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SARA LEON  
& ASSOCIATES, LLC

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August 26, 2020

*Via Electronic Mail: Ch313.apps@cpa.texas.gov*  
Local Government Assistance & Economic Analysis  
Texas Comptroller of Public Accounts  
111 E. 17<sup>th</sup> Street  
Austin, Texas 78774

Re: Application for a Chapter 313 Value Limitation Agreement between the Crane Independent School District and Emerald Grove Solar, LLC

*First Year of Qualifying Time Period – 2022*  
*First Year of Limitation – 2023*

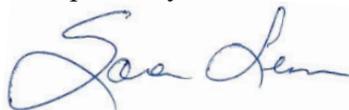
The Crane Independent School District Board of Trustees approved the enclosed Application for Appraised Value Limitation on Qualified Property at a duly called meeting held on June 9, 2020. The Application was determined to be complete on August 26, 2020. The Applicant proposes to construct a solar power generating facility with a total operating capacity of 108 megawatts, on approximately 1,000 acres all of which will be within Crane Independent School District territory.

We would also like to inform you that the new accounting measures instituted by the Applicant company coupled with extraordinary work safety precautions as a result of the COVID-19 pandemic created added difficulty with remitting payment by ACH. Please note that the Board of Trustees were aware, and the application was held by my firm, until payment was received.

A copy is being provided to the Crane County Appraisal District by copy of this correspondence. The Board of Trustees believes this project will be beneficial to the District and looks forward to your review and certification of this Application.

Thank you for your kind attention to this matter.

Respectfully submitted,



Sara Hardner Leon

Enclosures

August 26, 2020

Page 2

cc: *Via Electronic Mail: bbitner@craneisd.com*  
Byron Bitner, Chief Appraiser, Crane County Appraisal District

*Via Electronic Mail: jhunt@craneisd.com*  
Jan Hunt, Superintendent of Schools, Crane Independent School District

*Via Electronic Mail: michael.camden@ryan.com*  
Michael Camden, Director, Credits & Incentives, Ryan, LLC



100 Congress Avenue  
Suite 1900  
Austin, TX 78701  
Tel. 512.960.1063  
www.ryan.com

June 2, 2020

John Villareal  
Local Government Manager  
Data Analysis & Transparency Division  
Texas Comptroller of Public Accounts  
111 E. 17<sup>th</sup> St  
Austin, TX 78774

Re: Crane ISD – Emerald Grove Solar, LLC

John:

Attached please find the application pages for the Chapter 313 Application submitted by Emerald Grove Solar, LLC to Crane ISD. Along with the application and supporting documentation, a signature page is also provided.

If you have additional questions or concerns, feel free to reach me directly at [michael.camden@ryan.com](mailto:michael.camden@ryan.com) or 318.560.7241.

Sincerely,  
Michael Camden  
Applicant's Representative

**CHECKLIST ITEM #1**

Application

See Attached.

# Application for Appraised Value Limitation on Qualified Property

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

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

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

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

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

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

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

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

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

## SECTION 1: School District Information

### 1. Authorized School District Representative

June 9, 2020  
Date Application Received by District

Jan  
First Name

Hunt  
Last Name

Superintendent  
Title

Crane ISD  
School District Name

511 W. 8th Street  
Street Address

511 W. 8th Street  
Mailing Address

Crane  
City

TX  
State

79731  
ZIP

432.558.1022  
Phone Number

Fax Number

jhunt@craneisd.com  
Email Address

2. Does the district authorize the consultant to provide and obtain information related to this application? .....  Yes  No

**SECTION 1: School District Information (continued)**

**3. Authorized School District Consultant (If Applicable)**

Sara <small>First Name</small> Principal <small>Title</small> Sara Leon & Associates, LLC <small>Firm Name</small> 512.637.4244 <small>Phone Number</small>  Mobile Number (optional)	Hardner-Leon <small>Last Name</small>  512.637.4245 <small>Fax Number</small> saraleongroup@saraleonlaw.com <small>Email Address</small> August 26, 2020 <small>On what date did the district determine this application complete?</small>
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4. On what date did the district determine this application complete? ..... August 26, 2020

5. Has the district determined that the electronic copy and hard copy are identical? .....  Yes  No

**SECTION 2: Applicant Information**

**1. Authorized Company Representative (Applicant)**

Carla <small>First Name</small> SVP & General Tax Counsel <small>Title</small> 6555 Sierra Drive <small>Street Address</small> 6555 Sierra Drive <small>Mailing Address</small> Irving <small>City</small> 214.812.4600 <small>Phone Number</small>  Mobile Number (optional)	Howard <small>Last Name</small> Vistra Corp. <small>Organization</small>  TX <small>State</small> 75039 <small>ZIP</small>  carla.howard@vistracorp.com <small>Business Email Address</small>
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2. Will a company official other than the authorized company representative be responsible for responding to future information requests? .....  Yes  No

2a. If yes, please fill out contact information for that person.

Corey <small>First Name</small> Director, Development and Corporate Strategy <small>Title</small> 6555 Sierra Drive <small>Street Address</small> 6555 Sierra Drive <small>Mailing Address</small> Irving <small>City</small> 507.820.0670 <small>Phone Number</small>  Mobile Number (optional)	Juhl <small>Last Name</small> Vistra Corp. <small>Organization</small>  TX <small>State</small> 75039 <small>ZIP</small>  corey.juhl@vistracorp.com <small>Business Email Address</small>
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3. Does the applicant authorize the consultant to provide and obtain information related to this application? .....  Yes  No

SECTION 2: Applicant Information (continued)

4. Authorized Company Consultant (If Applicable)

Michael \_\_\_\_\_ Camden \_\_\_\_\_  
 First Name Last Name  
 Director, Credits & Incentives \_\_\_\_\_  
 Title  
 Ryan, LLC \_\_\_\_\_  
 Firm Name  
 512.960.1063 \_\_\_\_\_  
 Phone Number Fax Number  
 michael.camden@ryan.com \_\_\_\_\_  
 Business Email Address

SECTION 3: Fees and Payments

1. Has an application fee been paid to the school district?  Yes  No  
 The total fee shall be paid at time of the application is submitted to the school district. Any fees not accompanying the original application shall be considered supplemental payments.

1a. If yes, include all transaction information below. Include proof of application fee paid to the school district in **Tab 2**. Any confidential banking information provided will not be publicly posted.

\$75,000.00 \_\_\_\_\_ ACH Payment \_\_\_\_\_  
 Payment Amount Transaction Type  
 Vistra Corp. \_\_\_\_\_ Crane ISD \_\_\_\_\_  
 Payor Payee  
 8/18/2020 \_\_\_\_\_  
 Date transaction was processed

For the purpose of questions 2 and 3, "payments to the school district" include any and all payments or transfers of things of value made to the school district or to any person or persons in any form if such payment or transfer of thing of value being provided is in recognition of, anticipation of, or consideration for the agreement for limitation on appraised value.

2. Will any "payments to the school district" that you may make in order to receive a property tax value limitation agreement result in payments that are not in compliance with Tax Code §313.027(i)?  Yes  No  N/A  
 3. If "payments to the school district" will only be determined by a formula or methodology without a specific amount being specified, could such method result in "payments to the school district" that are not in compliance with Tax Code §313.027(i)?  Yes  No  N/A

SECTION 4: Business Applicant Information

1. What is the legal name of the applicant under which this application is made? \_\_\_\_\_ Emerald Grove Solar, LLC  
 2. List the Texas Taxpayer I.D. number of entity subject to Tax Code, Chapter 171 (11 digits) \_\_\_\_\_ 32063090222  
 3. Parent Company Name \_\_\_\_\_ Vistra Corp.  
 4. Parent Company Tax ID \_\_\_\_\_ 32059866338  
 5. List the NAICS code \_\_\_\_\_ 221114  
 6. Is the applicant a party to any other pending or active Chapter 313 agreements?  Yes  No  
 6a. If yes, please list application number, name of school district and year of agreement

SECTION 5: Applicant Business Structure

1. Identify Business Organization of Applicant (corporation, limited liability corporation, etc) \_\_\_\_\_ Limited Liability Corporation  
 2. Is applicant a combined group, or comprised of members of a combined group, as defined by Tax Code §171.0001(7)?  Yes  No  
 2a. If yes, attach in **Tab 3 a** a copy of Texas Comptroller Franchise Tax Form No. 05-165, No. 05-166, or any other documentation from the Franchise Tax Division to demonstrate the applicant's combined group membership and contact information.

**SECTION 5: Applicant Business Structure (continued)**

2b. List the Texas Franchise Tax Reporting Entity Taxpayer Name  
Vistra Corp. and Subsidiaries

2c. List the Reporting Entity Taxpayer Number  
32059866338

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

**SECTION 6: Eligibility Under Tax Code Chapter 313.024**

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

**\*Note:** Applicants requesting eligibility under this category should note that there are additional application and reporting data submission requirements.

**SECTION 7: Project Description**

1. In **Tab 4**, attach a detailed description of the scope of the proposed project, including, at a minimum, the type and planned use of real and tangible personal property, the nature of the business, a timeline for property construction or installation, and any other relevant information. If the project is an amendment or a reapplication please specify and provide details regarding the original project.
2. Check the project characteristics that apply to the proposed project:
- Land has no existing improvements  Land has existing improvements (complete Section 13)
  - Expansion of existing operation on the land (complete Section 13)  Relocation within Texas

SECTION 8: Limitation as Determining Factor

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

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

SECTION 9: Projected Timeline

NOTE: Only construction beginning after the application review start date (the date the Texas Comptroller of Public Accounts deems the application complete) can be considered qualified property and/or qualified investment.

1. Estimated school board ratification of final agreement ..... Q3 2020
  2. Estimated commencement of construction ..... Q2 2021
  3. Beginning of qualifying time period (MM/DD/YYYY) ..... 1/2/2021
  4. First year of limitation (MM/DD/YYYY) ..... 1/1/2023
- 4a. For the beginning of the limitation period, notate which **one of the following** will apply according to provision of 313.027(a-1)(2):
- A. January 1 following the application date       B. January 1 following the end of QTP
- C. January 1 following the commencement of commercial operations
5. Commencement of commercial operations ..... Q2 2022

SECTION 10: The Property

1. Identify county or counties in which the proposed project will be located Crane County, Texas
2. Identify Central Appraisal District (CAD) that will be responsible for appraising the property Crane County Appraisal District
3. Will this CAD be acting on behalf of another CAD to appraise this property?  Yes  No
4. List all taxing entities that have jurisdiction for the property, the portion of project within each entity and tax rates for each entity:
 

M&O (ISD): <u>.99</u> (Name, tax rate and percent of project)	I&S (ISD): <u>.03580</u> (Name, tax rate and percent of project)
County: <u>Crane County, .682733, 100%</u> (Name, tax rate and percent of project)	City: <u>Crane</u> (Name, tax rate and percent of project)
Hospital District: <u>Crane Memorial, 0.303756, 100%</u> (Name, tax rate and percent of project)	Water District: <u>Crane Water District, .2700, 100%</u> (Name, tax rate and percent of project)
Other (describe): _____ (Name, tax rate and percent of project)	Other (describe): _____ (Name, tax rate and percent of project)

**SECTION 10: The Property (continued)**

5. List all state and local incentives as an annual percentage. Include the estimated start and end year of the incentive:

County: 312 w/ PILOT (90% 2022-24, 85% 2025-29)  
(Incentive type, percentage, start and end year)

City: N/A  
(Incentive type, percentage, start and end year)

Hospital District: N/A  
(Incentive type, percentage, start and end year)

Water District: N/A  
(Incentive type, percentage, start and end year)

Other (describe): \_\_\_\_\_  
(Incentive type, percentage, start and end year)

Other (describe): \_\_\_\_\_  
(Incentive type, percentage, start and end year)

6. Is the project located entirely within the ISD listed in Section 1?  Yes  No

6a. If no, attach in **Tab 6** maps of the entire project (depicting all other relevant school districts) and additional information on the project scope and size. Please note that only the qualified property within the ISD listed in Section 1 is eligible for the limitation from this application. Please verify that all information in **Tabs 7 and 8**, Section 11, 12 and 13, and map project boundaries pertain to only the property within the ISD listed in Section 1.

7. Did you receive a determination from the Texas Economic Development and Tourism Office that this proposed project and at least one other project seeking a limitation agreement constitute a single unified project (SUP), as allowed in §313.024(d-2)?  Yes  No

7a. If yes, attach in **Tab 6** supporting documentation from the Office of the Governor.

**SECTION 11: Texas Tax Code 313.021(1) Qualified Investment**

**NOTE:** The minimum amount of qualified investment required to qualify for an appraised value limitation and the minimum amount of appraised value limitation vary depending on whether the school district is classified as Subchapter B or Subchapter C, and the taxable value of the property within the school district. For assistance in determining estimates of these minimums, access the Comptroller’s website at [comptroller.texas.gov/economy/local/ch313/](http://comptroller.texas.gov/economy/local/ch313/).

1. At the time of application, what is the estimated minimum qualified investment required for this school district? 10,000,000.00

2. What is the amount of appraised value limitation for which you are applying? 20,000,000.00

**Note:** The property value limitation amount is based on property values available at the time of application and may change prior to the execution of any final agreement.

3. Does the qualified investment meet the requirements of Tax Code §313.021(1)?  Yes  No

4. Attach a description of the qualified investment [See §313.021(1).] The description must include:

- a. a specific and detailed description of the qualified investment you propose to make within the project boundary for which you are requesting an appraised value limitation as defined by Tax Code §313.021 (**Tab 7**);
- b. a description of any new buildings, proposed new improvements or personal property which you intend to include as part of your minimum qualified investment (**Tab 7**); and
- c. a detailed map of the qualified investment showing location of tangible personal property to be placed in service during the qualifying time period and buildings to be constructed during the qualifying time period, with vicinity map (**Tab 11**).

5. Do you intend to make at least the minimum qualified investment required by Tax Code §313.023 (or §313.053 for Subchapter C school districts) for the relevant school district category during the qualifying time period?  Yes  No

**SECTION 12: Texas Tax Code 313.021(2) Qualified Property**

1. Attach a detailed description of the qualified property. [See §313.021(2)] 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**);
- 1c. a map or site plan of the proposed qualified property showing the location of the new buildings or new improvements inside the project area boundaries within a vicinity map that includes school district, county and RZ boundaries (**Tab 11**); and

1d. Will any of the proposed qualified property be used to renovate, refurbish, upgrade, maintain, modify, improve, or functionally replace existing buildings or existing improvements inside or outside the project area?  Yes  No

**Note:** Property used to renovate, refurbish, upgrade, maintain, modify, improve, or functionally replace existing buildings or existing improvements inside or outside the project area cannot be considered qualified property and will not be eligible for a limitation. See TAC §9.1051(16).

**SECTION 12: Texas Tax Code 313.021(2) Qualified Property (continued)**

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? ..... RZ already in place

**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 within the project boundary**. 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 within the project boundary 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 within the project boundary 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 within the project boundary (that property described in response to question 1): .....\$ 0.00
5. In **Tab 10**, include an appraisal value by the CAD of all the buildings and improvements existing as of a date within 15 days of the date the application is received by the school district.
6. Total estimated market value of proposed property not eligible to become qualified property (that property described in response to question 2): .....\$ 0.00

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

**SECTION 14: Wage and Employment Information**

1. What is the number of new qualifying jobs you are committing to create? ..... 1
2. What is the number of new non-qualifying jobs you are estimating you will create? (See TAC 9.1051(14)) ..... 0
3. Do you intend to request that the governing body waive the minimum new qualifying job creation requirement, as provided under Tax Code §313.025(f-1) and TAC 9.1051(b)(1)? .....  Yes  No
  - 3a. If yes, attach evidence of industry standard in **Tab 12** documenting that the new qualifying job creation requirement above exceeds the number of employees necessary for the operation, according to industry standards.
4. Attach in **Tab 13** the four most recent quarters of data for each wage calculation below, including documentation from the TWC website. The final actual statutory minimum annual wage requirement for the applicant for each qualifying job — which may differ slightly from this estimate — will be based on information from the four quarterly periods for which data were available at the time of the application review start date (date of a completed application). See TAC §9.1051(21) and (22). **Note:** If a more recent quarter of information becomes available before the application is deemed complete, updated wage information will be required.
  - a. Non-qualified job wages  
- average weekly wage for all jobs (all industries) in the county is ..... 1,149.50
  - b. Qualifying job wage minimum option §313.021(5)(A)  
-110% of the average weekly wage for manufacturing jobs in the county is ..... 0.00
  - c. Qualifying job wage minimum option §313.021(5)(B)  
-110% of the average weekly wage for manufacturing jobs in the region is ..... 962.48
5. Which Tax Code section are you using to estimate the qualifying job wage standard required for this project? .....  §313.021(5)(A) or  §313.021(5)(B)
6. What is the minimum required annual wage for each qualifying job based on the qualified property? ..... 50,048.90
7. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? ..... 51,000.00
8. Will the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? .....  Yes  No
9. Do you intend to satisfy the minimum qualifying job requirement through a determination of cumulative economic benefits to the state as provided by §313.021(3)(F)? .....  Yes  No
  - 9a. If yes, attach in **Tab 12** supporting documentation from the TWC, pursuant to §313.021(3)(F).
10. Do you intend to rely on the project being part of a single unified project, as allowed in §313.024(d-2), in meeting the qualifying job requirements? .....  Yes  No
  - 10a. If yes, attach in **Tab 6** supporting documentation including a list of qualifying jobs in the other school district(s).

**SECTION 15: Economic Impact**

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

## APPLICATION TAB ORDER FOR REQUESTED ATTACHMENTS

TAB	ATTACHMENT
1	Pages of the application including the signature and certification page, signed and dated by Authorized School District Representative and Authorized Company Representative. Sections 1-16
2	Proof of Payment of Application Fee
3	Documentation of Combined Group membership under Texas Tax Code 171.0001(7), history of tax default, delinquencies and/or material litigation (if applicable)
4	Detailed description of the project
5	Documentation to assist in determining if limitation is a determining factor
6	Description of how project is located in more than one district, including list of percentage in each district and, if determined to be a single unified project, documentation from the Office of the Governor (if applicable)
7	Description of Qualified Investment
8	Description of Qualified Property
9	Description of Land
10	Description of all property not eligible to become qualified property (if applicable)
11	<p>Maps that clearly show:</p> <ul style="list-style-type: none"> <li>a) Project boundary and project vicinity, including county and school district boundaries</li> <li>b) Qualified investment including location of tangible personal property to be placed in service during the qualifying time period and buildings to be constructed during the qualifying time period</li> <li>c) Qualified property including location of new buildings or new improvements</li> <li>d) Any existing property within the project area</li> <li>e) Any facilities owned or operated by the applicant having interconnections to the proposed project</li> <li>f) Location of project, and related nearby projects within vicinity map</li> <li>g) Reinvestment or Enterprise Zone within vicinity map, showing the actual or proposed boundaries and size</li> </ul> <p><b>Note:</b> Electronic maps should be high resolution files. Include map legends/markers.</p>
12	Request for Waiver of Job Creation Requirement and supporting information (if applicable)
13	Calculation of non-qualifying wage target and two possible qualifying job wage requirements with TWC documentation
14	Schedules A1, A2, B, and C completed and signed Economic Impact (if applicable)
15	Economic Impact Analysis, other payments made in the state or other economic information (if applicable)
16	<p>Description of Reinvestment or Enterprise Zone, including:</p> <ul style="list-style-type: none"> <li>a) evidence that the area qualifies as a enterprise zone as defined by the Governor's Office</li> <li>b) legal description of reinvestment zone*</li> <li>c) order, resolution or ordinance establishing the reinvestment zone*</li> <li>d) guidelines and criteria for creating the zone</li> </ul> <p><b>* To be submitted with application or before date of final application approval by school board</b></p>
17	Signature and Certification page, signed and dated by Authorized School District Representative and Authorized Company Representative (applicant)

**CHECKLIST ITEM #2**

Proof of Payment of Application Fee

See attached. Please note that new accounting processes instituted by the Applicant company coupled with extraordinary work safety precautions as a result of the pandemic created added difficulty with remitting payment. The Board of Trustees was aware, and the application was held by CISD's consultants until payment was received.

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

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

**CHECKLIST ITEM #4**

Detailed Description of Project

The Emerald Grove Solar “Project” will be an approximately 108 MW AC photovoltaic solar power generation facility. The Project is located on approximately 1,000 acres of contiguous land entirely within Crane ISD and will consist of over 400,000 solar PV modules, connected to form strings, which are subsequently connected in parallel and mounted on rows of horizontal, single axis trackers. The Project will also feature central power inverters and transformers to convert DC power to AC electricity. In addition to the major equipment, the supporting electrical collection system and supporting facilities will be constructed and improved as necessary, as well as overhead transmission lines, a collection substation to permit the interconnection and transmission of electricity generated by the Project, and an operations and maintenance building constructed within the Project’s boundary.

**CHECKLIST ITEMS #6**

Other School District Information

N/A

**CHECKLIST ITEM #7**

Description of Qualified Investment

The Emerald Grove Solar “Project” will be an approximately 108 MW AC photovoltaic solar power generation facility. The Project is located on approximately 1,000 acres of contiguous land entirely within Crane ISD and will consist of over 400,000 solar PV modules, connected to form strings, which are subsequently connected in parallel and mounted on rows of horizontal, single axis trackers. The Project will also feature central power inverters and transformers to convert DC power to AC electricity. In addition to the major equipment, the supporting electrical collection system and supporting facilities will be constructed and improved as necessary, as well as overhead transmission lines, a collection substation to permit the interconnection and transmission of electricity generated by the Project, and an operations and maintenance building constructed within the Project’s boundary.

**CHECKLIST ITEMS #8**

Description of Qualified Property

The Emerald Grove Solar “Project” will be an approximately 108 MW AC photovoltaic solar power generation facility. The Project is located on approximately 1,000 acres of contiguous land entirely within Crane ISD and will consist of over 400,000 solar PV modules, connected to form strings, which are subsequently connected in parallel and mounted on rows of horizontal, single axis trackers. The Project will also feature central power inverters and transformers to convert DC power to AC electricity. In addition to the major equipment, the supporting electrical collection system and supporting facilities will be constructed and improved as necessary, as well as overhead transmission lines, a collection substation to permit the interconnection and transmission of electricity generated by the Project, and an operations and maintenance building constructed within the Project’s boundary.

**CHECKLIST ITEM #10**

Description of Property not Eligible to become Qualified Property

N/A

**CHECKLIST ITEM #12**

Request for Waiver of Job Creation Requirement

See Attached.



March 4, 2020

Jan Hunt  
Superintendent  
Crane Independent School District  
511 W. 8<sup>th</sup> Street  
Crane, TX 79731

Re: Emerald Grove Solar LLC – Chapter 313 Job Requirements Waiver Request

Dear Ms. Hunt,

Emerald Grove Solar LLC is requesting that the school district's board of trustees waive the minimum job creation requirement, as provided under Texas Tax Code 313.025 (f-1).

Based upon our knowledge of staffing requirements, Emerald Grove Solar LLC requests the job creation requirement outlined in Chapter 313 be waived. In keeping with solar energy industry standards, Emerald Grove Solar LLC has committed to creating (1) new qualifying job.

As background, solar projects create a large number of full-time, temporary jobs during the construction phase, but require a small number of highly skilled technicians to operate the project once construction operations end and commercial operations have begun. Typically, solar projects of 100-200 MW require one to two full-time on-site employees, although this number varies depending on the units selected as well as the support and technical assistance offered by the manufacturer. In addition to the on-site employees described, there may be asset managers or technicians who supervise, monitor and support the solar energy project operations from off-site locations. The permanent employees of a solar energy project maintain and operate the solar panels, substations, and related infrastructure.

The waiver request herein is in line with the industry standards for the number of jobs specifically related to a solar generation facility of this size. This reflects the company's experience based on comparable operating facilities across the US. It is also evidenced by previously filed Chapter 313 applications by solar developers who requested a similar waiver of the job requirements. Thank you for your consideration.

Respectfully,

Emerald Grove Solar LLC

  
\_\_\_\_\_  
Corey Juhl

Vistra Energy, Director of Development & Corporate Strategy

**CHECKLIST ITEM #13**

Calculation of three possible wage requirements with TWC documentation

**Crane County All Industries Average Weekly Wages**

Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2020	1st Qtr	Crane County	Total All	0	0	10	Total, all industries	\$ 1,208.00
2019	4th Qtr	Crane County	Total All	0	0	10	Total, all industries	\$ 1,198.00
2019	3rd Qtr	Crane County	Total All	0	0	10	Total, all industries	\$ 1,119.00
2019	2nd Qtr	Crane County	Total All	0	0	10	Total, all industries	\$ 1,073.00
							<b>4 Period Weekly Average</b>	<b>\$ 1,149.50</b>
							<b>110% of Average Weekly Wage</b>	<b>\$ 1,264.45</b>
							<b>110% of Annual Wages</b>	<b>\$ 65,751.40</b>

Most up-to-date data from TX Quarterly Census of Employment and Wages (QCEW)

**Crane County Average Manufacturing Weekly Wages**

-Wages unavailable

**COG Region Average Manufacturing Wages**

<b>Permian Basin Regional Planning Commission</b>		
	Hourly	Annual
<i>2019 Average Manufacturing</i>	\$21.87	\$45,499
<b>Avg Weekly Wage</b>		<b>\$ 874.98</b>
<b>110% of Region Weekly Wage</b>		<b>\$ 962.48</b>
<b>110% of Annual Wages</b>		<b>\$ 50,048.90</b>

Regional data published annually; next update will be July 31, 2021

**CHECKLIST ITEM #14**

Schedules A-C

See Attached.



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

Date: 8/25/2020  
Applicant Name: Emerald Grove Solar, LLC  
USD Name: Crane ISD

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		Column B		Column C		Column D		Column E			
			New investment (original cost) in tangible personal property placed in service during this year that will become Qualified Property	New investment made during this year in buildings or permanent nonremovable components of buildings that will become Qualified Property	Other investment made during this year that will not become Qualified Property [SEE NOTE]	Other investment made during this year that will become Qualified Property [SEE NOTE]	Enter amounts from TOTAL row in Schedule A1 in the row below	Other investment made during this year that will become Qualified Property [SEE NOTE]	Total Investment (A+B+C+D)					
TOTALS FROM SCHEDULE A1										121,750,000	250,000			122,000,000
-														
Each year prior to start of value limitation period** <i>insert as many rows as necessary</i>	Q1P0	2021-2022	2021	105,000,000								105,000,000		
Each year prior to start of value limitation period** <i>insert as many rows as necessary</i>	Q1P1	2022-2023	2022	16,750,000	250,000							250,000		
Value limitation period***	Q1P2 and VL1	2023-2024	2023											
		2024-2025	2024											
		2025-2026	2025											
		2026-2027	2026											
		2027-2028	2027											
		2028-2029	2028											
		2029-2030	2029											
		2030-2031	2030											
		2031-2032	2031											
		2032-2033	2032											
Total investment made through limitation				121,750,000	250,000							122,000,000		
Continue to maintain viable presence	11	2033-2034	2033											
	12	2034-2035	2034											
	13	2035-2036	2035											
	14	2036-2037	2036											
	15	2037-2038	2037											
	16	2038-2039	2038											
	17	2039-2040	2039											
	18	2040-2041	2040											
	19	2041-2042	2041											
	20	2042-2043	2042											
Additional years for 25 year economic impact as required by 313.028(c)(1)	21	2043-2044	2043											
	22	2044-2045	2044											
	23	2045-2046	2045											
	24	2046-2047	2046											
	25	2047-2048	2047											

\* All investments made through the qualifying time period are captured and totaled on Schedule A1 [blue box] and incorporated into this schedule in the first row.  
 \*\* Only investment made during deferrals of the start of the limitation (after the end of qualifying time period but before the start of the Value Limitation Period) should be included in the "year prior to start of value limitation period" row(s). If the limitation starts at the end of the qualifying time period or the qualifying time period overlaps the limitation, no investment should be included on this line.  
 \*\*\* If your qualifying time period will overlap your value limitation period, do not also include investment made during the qualifying time period in years 1 and/or 2 of the value limitation period, depending on the overlap. Only include investments/years that were not captured on Schedule A1.  
 For All Columns: List amount invested each year, not cumulative totals. Only include investments in the remaining rows of Schedule A2 that were not captured on Schedule A1.  
 Column A: This represents the total dollar amount of planned investment in tangible personal property. Only include estimates of investment for "replacement" property if the property is specifically described in the application.  
 Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings.  
 Column C: Dollar value of other investment that may affect economic impact and total value. Examples of other investment meeting the definition of 313.021(1) but not creating a new improvement as defined by TAC 9.1051. This is proposed property that functionally replaces existing property; is used to maintain, refurbish, renovate, modify or upgrade existing property, or is affixed to existing property—described in SECTION 13, question #5 of the application.  
 Column D: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that may result in qualified property are land or professional services.

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

	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Qualified Property			Estimated Taxable Value			
				Estimated Market Value of Land	Estimated Total Market Value of new buildings or other new improvements	Estimated Total Market Value of tangible personal property in the new buildings or "in or on the new improvements"	Market Value less any exemptions (such as pollution control) and before limitation	Final taxable value for I&S after all reductions	Final taxable value for M&O after all reductions	
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	QTP0	2021-2022	2021							
	QTP1	2022-2023	2022							
	QTP2 and VL1	2023-2024	2023		\$ 250,000	\$ 121,750,000	\$ 122,000,000	\$ 122,000,000	\$ 122,000,000	\$ 20,000,000
	2	2024-2025	2024		\$ 237,500	\$ 112,010,000	\$ 112,247,500	\$ 112,247,500	\$ 112,247,500	\$ 20,000,000
	3	2025-2026	2025		\$ 225,625	\$ 102,270,000	\$ 102,495,625	\$ 102,495,625	\$ 102,495,625	\$ 20,000,000
	4	2026-2027	2026		\$ 214,344	\$ 92,530,000	\$ 92,744,344	\$ 92,744,344	\$ 92,744,344	\$ 20,000,000
Value Limitation Period	5	2027-2028	2027		\$ 203,627	\$ 81,572,500	\$ 81,776,127	\$ 81,776,127	\$ 81,776,127	\$ 20,000,000
	6	2028-2029	2028		\$ 193,445	\$ 70,615,000	\$ 70,808,445	\$ 70,808,445	\$ 70,808,445	\$ 20,000,000
	7	2029-2030	2029		\$ 183,773	\$ 59,657,500	\$ 59,841,273	\$ 59,841,273	\$ 59,841,273	\$ 20,000,000
	8	2030-2031	2030		\$ 174,584	\$ 47,482,500	\$ 47,657,084	\$ 47,657,084	\$ 47,657,084	\$ 20,000,000
	9	2031-2032	2031		\$ 165,855	\$ 36,525,000	\$ 36,690,855	\$ 36,690,855	\$ 36,690,855	\$ 20,000,000
	10	2032-2033	2032		\$ 157,562	\$ 29,220,000	\$ 29,377,562	\$ 29,377,562	\$ 29,377,562	\$ 20,000,000
Continue to maintain viable presence	11	2033-2034	2033		\$ 149,684	\$ 25,567,500	\$ 25,717,184	\$ 25,717,184	\$ 25,717,184	\$ 25,717,184
	12	2034-2035	2034		\$ 142,200	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000
	13	2035-2036	2035		\$ 135,090	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000
	14	2036-2037	2036		\$ 128,336	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000
	15	2037-2038	2037		\$ 121,919	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000
	16	2038-2039	2038		\$ 115,823	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000
Additional years for 25 year economic impact as required by 313.026(c)(1)	17	2039-2040	2039		\$ 110,032	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000
	18	2040-2041	2040		\$ 104,530	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000
	19	2041-2042	2041		\$ 99,304	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000
	20	2042-2043	2042		\$ 94,338	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000
	21	2043-2044	2043		\$ 89,621	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000
	22	2044-2045	2044		\$ 85,140	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000
23	2045-2046	2045		\$ 80,883	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	
24	2046-2047	2046		\$ 76,839	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	
25	2047-2048	2047		\$ 72,997	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	\$ 24,350,000	

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

**Schedule C: Employment Information**

**Date** 8/25/2020  
**Applicant Name** Emerald Grove Solar, LLC  
**ISD Name** Crane ISD

	Year	School Year (YYYY-YYYY)	Tax Year (Actual tax year) YYYY	Construction		Non-Qualifying Jobs		Qualifying Jobs	
				Column A Number of Construction FTE's	Column B Average annual wage rates for construction workers	Column C Number of non-qualifying jobs applicant estimates it will create (cumulative)	Column D Number of new qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Column E Annual wage of new qualifying jobs	
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	QTP0	2021-2022	2021	225	\$ 48,600	0	0	N/A	N/A
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	QTP1	2022-2023	2022	-	N/A	0	0	N/A	N/A
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	QTP2 and VL1	2023-2024	2023	N/A	N/A	0	1	\$ 51,000	
Value Limitation Period <i>The qualifying time period could overlap the value limitation period.</i>	2	2024-2025	2024	N/A	N/A	0	1	\$ 51,000	
	3	2025-2026	2025	N/A	N/A	0	1	\$ 51,000	
	4	2026-2027	2026	N/A	N/A	0	1	\$ 51,000	
	5	2027-2028	2027	N/A	N/A	0	1	\$ 51,000	
	6	2028-2029	2028	N/A	N/A	0	1	\$ 51,000	
	7	2029-2030	2029	N/A	N/A	0	1	\$ 51,000	
	8	2030-2031	2030	N/A	N/A	0	1	\$ 51,000	
	9	2031-2032	2031	N/A	N/A	0	1	\$ 51,000	
	10	2032-2033	2032	N/A	N/A	0	1	\$ 51,000	
	Years Following Value Limitation Period	11 through 25	2033-2048	2033-2047	N/A	N/A	0	1	\$ 51,000

Notes: See TAC 9.1051 for definition of non-qualifying jobs.  
 Only include jobs on the project site in this school district.

**CHECKLIST ITEM #16**

Map and Description of Reinvestment Zone

See attached. Please note that Vistra Corp. intends to work with Crane ISD in setting a new Reinvestment Zone upon final approval of application.



**CHECKLIST ITEM #16 - Continued**  
Order Establishing the Reinvestment Zone

See Attached.

**RESOLUTION OF THE COMMISSIONERS COURT  
OF CRANE COUNTY, TEXAS  
DESIGNATING PECOS REINVESTMENT ZONE #1**

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

*WHEREAS*, the Commissioners Court of Crane 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*, on this date, a hearing before the Commissioners Court of Crane 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 Crane 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 Crane 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 Crane 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 Crane 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 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 reinvestment zone should be the area described in the attached Exhibit "A" and depicted in the map attached hereto as Exhibit "B", which are incorporated herein by reference for all purposes. In the event of discrepancy between the descriptions of Exhibit "A" and map on Exhibit "B", the map shall control; and,
- (c) That creation of the reinvestment zone will result in benefits to Crane County, Texas and to land included in the zone and that the improvements sought are feasible and practical; and
- (d) The 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 Crane County, Texas, and that the entire tract of land is located entirely within an unincorporated area of Crane County, Texas.

SECTION 3. That pursuant to the Property Redevelopment and Tax Abatement Act, as amended, and the Guidelines, Crane County Commissioner's Court hereby creates Pecos Reinvestment Zone #1, a reinvestment zone for commercial-industrial tax abatement encompassing only the area described in Exhibit "A" and depicted in Exhibit "B", and such reinvestment zone is hereby designated and shall hereafter be referred to as Pecos Reinvestment Zone #1.

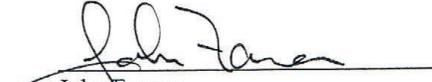
SECTION 4. That Pecos Reinvestment Zone #1 shall take effect on this date, and shall remain designated as a commercial-industrial reinvestment zone for a period of five (5) years from such date of designation, and may be renewed for an additional five (5) year period thereafter.

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.

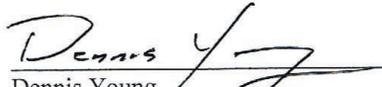
SECTION 6. That it is hereby found, determined and declared that a sufficient notice of the date, hour, place and subject, of the meeting of the Crane County Commissioners Court at which this Resolution was adopted was posted at a place convenient and readily accessible at all times as required by the 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.

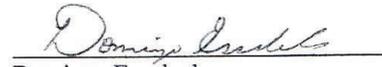
PASSED, APPROVED AND ADOPTED on this 11<sup>th</sup> day of August, 2015.

**Crane County Commissioners Court**

  
John Farmer  
Crane County Judge

  
Tom Brown  
Precinct 1 Commissioner

  
Dennis Young  
Precinct 2 Commissioner

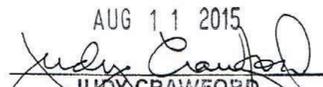
  
Domingo Escobedo  
Precinct 3 Commissioner

  
Ruby Martinez  
Precinct 4 Commissioner

Attest:

  
Judy Crawford, Crane County Clerk

**FILED**  
At 10:23 O'Clock A M.

AUG 11 2015  
  
JUDY CRAWFORD  
County District Clerk, Crane Co. Texas

**CHECKLIST ITEM #16 - Continued**

Legal Description of Reinvestment Zone

See Attached.

**EXHIBIT A**  
**LEGAL DESCRIPTION OF**  
**PECOS REINVESTMENT ZONE #1**

Pecos Reinvestment Zone #1 is comprised of the following parcels. In the event of discrepancy between this Exhibit "A" and the attached map on Exhibit "B", Exhibit "B" shall control; provided however, the Pecos Reinvestment Zone #1 shall in no way be deemed to include any portion of any municipality located within the designate area.

**PECOS REINVESTMENT ZONE #1**

<b>Survey</b>	<b>Block</b>	<b>Sections</b>	<b>Abstract</b>
MK&TE RR CO		1	103165
MK&TE RR CO	35	2	103778
H&TC RR CO	31	11	103100
H&TC RR CO	31	12	103963
H&TC RR CO	31	13	103101
H&TC RR CO	31	14	103964
H&TC RR CO	31	15	103102
H&TC RR CO	31	16	103936
H&TC RR CO	31		103?10
H&TC RR CO	35	30	103898
H&TC RR CO	35	31	10389
H&TC RR CO	35	41	10391
H&TC RR CO	35	42	103902
H&TC RR CO	35	43	10392
H&TC RR CO	35	44	103937
H&TC RR CO	35	45	10393
H&TC RR CO	35	56	103949
H&TC RR CO	35	57	10394

**CHECKLIST ITEM #16 - Continued**

Guidelines and Criteria

See Attached.

# Crane County State of Texas

## Tax Abatement Guidelines and Criteria

The purpose of this document is to establish guidelines, and a uniform policy of tax abatement for owners or lessees of eligible facilities willing to execute tax abatement contracts designed to provide long term significant positive economic impact to the community by utilizing the area contractors and work force to the maximum extent feasible, and by developing, redeveloping, and improving property.

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

1. Must be reasonably expected to have an increase in positive net economic benefit to Crane County of at least Ten Million Dollars (\$10,000,000.00) over the life of the abatement, computed to include (but not limited to) new sustaining payroll and /or capital improvement. The creation of (number and type) new jobs will also factor into the decision to grant an abatement; and
2. Must not be expected to solely or primarily have the effect of merely transferring employment from one area of Crane County to another.

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

Only that increases in the fair market value of the property directly resultant from the development, redevelopment, and improvement specified in the contract will be eligible for abatement and then only to the extent that such increase exceeds any reduction in the fair market value of the other property of the Applicant located within the jurisdiction creating the reinvestment zone.

All abatement contracts will be for a term no longer than allowed by law.

It is the goal of Crane County to grant tax abatements on terms and conditions beneficial to the economic interests of the residents of Crane County and to other taxing units having jurisdiction of the property. However, nothing herein shall limit the discretion of the Crane County Commissioners Court to consider, adopt, modify or decline any tax abatement request.

This policy is effective as of April 15, 2019 and shall at all times be kept current with regard to the needs of Crane County and reflective of the official views of the County Commissioners Court and shall be reviewed every two years.

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

1. Limit the discretion of the governing body to decide whether or not to enter into a specific tax abatement agreement;
2. Limit the discretion of the governing body to delegate to its employees the authority to determine whether or not the governing body should consider a particular application or request for tax abatement;
3. Create or deny any property, contract, or other legal right in any person to have the governing body consider or grant a specific application or request for tax abatement;

## **Section 1**

### **Definitions**

- A. "Abatement" means the full or partial exemption from ad valorem taxes of certain property in a reinvestment zone designated by Crane County for economic development purposes.
- B. "Affected jurisdiction" means CRANE County and any municipality or school district, the majority of which is located in CRANE County that levies ad valorem taxes upon and provides services to property located within the proposed or existing reinvestment zone designated by CRANE County.
- C. "Agreement" means a contractual agreement for tax abatement between a Property Owner and/or Lessee and Crane County.
- D. "Base year value" means the assessed value on the eligible property as of January 1 preceding the execution of the agreement, plus any agreed upon value of eligible property improvements made after January 1, but before the execution of the Agreement.
- E. "Economic Life" means the number of years a property is expected to be in service in a facility.
- F. "Eligible facilities" means new, expanded, or modernized buildings and structures, including fixed machinery and equipment, which is reasonably likely as a result of granting abatement to contribute to the retention or expansion of primary employment or to attract major investment in the reinvestment zone that would be a benefit to the property and that would contribute to the economic development of Crane County, but does not include facilities which are intended to be primarily to provide goods or services to residents for existing businesses located in Crane County, such as, but not limited to, restaurants and retail sales establishments, eligible facilities may include, but shall not be limited to hotels and office buildings.

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

H. "Deferred maintenance" means improvements necessary for continued operation which do not improve productivity or alter the process technology."

I. "Facility" means property improvement completed or in process of construction which together comprise an interregional whole.

J. "Manufacturing Facility" means products, buildings and structures, including machinery and equipment, the primary purpose of which is or will be the manufacture of tangible goods or materials or the processing of such goods or materials by physical or chemical change, including the generation of electrical energy.

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

L. "New facility " means property previously undeveloped which is placed into service by means other than or in conjunction with expansion or modernization.

M. "Other Basic Industry" means buildings and structures including fixed machinery and equipment not elsewhere described, used or to be used for the production of products or services, which serve a market primarily outside of CRANE County, resulting in the creation of new permanent jobs bringing in new wealth.

N. " Productive life" means the number of years a property improvement is expected to be in service in a facility.

## **Section 2**

### **Abatement Authorized**

A. Eligible facilities: Upon application, eligible facilities as defined herein shall be considered for tax abatement as hereinafter provided.

B. Creation of New Values: Abatement may only be granted for the additional value of eligible property improvements made subsequent to and specified in an abatement agreement between Crane County and the property owner or applicant, including a Lessee, subject to such limitations as Crane County may require.

C. New and existing facilities: Abatement may be granted for the additional value of eligible property improvements made subsequent to and specified in an abatement agreement between Crane County and the Property Owner or Lessee, subject to such limitations as Crane County may require.

D. Eligible property: Abatement may be extended to the value of buildings, structures, fixed machinery and equipment, site improvements and related fixed improvements necessary to the operation and administration of the facility.

E. Ineligible Property: The following types of property shall be fully taxable and ineligible for tax abatement: land, supplies, tools, furnishings, and other forms of movable personal property, housing, deferred maintenance, property to be rented or leased except as provided in Section 2 F, property which has a productive life of less than ten years, but does not include spare parts associated with eligible facilities; property owned or used by the State of Texas or its political subdivisions or by any organization owned, operated or directed by a political subdivision of the State of Texas; or any other property for which abatement is not allowed by state law.

F. Owned / leased facilities: If a leased facility is permitted by state law to be granted abatement, the abatement agreement shall be applicable to the taxable value of the leased improvement, and where appropriate, shall be executed with both the Lessor and the Lessee.

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

1. Must be reasonably expected to have an increase in positive net benefit to Crane County of at least Ten Million Dollars (\$10,000,000.00) over the life of the abatement, computed to include (but not limited to) new sustaining payroll and / or capital improvement. The creation of (number and type) new jobs will also factor into the decision to grant an abatement; and
2. Must not be expected to solely or primarily have the effect of merely transferring employment from one area of Crane County to another.

H. Standards for Tax Abatement: The following factors, among other, shall be considered in determining whether to grant tax abatement:

1. Value of existing improvements, if any;
2. Type and value of proposed improvements;
3. Productive life of proposed improvements; Number of existing jobs to be retained by proposed improvements;
4. Number and type of new jobs to be created by proposed improvements;
5. Amount of local payroll to be created;
6. Whether the new jobs to be created will be filled by persons residing or projected to reside within affected taxing jurisdiction;

7. Amount which property tax base valuation will be increased during term of abatement and after abatement, which shall include a definitive commitment that such valuation shall not, in any case, be less than Ten Million Dollars (\$10,000,000.00.)
8. The costs to be incurred by Crane County to provide facilities directly resulting from the new improvements;
9. The amount of ad valorem taxes to be paid to Crane 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.
10. The population growth of Crane County that occurs directly as a result of new improvements;
11. The types and values of public improvements, if any, to be made by Applicant seeking abatement;
12. Whether the proposed improvements compete with existing businesses to the detriment of the local economy;
13. The impact on the business opportunities of existing businesses;
14. The attraction of other new businesses to the area;
15. The overall compatibility with the zoning ordinances and comprehensive plan for the area;
16. 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.

Construction in Progress. If a qualifying facility has not commenced construction within one (1) year after execution of the abatement Agreement, the applicant may apply for a one-year extension of the term of abatement, to be granted or denied in accordance with the Agreement. Said extension must be applied for prior to the expiration of the one-year anniversary of execution of the abatement Agreement.

- I. Denial of Abatement: Neither a reinvestment zone nor abatement agreement shall be authorized if it is determined that:
  - 1. There would be substantial adverse effect on the provision of government services or tax base;
  - 2. The applicant has insufficient financial capacity;
  - 3. Planned or potential use of the property would constitute a hazard to public health, safety or morals;
  - 4. Violation of other codes or laws; or
  - 5. Any other reason deemed appropriate by Crane County.
  
- J. Taxability: From the execution of the abatement to the end of the agreement period, taxes shall be payable as follows:
  - 1. The value of ineligible property as provided in Section 2 E shall be fully taxable; and
  - 2. The base year value of existing eligible property as determined each year shall be fully taxable.

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

**Section 3**  
**Application**

- A. Any present or potential owner of taxable property in Crane County may request the creation of a reinvestment zone and tax abatement by filing a written application with the County Judge.
  
- B. The application shall consist of a written request for tax abatement, accompanied by:
  - 1. An analysis of the economic impact such an abatement will have on Crane County, including:

- a. Estimated tax revenues annually for the term of the requested abatement, taking into account any requested abatement.
  - b. A comparison between an abatement of taxes and any requested "payment in lieu of taxes" (PILOT) in terms of benefit to the County over the proposed term of the abatement period.
  - c. A statement of the expected residual taxable value of the proposed project at the end of the abatement term requested, and the remaining taxable life expectancy of the proposed project.
2. A general description of the proposed use and the general nature and extent of the modernization, expansion or new improvements to be undertaken.
  3. A descriptive list and approximate taxable value of the improvements which will be a part of the facility;
  4. A site map and property description, including a complete legal description of the property, and a map/property description of any requested;
  5. A time schedule for undertaking and completing the planned 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 application form may require such financial and other information as the County deems appropriate for evaluating the financial capacity and other factors of the applicant.
  6. Certification from the Crane County Appraisal District verifying that no taxes are past due on applicant's property located in the proposed reinvestment zone
  7. Disclosure of any environmental permits required or additional environmental impacts.
  8. A \$ 1,000.00 non-refundable application fee.
- C. In the case of modernization, a statement of the assessed value of the facility, separately stated for real and personal property, shall be given for the tax year immediately preceding the Application. The County may require such financial and other information as deemed appropriate for evaluating the financial capacity and other factors pertaining to the Applicant, to be attached to the Application.
- D. All checks in payment of the administrative fee shall be made payable to Crane County. In addition to the application fee, which shall be applied to any fee charged by legal or financial analysis of the application, the applicant shall also agree to pay reasonable consulting and attorney fees as may be incurred by Crane County in the examination of

the application as well as the preparation and negotiation of any tax abatement agreement. Such fee reimbursement shall not exceed \$10,000.00.

- E. Crane County shall give notice as provided by the Property Tax Code, i.e. written notice, to the presiding officer of the governing body of each taxing unit in which the property to be subject of the agreement is located not later than the seventh day before the public hearing and publication in a newspaper of general circulation within such taxing jurisdiction not later than the seventh day before the public hearing. Before acting upon Application, Crane County shall, through public hearing, afford the Applicant and the designated representative of any governing body referenced hereinabove opportunity to show cause why the abatement should or should not be granted.
- F. If a city within Crane County designates a reinvestment zone within its corporate limits and enters into or proposes to enter into an abatement agreement with a present or potential owner of taxable property, such present or potential owner of taxable property may request tax abatement by Crane County, but shall follow the same application process described in Section 3(A), *et seq.*, hereof. No other notice or hearing shall be required except compliance with the Open Meetings Act, unless the Commissioners Court deems them necessary in a particular case.
- G. Variance. Although a variance is not favored, exceptional circumstances may support a request for variance from the provisions of Section II, in which case such request for a variance may be made in an application or other written form to the Commissioners' Court. Such request shall include all the items listed in Section 3(B) and may include a complete description of the circumstances which prompt the applicant to request a variance. The approval process for a variance request shall be identical to that for a standard application and may be supplemented by such additional requirements as may be deemed necessary by the Commissioners' Court. To the full extent permitted by applicable law, the Commissioners' Court shall have the authority to enter into an abatement agreement with terms and conditions that vary from the terms and conditions in these Guidelines, but only so long as the Commissioners' Court determines that such variances are in the best interests of Crane County. Any terms or conditions contained in an abatement Agreement approved by the Commissioners' Court that vary from the terms and conditions in these Guidelines shall automatically be deemed to have been granted an approved variance by the Commissioners' Court, shall be binding and enforceable as agreed to in the abatement Agreement, and shall control in the event of any inconsistency or conflict with these Guidelines. A variance granted to any applicant shall not be deemed a variance for any subsequent applicant.
- H. Confidentiality Required. Information that is provided to the County in connection with an application or request for Tax Abatement and that describes the specific processes or business activities to be conducted or the equipment or other property to be located on the property for which Tax Abatement is sought may be deemed as confidential and not subject to public disclosure only if specifically identified by the Applicant, and segregated from the remaining portions of the Application. Once the Tax Abatement Agreement is executed, all attachments to the Abatement Agreement shall become public. All

information in the custody of a taxing unit after the Agreement is executed is Public Record, and not confidential.

#### **Section 4 Agreement**

- A. After approval, the Commissioners Court of Crane County shall formally pass a Resolution and execute an agreement with the owner of the facility and Lessee as required which shall:
1. Include a list of the kind, number, location of all proposed improvements to the property and if this is not defined at the time of the agreement, then to be supplemented after construction of the facilities;
  2. Provide access to and authorize inspection of the property by the taxing unit to ensure compliance with the agreement
  3. Develop the use of the property consistent with the taxing unit's developmental goals as stated in Section **2 H** of the Crane County Tax Abatement Guidelines and Criteria;
  4. Provide for recapturing property tax revenues that are lost if the owner fails to make improvements as provided by the agreement;
  5. Include each term that was agreed upon with the property owner and require the owner of the facility to annually certify compliance with the terms of the agreement to each taxing unit; and
  6. Allow the taxing unit to cancel the agreement after notice of default and opportunity to cure if the property owner fails to comply with the terms of the agreement.
- B. The owner of the facility and Lessee shall also agree to the following:
1. A specified number of permanent full-time jobs at facility shall be created, and the owner and Lessee shall make reasonable efforts to employ persons who are residents of Crane County in such jobs provided, however, that there shall be no obligation to employ residents who are not:
    - a. equally or more qualified than nonresident applicants;
    - b. available for employment on terms and / or salaries comparable to those required by nonresident applicants; or
    - c. able to become qualified with 72 hours training provided by Owner.

2. Each person employed in such job shall perform a portion, if not all, of their work in Crane County.
  3. Owner shall agree that it and its contractors, if any, will use reasonably commercial efforts to maximize its use of goods and services available through Crane County businesses in the construction, operation, and maintenance of the improvements and the project; provided, however, that there shall be no requirement to use goods and services provided by Crane County residents that are n o t :
    - a. of similar quality to those provided by nonresidents; or
    - b. made available on terms and conditions (including pricing) comparable to those offered by nonresidents. Comparable price shall be defined as less than or equal to 105% of the nonresident price for equivalent quality, conditions and terms.
  4. Owner or its construction contractor, if any, shall designate a coordinator of local services who will act as liaison between any individuals, businesses, and contractors residing or doing business in Crane County who are interested in obtaining information about providing goods or services related to the construction of the project.
  5. Additionally, Owner or its construction contractor, if any, shall advertise in local newspapers in Crane County for local contractors to perform work on the construction of the project.
  6. Owner shall agree to maintain a viable presence (as below defined) within the reinvestment zone for a period of time, as set by the Crane County Commissioners Court, not to exceed twenty (20) years from the date that the abatement agreement first takes effect. For purposes hereof, "Maintain a Viable Presence" means (i) the operation of the Eligible Facilities, as the same may from time to time be expanded, upgraded, improved, modified, changed, remodeled, repaired, restored, reconstructed, reconfigured and/or reengineered, and (ii) the retention of not fewer than three (3) Qualifying Jobs as defined by Texas Tax Code Section 313.021(3)(E) to be located and performed, in part, within Crane County.
  7. On May 1st of each year that the agreement shall be in effect, Owner shall certify to the County Judge of Crane County, and to the governing body of each taxing unity, that Owner is in compliance with each applicable term set forth above.
- C. Such agreement shall normally be executed within sixty (60) days after the Applicant has forwarded all necessary information and documentation to the Commissioners Court.

**Section 5**  
**Recapture**

- A. In the event that the company or individual:
  - 1. Allows its ad valorem taxes owed Crane County to become delinquent and fails to timely and properly follow the legal procedures for their protest and/or contest; or
  - 2. Violates any of the terms and conditions of the abatement agreement and fails to cure during the cure period;
  - 3. The agreement then may be terminated and all taxes previously abated by virtue of the agreement will be recaptured and paid within thirty (30) days of the termination.
- B. Should Crane County determine that the company or individual is in default according to the terms and conditions of its agreement, Crane County shall notify the company or individual in writing at the address stated in the agreement, and if such is not cured within thirty (30) days from the date of such notice (cure period) then the agreement may be terminated.
- C. In the event that the applicant's facility is completed and begins producing products or services, but subsequently discontinues producing a product or service for any reason for a period of one year during the abatement period, other than because of fire, explosion, or other casualty, accident, or natural disaster, then the agreement shall terminate and so shall the abatement of the taxes for the calendar year during which the applicant's facility no longer produces. The taxes otherwise abated for that calendar year shall be paid to the County within sixty (60) days from the date of termination.

**Section 6**  
**Administration**

- A. The Chief Appraiser of the Crane 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 Crane County of the amount of the assessment.
- B. The Agreement shall stipulate that employees and/or designated representatives of Crane County will have access to the applicant's facilities within the reinvestment zone during the term of the abatement to inspect the facility to determine if the terms and conditions of the Agreement are being met. All inspections will be made only after the giving of reasonable notice and will only be conducted in 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, and in accordance with its safety standards.

- C. Upon completion of construction, the designated representative of Crane County shall annually evaluate each facility receiving abatement to insure compliance with the agreement. A formal report shall be made to the Commissioners Court.
- D. Timely Filing. The County shall timely file, with the appropriate person, agency, department, or board of the State of Texas, all information required by the Tax Code.

**Section 7  
Assignment**

- A. Abatement may be transferred and assigned by the holder to a new owner or lessee of the same facility only upon the approval by resolution of the Commissioners Court of Crane County subject to the financial capacity of the assignee and provided that all conditions and obligations in the abatement agreement are guaranteed by the execution of a new contractual agreement with Crane County. No assignment or transfer shall be approved if the parties to the existing agreement, the new owner or new lessee, are liable to any jurisdiction for outstanding taxes or other obligations.
- B. An assignment shall not serve to extend the termination date of the abatement Agreement with the original Applicant, owner or lessee. An assignment may not alter venue provisions of the original agreement
- C. Approval of an assignment in conformity with this section shall not be unreasonably withheld.

**Section 9  
Venue**

Any abatement agreement shall be conditioned upon venue for any disputes which may arise under the abatement agreement to be retained in courts of appropriate jurisdiction within Crane County, Texas, or appeals to Texas courts of appellate jurisdiction, or the United States District Court for and United States courts of appellate jurisdiction.

**Section 10  
Sunset Provision**

These guidelines and criteria are effective upon the date of their adoption and will remain in force for two years unless amended by three quarters vote of the Commissioners Court of Crane County, at which time all reinvestment zones and tax abatement agreements created pursuant to these provisions will be reviewed to determine whether the goals have been achieved. Based on the review, the guidelines and criteria will be modified, renewed, or eliminated.

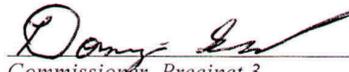
ADOPTED April 15, 2019

CRANE COUNTY COMMISSIONERS' COURT

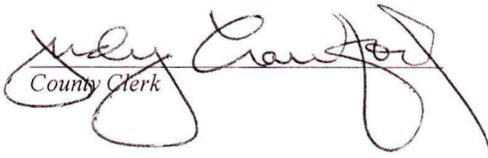
  
County Judge

  
Commissioner, Precinct 1

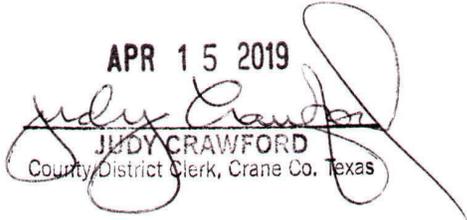
  
Commissioner, Precinct 2

  
Commissioner, Precinct 3

  
Commissioner, Precinct 4

  
County Clerk

FILED  
At 10:55 O'Clock A M.

APR 15 2019  
  
JUDY CRAWFORD  
County District Clerk, Crane Co. Texas

**CHECKLIST ITEM #17**

Signature and Certification Page

See Attached.

SECTION 16: Authorized Signatures and Applicant Certification

After the application and schedules are complete, an authorized representative from the school district and the business should review the application documents and complete this authorization page. Attach the completed authorization page in Tab 17.

NOTE: If you amend your application, you will need to obtain new signatures and resubmit this page, Section 16, with the amendment request.

1. Authorized School District Representative Signature

I am the authorized representative for the school district to which this application is being submitted. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code.

**print here** ▶ Jan Hunt Superintendent  
Print Name (Authorized School District Representative) Title

**sign here** ▶ Jan Hunt 6-10-2020  
Signature (Authorized School District Representative) Date

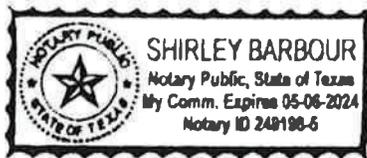
2. Authorized Company Representative (Applicant) Signature and Notarization

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** ▶ Carla Howard SVP & General Tax Counsel  
Print Name (Authorized Company Representative (Applicant)) Title

**sign here** ▶ Carla A. Howard 06/03/2020  
Signature (Authorized Company Representative (Applicant)) Date



(Notary Seal)

GIVEN under my hand and seal of office this, the

3rd day of June 2020

Shirley Barbour  
 Notary Public in and for the State of Texas

My Commission expires: 05/06/2024

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.