LLC	384014097	<input checked="" type="checkbox"/>
7. INVENERGY WIND TURBINE MANAGEMENT LLC	383926606	<input checked="" type="checkbox"/>
8. INVENERGY WIND TURBINE TRANSPORT I LLC	272933240	<input checked="" type="checkbox"/>
9. INVENERGY WIND TURBINE TRANSPORT II LLC	272933334	<input checked="" type="checkbox"/>
10. INVENERGY WIND TYMIEN LLC	203288325	<input checked="" type="checkbox"/>
11. IWFC HOLDINGS LLC	000000014	<input checked="" type="checkbox"/>
12. IWFNA DEVELOPMENT HOLDINGS LLC	383933331	<input checked="" type="checkbox"/>
13. IWH HOLDINGS LLC	364837595	<input checked="" type="checkbox"/>
14. JAVA ENERGY LLC	371853735	<input checked="" type="checkbox"/>
15. JOHNSON COUNTY WIND ENERGY LLC	364789962	<input checked="" type="checkbox"/>
16. JUDITH GAP ENERGY LLC	593770596	<input checked="" type="checkbox"/>
17. JUDITH GAP WIND ENERGY II LLC	274083207	<input checked="" type="checkbox"/>
18. JUDITH GAP WIND ENERGY III LLC	364893570	<input checked="" type="checkbox"/>
19. KOSSUTH WIND ENERGY LLC	352611506	<input checked="" type="checkbox"/>
20. LA SIERRITA WIND LLC	611871232	<input checked="" type="checkbox"/>
21. LACKAWANNA ENERGY CENTER LLC	611729673	<input checked="" type="checkbox"/>

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1. LACKAWANNA ENERGY HOLDINGS LLC	320486212	<input checked="" type="checkbox"/>
2. LACKAWANNA ENERGY PARTNERS LLC	320515310	<input checked="" type="checkbox"/>
3. LACKAWANNA SUBORDINATED FINANCING HOLDINGS LL	371844973	<input checked="" type="checkbox"/>
4. LACKAWANNA SUBORDINATED FINANCING LLC	371845034	<input checked="" type="checkbox"/>
5. LAKE WILSON SOLAR LLC	384077833	<input checked="" type="checkbox"/>
6. LAKELAND SOLAR ENERGY LLC	371740233	<input checked="" type="checkbox"/>
7. LARGE LAKE WILSON SOLAR LLC	364887872	<input checked="" type="checkbox"/>
8. LASSEN WIND GENERATION LLC	352344734	<input checked="" type="checkbox"/>
9. LITHIA SOLAR LLC	384038438	<input checked="" type="checkbox"/>
10. LOVELOCK SOLAR ENERGY LLC	611868129	<input checked="" type="checkbox"/>
11. LUNING ENERGY CLASS B HOLDINGS LLC	611800880	<input checked="" type="checkbox"/>
12. LUNING ENERGY HOLDINGS LLC	352552649	<input checked="" type="checkbox"/>
13. MARSH HILL CLASS B HOLDINGS LLC	371753633	<input checked="" type="checkbox"/>
14. MARSH HILL ENERGY LLC	800856885	<input checked="" type="checkbox"/>
15. MARSH HILL HOLDINGS LLC	364783084	<input checked="" type="checkbox"/>
16. MARSHALL COGEN LLC	352573463	<input checked="" type="checkbox"/>
17. MCLEAN COUNTY WIND ENERGY LLC	352580016	<input checked="" type="checkbox"/>
18. MIAMI WIND I CLASS B HOLDINGS LLC	300797368	<input checked="" type="checkbox"/>
19. MIAMI WIND I HOLDINGS LLC	32054343044	<input checked="" type="checkbox"/>
20. MIAMI WIND I LLC	32045958413	<input type="checkbox"/>
21. MIAMI WIND II LLC	32049494662	<input type="checkbox"/>

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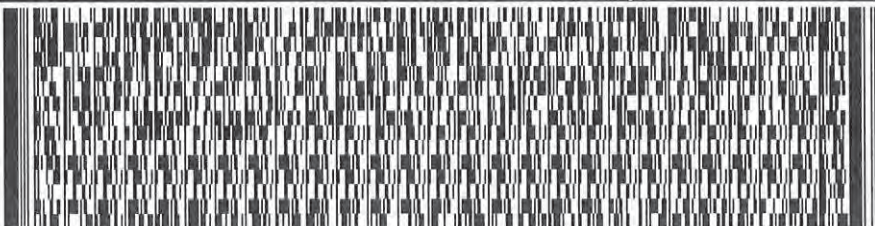
POLSKY ENERGY HOLDINGS LLC

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	BLACKEN BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. MIAMI WIND III LLC	32050987463	<input type="checkbox"/>
2. MITCHELL SOLAR ENERGY LLC	352482187	<input checked="" type="checkbox"/>
3. MONTESCO SOLAR LLC	000000015	<input checked="" type="checkbox"/>
4. MORESVILLE ENERGY LLC	261363691	<input checked="" type="checkbox"/>
5. MORGANS CORNER SOLAR ENERGY LLC	901017551	<input checked="" type="checkbox"/>
6. MORROW LAND LLC	352580354	<input checked="" type="checkbox"/>
7. MORROW WIND ENERGY LLC	270449139	<input checked="" type="checkbox"/>
8. NASSAU SOLAR ENERGY CENTER LLC	000000016	<input checked="" type="checkbox"/>
9. NEW LIBERTY WIND ENERGY LLC	364843931	<input checked="" type="checkbox"/>
10. NUMBER THREE WIND LLC	320497776	<input checked="" type="checkbox"/>
11. OLD STATE ENERGY LLC	000000017	<input checked="" type="checkbox"/>
12. ONE FENCE WIND ENERGY LLC	32061150754	<input type="checkbox"/>
13. ORANGEVILLE CLASS B HOLDINGS LLC	800927998	<input checked="" type="checkbox"/>
14. ORANGEVILLE ENERGY STORAGE LLC	320532743	<input checked="" type="checkbox"/>
15. ORANGEVILLE HOLDINGS LLC	800928884	<input checked="" type="checkbox"/>
16. PALO ALTO WIND ENERGY LLC	320510245	<input checked="" type="checkbox"/>
17. PANTEGO WIND ENERGY LLC	900859617	<input checked="" type="checkbox"/>
18. PINE RIVER WIND ENERGY LLC	371836867	<input checked="" type="checkbox"/>
19. PISTOL HILL WIND ENERGY LLC	32033576326	<input type="checkbox"/>
20. PLEASANT RIDGE ENERGY II LLC	320434437	<input checked="" type="checkbox"/>
21. PLEASANT RIDGE ENERGY LLC	273416439	<input checked="" type="checkbox"/>

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Ver. 9.005-165
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1. POCO WIND ENERGY LLC FKA POCO BUEONO WIND ENE	32061202100	<input type="checkbox"/>
2. POLARIS WIND ENERGY LLC	352855096	<input checked="" type="checkbox"/>
3. POLSKY ENERGY INVESTMENTS LLC	200616874	<input checked="" type="checkbox"/>
4. POLSKY RENEWABLE HOLDINGS LLC	000000018	<input checked="" type="checkbox"/>
5. POSEIDON RENEWABLE PROJECT LLC	822468708	<input checked="" type="checkbox"/>
6. POTTER WIND ENERGY LLC	270298236	<input checked="" type="checkbox"/>
7. PRAIRIE BREEZE EXPANSION CLASS B HOLDINGS LLC	352533265	<input checked="" type="checkbox"/>
8. PRAIRIE BREEZE EXPANSION HOLDINGS LLC	320469731	<input checked="" type="checkbox"/>
9. PRAIRIE BREEZE FACILITY MANAGER LLC	000000019	<input checked="" type="checkbox"/>
10. PRAIRIE BREEZE WIND ENERGY II LLC	364785344	<input checked="" type="checkbox"/>
11. PRAIRIE BREEZE WIND ENERGY III LLC	371784614	<input checked="" type="checkbox"/>
12. PREBLE SOLAR ENERGY LLC	453249830	<input checked="" type="checkbox"/>
13. PRIDDY WIND ENERGY LLC	32057595012	<input type="checkbox"/>
14. PRINEVILLE SOLAR ENERGY LLC	352618254	<input checked="" type="checkbox"/>
15. PUMPKIN CREEK WIND ENERGY LLC	611781425	<input checked="" type="checkbox"/>
16. QUINTON SOLAR ENERGY I LLC	364731443	<input checked="" type="checkbox"/>
17. RATTLESNAKE WIND II LLC	32055168366	<input type="checkbox"/>
18. RED OAK ENERGY LLC	301048110	<input checked="" type="checkbox"/>
19. RED PLAINS WIND ENERGY LLC	371761408	<input checked="" type="checkbox"/>
20. RICHFIELD SOLAR ENERGY LLC	384068778	<input checked="" type="checkbox"/>
21. RICHLAND WIND ENERGY LLC	364883935	<input checked="" type="checkbox"/>

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1. RUSH CREEK WIND ENERGY II LLC	371827286	<input checked="" type="checkbox"/>
2. RUSH CREEK WIND ENERGY LLC	364833198	<input checked="" type="checkbox"/>
3. SAGAMORE WIND ENERGY LLC	371841220	<input checked="" type="checkbox"/>
4. SANILAC WIND ENERGY LLC	301038088	<input checked="" type="checkbox"/>
5. SANTA RITA EAST WIND ENERGY LLC	32061129683	<input type="checkbox"/>
6. SANTA RITA INVESTCO LLC	300995080	<input checked="" type="checkbox"/>
7. SANTA RITA SOLAR I LLC	32065319330	<input type="checkbox"/>
8. SANTA RITA WIND ENERGY HOLDINGS LLC	611843814	<input checked="" type="checkbox"/>
9. SANTA RITA WIND ENERGY LLC	32057805403	<input type="checkbox"/>
10. SANTAQUIN ENERGY CENTER LLC	364821338	<input checked="" type="checkbox"/>
11. SHOREHAM SOLAR COMMONS HOLDINGS LLC	352595519	<input checked="" type="checkbox"/>
12. SHOREHAM SOLAR COMMONS LLC	383970701	<input checked="" type="checkbox"/>
13. SILVER SPOKE WIND ENERGY LLC	364852628	<input checked="" type="checkbox"/>
14. SKYGEN SOLAR ENERGY LLC	262249384	<input checked="" type="checkbox"/>
15. SPINDLE HILL ENERGY LLC	205022554	<input checked="" type="checkbox"/>
16. SPINDLE HILL FINANCING LLC	205232084	<input checked="" type="checkbox"/>
17. SPRING CANYON ENERGY IV LLC	383931285	<input checked="" type="checkbox"/>
18. SPRING CANYON ENERGY LLC	202240338	<input checked="" type="checkbox"/>
19. STANTON WIND HOLDINGS LLC	371651186	<input checked="" type="checkbox"/>
20. STATES EDGE WIND ENERGY LLC	300935070	<input checked="" type="checkbox"/>
21. STATES EDGE WIND I CLASS B HOLDINGS LLC	301004874	<input checked="" type="checkbox"/>

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1. STATES EDGE WIND I HOLDINGS LLC	384048857	<input checked="" type="checkbox"/>
2. STATES EDGE WIND I LLC	364877011	<input checked="" type="checkbox"/>
3. STEM BEACH SOLAR ENERGY LLC	364894628	<input checked="" type="checkbox"/>
4. STERLING WIND ENERGY LLC	32033691760	<input type="checkbox"/>
5. STONY CREEK ENERGY LLC	262082798	<input checked="" type="checkbox"/>
6. TB FLATS WIND ENERGY II LLC	000000020	<input checked="" type="checkbox"/>
7. TB FLATS WIND ENERGY LLC	300912297	<input checked="" type="checkbox"/>
8. TECATE DIVIDE WIND ENERGY LLC	300475081	<input checked="" type="checkbox"/>
9. TEHACHAPI CONNECT LLC	300843090	<input checked="" type="checkbox"/>
10. TEHACHAPI WIND ENERGY LLC	383982882	<input checked="" type="checkbox"/>
11. THERMAL INVESTMENT CORPORATION	364797443	<input checked="" type="checkbox"/>
12. THUNDERHEAD WIND ENERGY LLC	371880044	<input checked="" type="checkbox"/>
13. TIDEWATER SOLAR ENERGY LLC	274218080	<input checked="" type="checkbox"/>
14. TODD SOLAR LLC	320476345	<input checked="" type="checkbox"/>
15. TONOPAH ENERGY LLC	273411491	<input checked="" type="checkbox"/>
16. TRICOUNTY WIND ENERGY LLC	273635437	<input checked="" type="checkbox"/>
17. TYRRELL ENERGY LLC	611871656	<input checked="" type="checkbox"/>
18. U.P. COGEN LLC	383987773	<input checked="" type="checkbox"/>
19. UINTA WIND ENERGY LLC	383990233	<input checked="" type="checkbox"/>
20. UNION WIND ENERGY LLC	264527222	<input checked="" type="checkbox"/>
21. UPSTREAM WIND ENERGY HOLDINGS LLC	000000021	<input checked="" type="checkbox"/>

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1. UPSTREAM WIND ENERGY LLC	611802876	<input checked="" type="checkbox"/>
2. VANTAGE CLASS B HOLDINGS LLC	272982377	<input checked="" type="checkbox"/>
3. VANTAGE WIND ENERGY LLC	264072417	<input checked="" type="checkbox"/>
4. VANTAGE WIND HOLDINGS LLC	272982496	<input checked="" type="checkbox"/>
5. VINTON SOLAR ENERGY LLC	611843709	<input checked="" type="checkbox"/>
6. WAKE WITH THE SUN LLC	32058982979	<input type="checkbox"/>
7. WESTWOOD ENERGY STORAGE LLC	301012890	<input checked="" type="checkbox"/>
8. WHATLEY SOLAR RANCH LLC	32061639095	<input type="checkbox"/>
9. WHITE COUNTY SOLAR ENERGY CENTER LLC	320559923	<input checked="" type="checkbox"/>
10. WILKINSON ENERGY LLC	320558239	<input checked="" type="checkbox"/>
11. WILKINSON SOLAR LLC	352563971	<input checked="" type="checkbox"/>
12. WINDY HILLS WIND ENERGY LLC	300887427	<input checked="" type="checkbox"/>
13. WOLVERINE CREEK ENERGY LLC	204536206	<input checked="" type="checkbox"/>
14. WOLVERINE CREEK GOSHEN INTERCONNECTION LLC	204338972	<input checked="" type="checkbox"/>
15. WRAY WIND ENERGY LLC	301037874	<input checked="" type="checkbox"/>
16. YUMA SOLAR ENERGY LLC	371875863	<input checked="" type="checkbox"/>
17.		<input type="checkbox"/>
18.		<input type="checkbox"/>
19.		<input type="checkbox"/>
20.		<input type="checkbox"/>
21.		<input type="checkbox"/>

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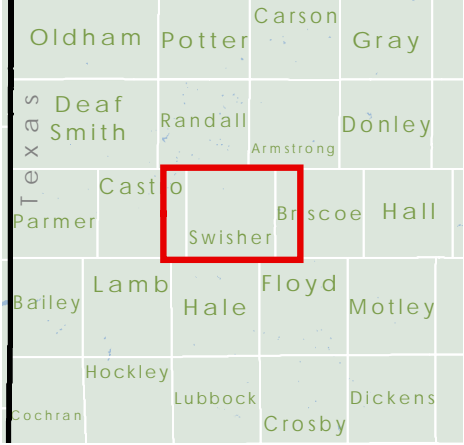
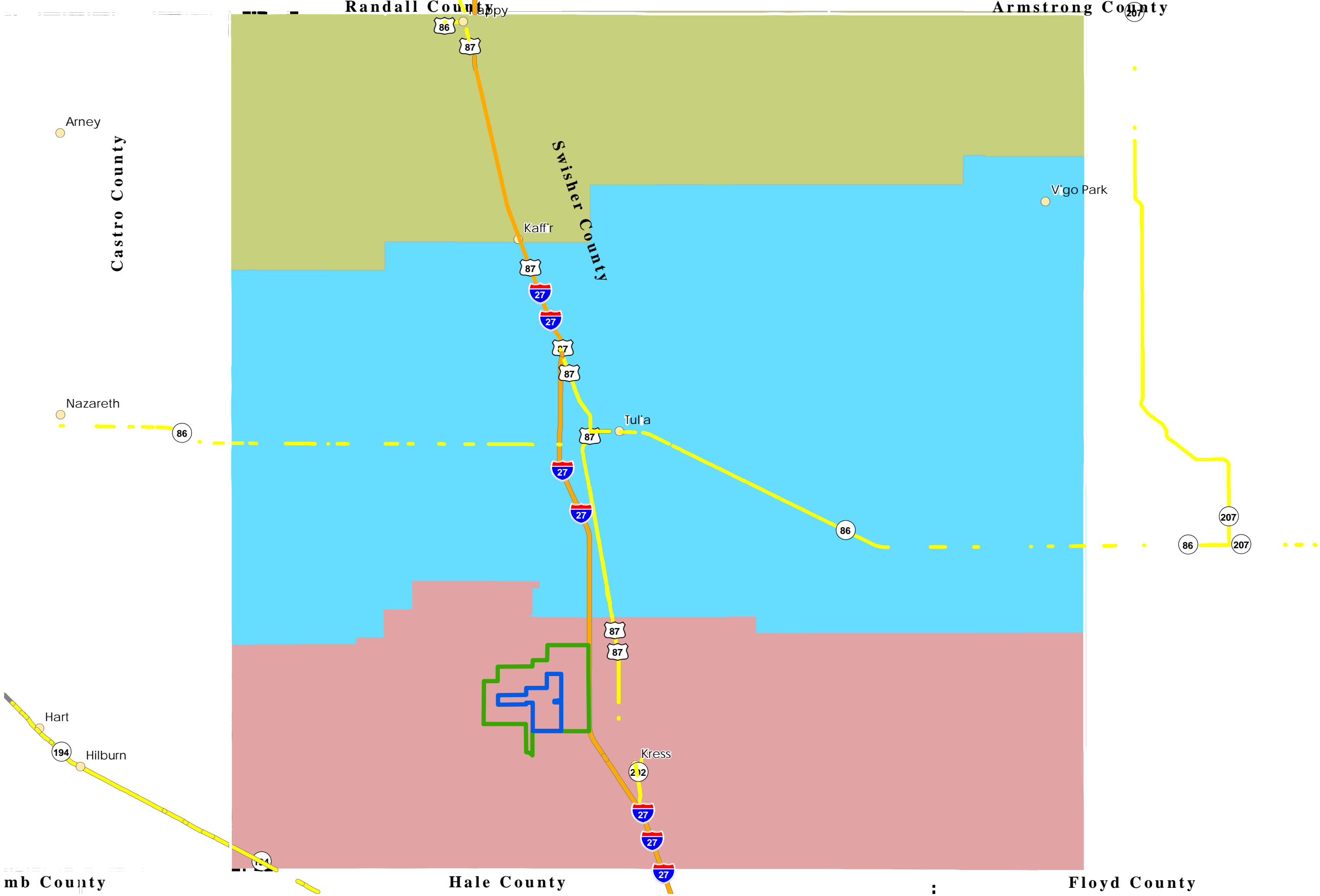
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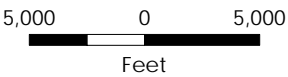
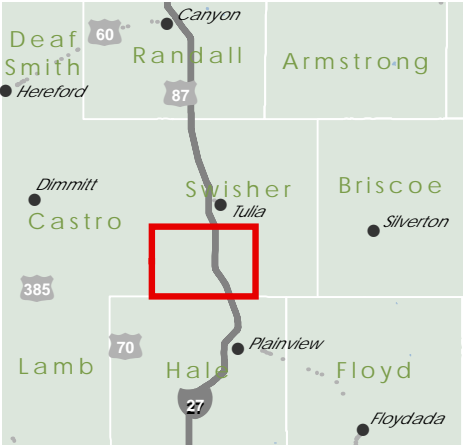
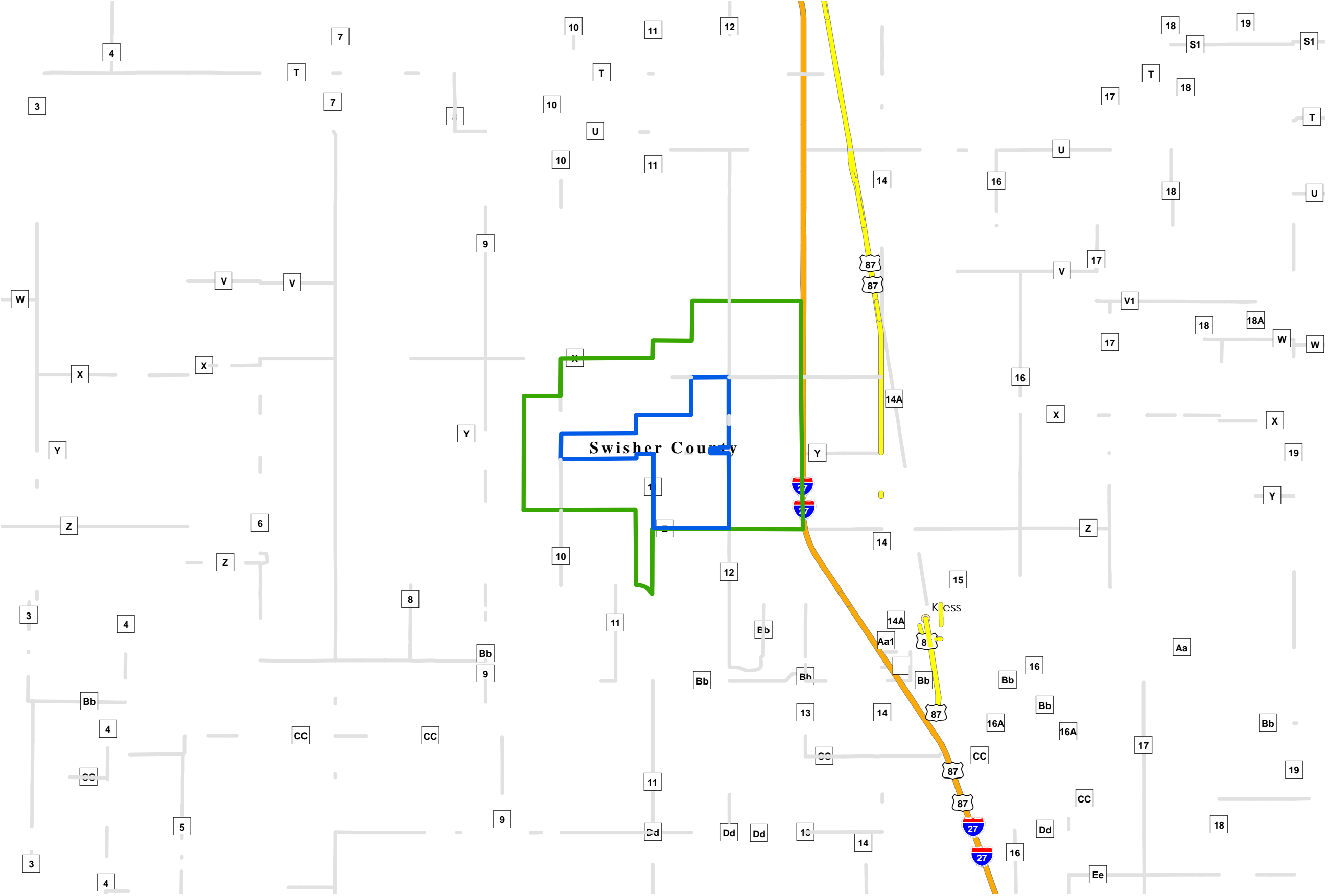
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- County Boundary
- Reinvestment Zone
- Project Boundary
- Independent School District
- Happy ISD
- Kress ISD
- Tulia ISD
- Road Classification
- Interstate Highway
- US/State Route

Site Summary

Swisher Solar Energy Center | Swisher County, Texas

Rev. 00
April 09, 2020





Legend

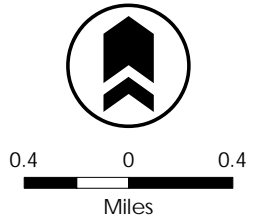
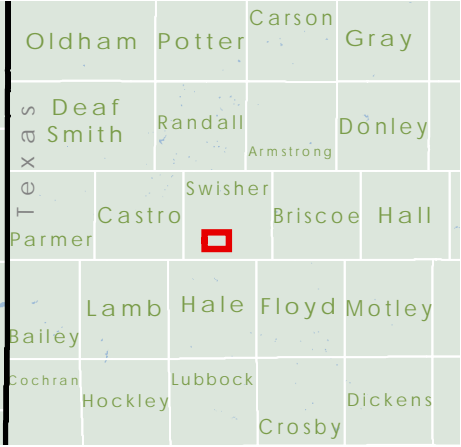
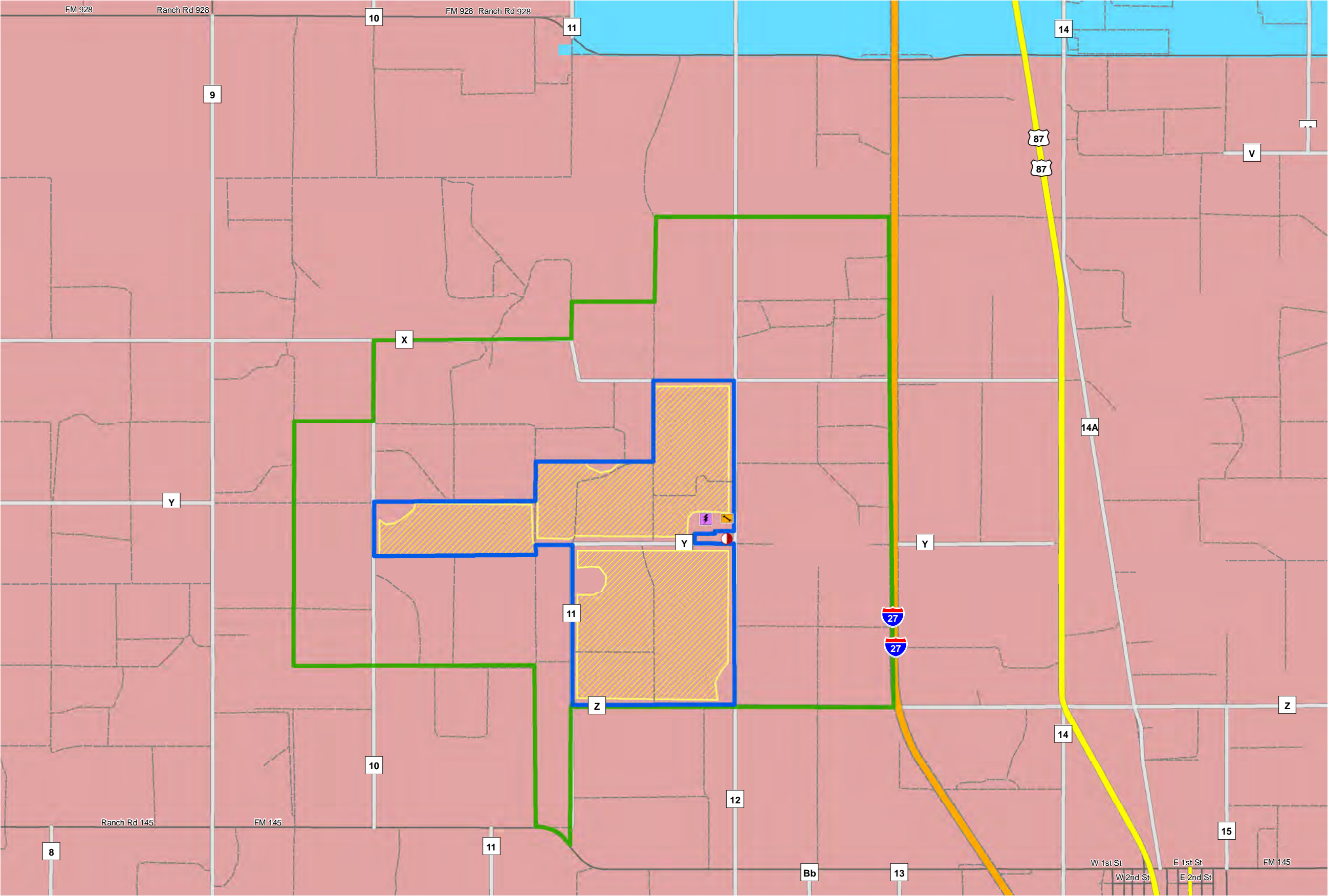
- City/Town
- County Boundary
- Reinvestment Zone
- Project Boundary
- Independent School District
 - Kress ISD
 - Tulia ISD
- Road Classification
 - Interstate Highway
 - US/State Route
 - County Road

Site Summary

Swisher Solar Energy Center | Swisher County, Texas

Rev. 00
April 09, 2020





Legend

- O&M Building
- Project Substation
- Point of Interconnection
- Layout (Modules and Inverters)
- Reinvestment Zone
- Project Boundary
- Independent School District**
 - Kress ISD
 - Tulia ISD
- Road Classification**
 - Interstate Highway
 - US/State Route
 - County Road
 - Local Road
 - Dirt/Unpaved Road

Site Summary

Swisher Solar Energy Center | Swisher County, Texas

Rev. 00
April 13, 2020



Schedule D: Other Incentives (Estimated)

Date 4/9/2020
 Applicant Name Swisher Solar Energy, LLC
 ISD Name Kress 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 Tex Levy without Incentive	Annual Incentive	Annual Net Tax Levy
Tax Code Chapter 311	County:					
	City:					
	Other:					
Tax Code Chapter 312	County: Swisher County	2024	Ten years	\$474,438	100% + PILOT	\$168,000
	Other:					
Local Government Code Chapters 380/381	County:					
	City:					
	Other:					
Freeport Exemptions						
Non-Annexation Agreements						
Enterprise Zone/Project						
Economic Development Corporation						
Texas Enterprise Fund						
Employee Recruitment						
Skills Development Fund						
Training Facility Space and Equipment						
Infrastructure Incentives						
Permitting Assistance						
Other:						
Other:						
Other:						
Other:						
				\$474,438	100% + PILOT	\$168,000

Additional information on incentives for this project:

1. Swisher County incentive is based on estimates

**RESOLUTION OF THE COMMISSIONERS COURT
OF SWISHER COUNTY, TEXAS
DESIGNATING THE SWISHER SOLAR ENERGY
REINVESTMENT ZONE**

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

WHEREAS, the Commissioners Court of Swisher County, Texas desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a reinvestment zone as authorized by the Property Redevelopment and Tax Abatement Act, as amended (Texas Property Tax Code § 312.001, *et seq.*); and

WHEREAS, the Commissioners Court of Swisher County, Texas has previously adopted Guidelines and Criteria of the Commissioners Court of Swisher County for Granting a Tax Abatement in Reinvestment Zone Created in Swisher County, Texas (the "Guidelines"); and

WHEREAS, on this date, a hearing before the Commissioners Court of Swisher County, Texas was held, such date being at least seven (7) days after the date of publication of the notice of such public hearing in the local newspaper of general circulation in Swisher County and the delivery of written notice to the respective presiding officers of each taxing entity that includes within its boundaries real property that is to be included in the proposed reinvestment zone; and

WHEREAS, the Commissioners Court of Swisher County, Texas at such public hearing invited any interested person to appear and speak for or against the creation of the reinvestment zone and whether all or part of the territory described should be included in the proposed reinvestment zone; and

WHEREAS, the proponents of the reinvestment zone offered evidence, both oral and documentary, in favor of all of the foregoing matters relating to the creation of the reinvestment zone and opponents, if any, of the reinvestment zone appeared to contest the creation of the reinvestment zone.

BE IT RESOLVED BY THE COMMISSIONERS COURT OF SWISHER COUNTY, TEXAS:

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

SECTION 2. That the Commissioners Court of Swisher County, Texas, after conducting such hearing and having heard such evidence and testimony, has made

the following findings and determinations based on the evidence and testimony presented to it:

- (a) That the public hearing on adoption of the Swisher Solar Energy Reinvestment Zone has been properly called, held and conducted and that notice of such hearing has been published as required by law and mailed to the respective presiding officers of the governing bodies of all taxing units overlapping the territory inside the proposed reinvestment zone; and
- (b) That the boundaries of the Swisher Solar Energy Reinvestment Zone should be the area described in the legal description and corresponding map attached hereto as Exhibit "A", which is incorporated herein by reference for all purposes; and,
- (c) That creation of the Swisher Solar Energy Reinvestment Zone will result in benefits to Swisher County, Texas and to land included in the zone and that the improvements sought are feasible and practical; and
- (d) The Swisher Solar Energy Reinvestment Zone meets the criteria set forth in Texas Property Tax Code Chapter 312 for the creation of a reinvestment zone as set forth in the Property Redevelopment and Tax Abatement Act, as amended, and the Guidelines, in that it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract investment in the zone that would be a benefit to the property and that would contribute to the economic development of Swisher County, Texas, and that the entire tract of land is located entirely within an unincorporated area of Swisher County, Texas.

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

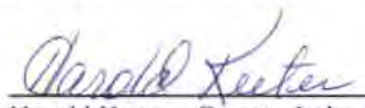
SECTION 4. That Swisher Solar Energy Reinvestment Zone shall take effect on the date of this Resolution and shall remain designated as a commercial-industrial reinvestment zone for a period of five (5) years from such date of designation and may be renewed for an additional five (5) year period thereafter.


SECTION 5. That if any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity

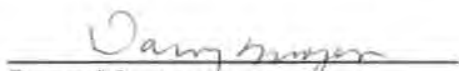
or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

SECTION 6. That it is hereby found, determined and declared that a sufficient notice of the date, hour, place and subject, of the meeting of the Swisher County Commissioners Court at which this Resolution was adopted was posted at a place convenient and readily accessible at all times as required by the Texas Open Government Act, Texas Government Code, Chapter 551, as amended, and that a public hearing was held prior to the designation of such reinvestment zone and that proper notice of the hearing was published in the official newspaper of general circulation within the County, and furthermore, such notice was in fact delivered to the presiding officer of any affected taxing entity as prescribed by the Property Redevelopment and Tax Abatement Act.


PASSED, APPROVED AND ADOPTED on this the 9th day of March, 2020.


Harold Keeter, County Judge


Lloyd Rahlfs
Commissioner, Precinct 1


Danny Morgan
Commissioner, Precinct 2

Joe Murrell
Commissioner, Precinct 3


Larry Buske
Commissioner, Precinct 4

Attest:

C J Chasco, Swisher County Clerk

EXHIBIT A

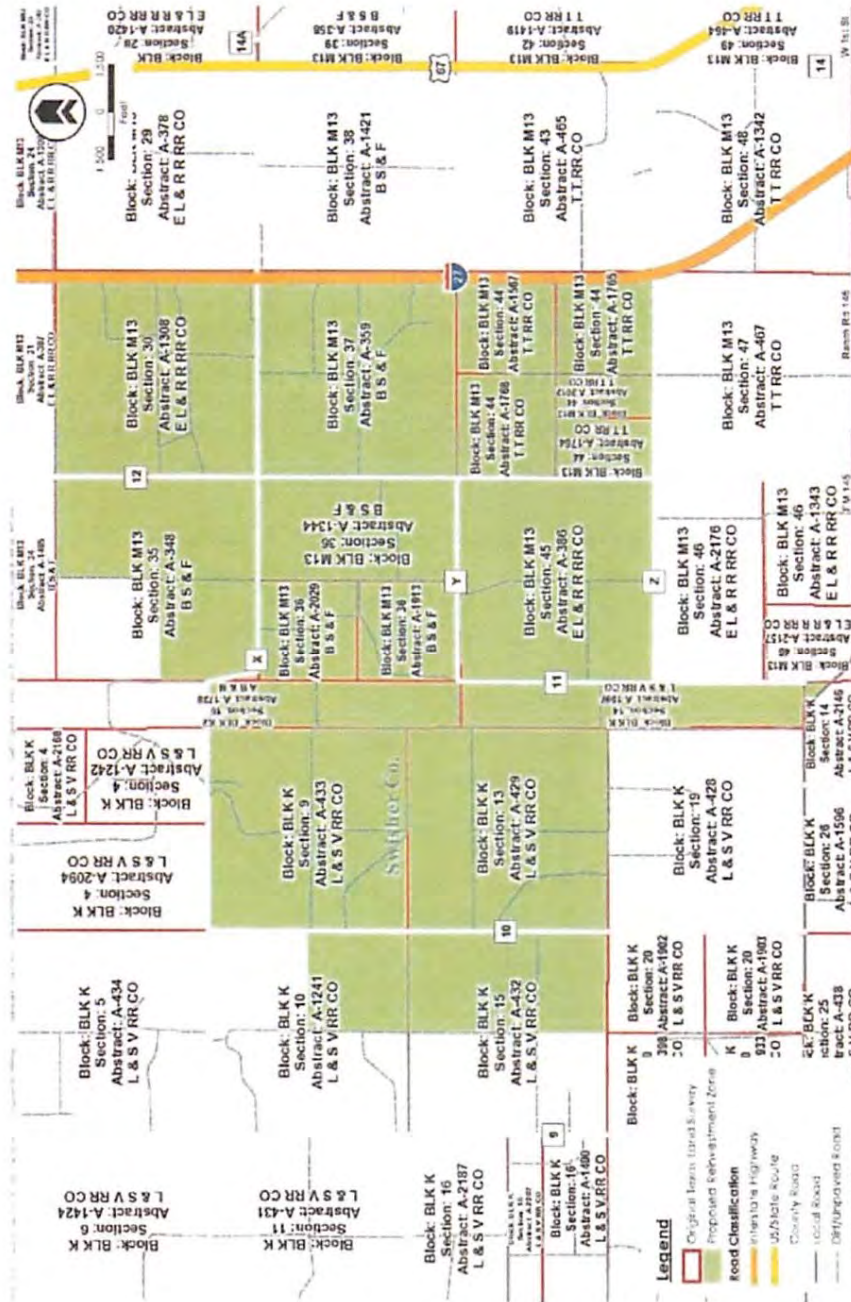
LEGAL DESCRIPTION AND MAP OF SWISHER SOLAR ENERGY REINVESTMENT ZONE

Swisher Solar Energy Reinvestment Zone is comprised of the following parcels. In the event of discrepancy between this Exhibit "A" and the attached map, the map shall control; provided however, the Swisher Solar Energy Reinvestment Zone shall in no way be deemed to include any portion of any municipality.

BLK M-13 SEC 30 611.35 ACRES
 BLK M-13 SEC 35 PT OF SW/4 120 ACRES
 BLK M-13 SEC 35 E/2 320 ACRES
 BLK M-13 SEC 36 E/2 311 ACRES
 BLK M-13 SEC 36 SE/COR 5 ACRES
 BLK M-13 SEC 36 W/PT OF SE/CORNER 4.0 ACRES
 BLK M-13 SEC 36 E/2 311 ACRES
 BLK M-13 SEC 36 SW/4 160 ACRES
 BLK M-13 SEC 36 NW/4 160 ACRES BLK M-13 SEC 37 NW/4 139.64 ACRES
 BLK M-13 SEC 37 NW/PT OF NW/4 16.02 ACRES
 BLK M-13 SEC 37 N/PT OF NW/4 4.34 ACRES HOMESITE
 BLK M-13 SEC 37 NE/4 139.53 ACRES
 BLK M-13 SEC 37 S/2 301.05 ACRES
 BLK M-13 SEC 44 NW/4 160 ACRES
 BLK M-13 SEC 44 NE/4 141.39 ACRES
 BLK M-13 SEC 44 W/PT OF SW/4 130.29 ACRES
 BLK M-13 SEC 44 E/PT OF SW/4 29.71 ACRES
 BLK M-13 SEC 44 E/PT OF S/2 142.8 ACRES
 BLK M-13 SEC 45 640 ACRES
 BLK K-2 SEC 16 S/PT 74.3 ACRES
 BLK K-2 SEC 16 N/110 OF S/184 AC 110.1 ACRES
 BLK K SEC 9 640 ACRES
 BLK K SEC 10 SE/4 160 ACRES
 BLK K SEC 13 N/PT 213.3 ACRES
 BLK K SEC 13 SW/PT 213.3 ACRES
 BLK K SEC 13 SE/PT 213.3 ACRES
 BLK K SEC 14 N/PT 227 ACRES
 BLK K SEC 15 E/2 310 ACRES
 BLK K SEC 15 SE/PT OF E/2 10 ACRES

EXHIBIT A (CONTINUED)

MAP OF SWISHER SOLAR ENERGY REINVESTMENT ZONE



Invenergy

Rev. 00
January 14, 2020

RESOLUTION

**PROVIDING THAT SWISHER COUNTY (the "COUNTY")
ELECTS TO CONTINUE, RENEW, AND EXTEND ITS PRIOR RESOLUTION
ELECTING TO PARTICIPATE IN TAX ABATEMENTS AND AMENDING ITS TAX
ABATEMENT GUIDELINES AND CRITERIA AS AUTHORIZED BY CHAPTER 312
OF THE TEXAS TAX CODE**

WHEREAS, a Texas taxing unit may enter into tax abatement agreements authorized by Chapter 312 of the Texas Tax Code (the "Code") only if the governing body of such taxing unit has previously adopted a resolution stating that the taxing unit elects to be eligible to participate in tax abatement and establishes guidelines and criteria;

WHEREAS, the County previously adopted a resolution stating that the County elects to be eligible to participate in tax abatement, and the County desires to continue, renew, and extend such authorization for the County to participate in tax abatements; and

WHEREAS, the County previously adopted Tax Abatement Guidelines and Criteria, originally on or about April 22, 2013 and the most recent time on or about May 29, 2019, relating to entering into tax abatements; and

WHEREAS, these Guidelines and Criteria shall remain in force for two (2) years, unless amended by three-quarters vote of the Commissioners Court; and

WHEREAS, the County desires to amend its Guidelines and Criteria to specifically provide that solar or other renewable energy facilities are "Eligible Facilities" as that term is defined in the Guidelines and Criteria, and to make other updates;

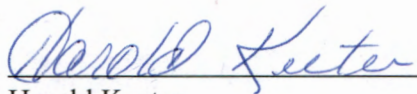
**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY
COMMISSIONERS' COURT OF SWISHER COUNTY THAT:**

1. The County hereby elects to continue, renew, and extend its authorization to participate in tax abatements in accordance with Chapter 312 of the Code; and
2. The County hereby elects to adopt amended Tax Abatement Guidelines and Criteria dated on or about January 13, 2020, for participating in tax abatements.

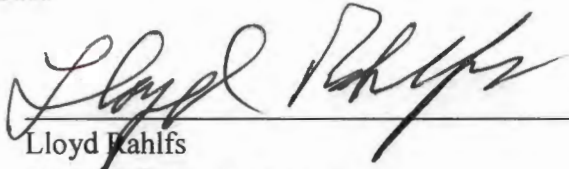
(signatures on following page)

PASSED, APPROVED AND ADOPTED on this the 13th day of January, 2020.

SWISHER COUNTY COMMISSIONERS COURT



Harold Keeter
County Judge



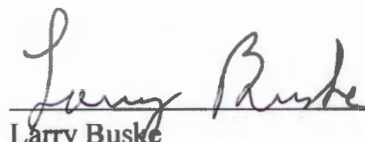
Lloyd Rahlfs
Commissioner, Precinct 1



Danny Morgan
Commissioner, Precinct 2

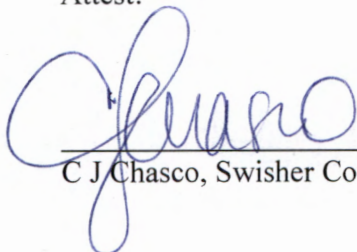


Joe Murrell
Commissioner, Precinct 3



Larry Buske
Commissioner, Precinct 4

Attest:



C J Chasco, Swisher County Clerk



STATE OF TEXAS
SWISHER COUNTY
TAX ABATEMENT GUIDELINES AND CRITERIA

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

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

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

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

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

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

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

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

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

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

SECTION I. DEFINITIONS

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

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

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

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

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

aquaculture/agriculture facilities
distribution center facilities
manufacturing facilities
office buildings
other basic industrial facilities

regional entertainment/tourism facilities
research service facilities
regional service facilities
historic buildings in a designated area
wind, solar, or other renewable energy facilities

F. **"Expansion"** means the addition of building structures, machinery, equipment, or

payroll for purposes of increasing production capacity.

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

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

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

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

SECTION II. ABATEMENT AUTHORIZED

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

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

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

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

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

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

G. **Economic Qualifications.** In order to be eligible for designation as a reinvestment

zone and receive Tax Abatement, the planned improvement:

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

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

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

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

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

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

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

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

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

end of the Abatement period.

SECTION III. APPLICATION

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

B. The application shall consist of a general description of the new improvements to be undertaken; a descriptive list of the improvements for which an Abatement is requested; a list of the kind, number and location of all proposed improvements of a property; a map and property description; and a time schedule for undertaking and completing the proposed improvements. In the case of modernization, a statement of the assessed value of the facility, separately stated for real and personal property, shall be given for the tax year immediately preceding the application. The Commissioners Court 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 Applicant shall agree to reimburse the County for reasonable legal fees incurred by the County in processing and considering this application, any Abatement Agreement, and any requested modification or amendment. The completed application must be accompanied by the payment of a nonrefundable 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 the County. The fee for Abatement requests shall be One Thousand and No/100 Dollars (\$1,000.00).

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

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

SECTION IV. AGREEMENT

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

- A. include a list of the kind, number and location of all proposed improvements to the property;
- B. provide access to and authorize inspection of the property by the taxing unit to insure compliance with the Agreement;
- C. limit the use of the property consistent with the taxing unit's development goals;

- D. provide for recapturing property tax revenues that are lost if the owner fails to make improvements as provided by the Agreement or otherwise fails to comply with the Agreement;
- E. include each term that was agreed upon with the property owner and require the owner to annually certify compliance with the terms of the Agreement to each taxing unit; and
- F. allow the taxing unit to cancel or modify the Agreement at any time if the property owner fails to comply with the terms of the Agreement.

SECTION V. RECAPTURE

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

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

SECTION VI. ADMINISTRATION

A. The Chief Appraiser of the Swisher 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 the amount of the assessment.

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

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

SECTION VII. ASSIGNMENT

The Tax Abatement Agreement may be transferred and assigned by the holder to a new owner or lessee of the same facility either upon the approval by resolution of the Commissioners Court or in accordance with the terms of an existing Tax Abatement Agreement. No assignment or transfer shall be approved if the parties to the existing Agreement, the new owner, or new lessee are liable to any jurisdiction for outstanding taxes or other obligations. Approval shall not be unreasonably delayed or withheld. Notice shall be given to the Commissioners Court at least twenty (20) days in advance of any transfer or assignment.


SECTION VIII. SUNSET PROVISION

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


(signatures on following page)

PASSED, APPROVED AND ADOPTED on this the 13th day of January, 2020.

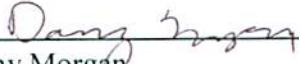
SWISHER COUNTY COMMISSIONERS COURT



Harold Keeter
County Judge




Lloyd Rahlfs
Commissioner, Precinct 1



Danny Morgan
Commissioner, Precinct 2

Joe Murrell
Commissioner, Precinct 3



Larry Muske
Commissioner, Precinct 4

Attest:



C J Chasco, Swisher County Clerk



Texas Comptroller of Public Accounts

Data Analysis and
Transparency
Form 50-296-A

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

Leah Zeigler

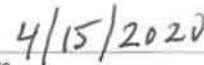
Print Name (Authorized School District Representative)

Superintendent

Title

sign
here


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

James Williams

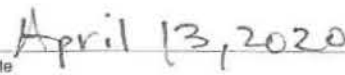
Print Name (Authorized Company Representative (Applicant))

Vice President of Development

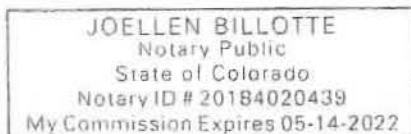
Title

sign
here


Signature (Authorized Company Representative (Applicant))



Date



(Notary Seal)

GIVEN under my hand and seal of office this, the

13 day of April, 2020



Notary Public in and for the State of Texas-co

My Commission expires: 5.14.22

If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.10.