POWELL LAW GROUP LLP

Austin
Houston
Dallas
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Tyler
Corpus Christi

September 27, 2021

Via Electronic Mail: Ch313.apps@cpa.texas.gov
Local Government Assistance & Economic Analysis
Texas Comptroller of Public Accounts
Lyndon B. Johnson State Office Building
111 E. 17th Street
Austin, Texas 78774

Re: Application for Appraised Value Limitation on Qualified Property from Two Rivers Solar, LLC to Cameron Independent School District

First Year of Qualifying Time Period: *09/01/2022*
First Year of Value Limitation Period: *01/01/2023*

Dear Local Government Assistance and Economic Analysis Division:

The Board of Trustees of the Cameron Independent School District (the "District") accepted the enclosed Application for Appraised Value Limitation on Qualified Property (the "Application") at a duly called meeting held on September 13, 2021. The Application was determined to be complete by the District on September 27, 2021. The Applicant, Two Rivers Solar, LLC, is proposing to construct a solar electric generating facility in Milam County, Texas.

An electronic copy of the Application is being provided to the Milam 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 so much for your kind consideration to the foregoing.

Respectfully submitted,

Rick L. Lambert

RLL;sl

cc: *Via Electronic Mail: lsootoo@milamad.org*
Ms. Lesley Sootoo, Interim Chief Appraiser, Milam County Appraisal District

Via Electronic Mail: ksprinkles@cameronisd.net
Mr. Kevin Sprinkles, Superintendent of Schools, Cameron ISD

Via Electronic Mail: *ken.young@apexcleanenergy.com*
Mr. Ken Young, Chief Operations Officer, Apex Clean Energy Holdings, LLC

Via Electronic Mail: *dave.savage@apexcleanenergy.com*
Mr. Dave Savage, Director of Development, Apex Clean Energy Holdings, LLC

Via Electronic Mail: *mhumble@humble.us.com*
Mr. Monty Humble, Managing Director, High Road Clean Energy LLC

Via Electronic Mail: *eugene@deugenelaw.com*
Mr. Darrick Eugene, Vice President of Local Government, High Road Clean Energy LLC

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/. 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

September 13, 2021
Date Application Received by District

Kevin
First Name

Sprinkles
Last Name

Superintendent
Title

Cameron Independent School District
School District Name

304 E. 12th Street
Street Address

Box 712
Mailing Address

Cameron
City

Texas
State

76520-2751
ZIP

(254) 697-3512
Phone Number

(254) 697-2448
Fax Number

N/A
Mobile Number (optional)

ksprinkles@cameronisd.net
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)*

Shelly — First Name
Leung — Last Name
Director of Economic Development — Title
Powell Law Group, LLP — Firm Name
(512) 494-1177 — Phone Number
(512) 494-1188 — Fax Number
N/A — Mobile Number (optional)
sleung@plg-law.com — Email Address

4. On what date did the district determine this application complete? ..... September 27, 2021

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)*

Ken — First Name
Young — Last Name
Chief Operations Officer — Title
Apex Clean Energy Holdings, LLC — Organization
310 4th St. NE, Suite 300 — Street Address
310 4th St. NE, Suite 300 — Mailing Address
Charlottesville — City
VA — State
22902 — ZIP
(434) 220-7580 — Phone Number
(434) 220-3712 — Fax Number
N/A — Mobile Number (optional)
ken.young@apexcleanenergy.com — Business Email Address

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.

Dave — First Name
Savage — Last Name
Director of Development — Title
Apex Clean Energy Holdings, LLC — Organization
310 4th St. NE, Suite 300 — Street Address
310 4th St. NE, Suite 300 — Mailing Address
Charlottesville — City
VA — State
22902 — ZIP
N/A — Phone Number
(434) 220-3712 — Fax Number
(512) 293-0209 — Mobile Number (optional)
dave.savage@apexcleanenergy.com — Business Email Address

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)*

Darrick
First Name

Eugene
Last Name

VP-Local Government
Title

High Road Clean Energy LLC
Firm Name

(512) 423-4266
Phone Number

NA
Fax Number

eugene@deugnelaw.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
Payment Amount

Check
Transaction Type

Apex Clean Energy Holdings, Inc.
Payor

Cameron Independent School District
Payee

September 23, 2021
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? Two Rivers Solar, LLC
2. List the Texas Taxpayer I.D. number of entity subject to Tax Code, Chapter 171 (11 digits) 32079322320
3. Parent Company Name Apex Clean Energy Holdings, LLC
4. Parent Company Tax ID 26-4536978
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 Company
2. Is applicant a combined group, or comprised of members of a combined group, as defined by Tax Code §171.0001(7)? ☐ Yes ☑ No

2a. If yes, attach in **Tab 3** a copy of Texas Comptroller Franchise Tax Form No. 05-165, No. 05-166, or any other documentation from the Franchise Tax Division to demonstrate the applicant's combined group membership and contact information.

SECTION 5: Applicant Business Structure *(continued)*

2b. List the Texas Franchise Tax Reporting Entity Taxpayer Name

Two Rivers Solar, LLC

2c. List the Reporting Entity Taxpayer Number

32079322320

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: March 2022
2. Estimated commencement of construction: September 2023
3. Beginning of qualifying time period (MM/DD/YYYY): 09/01/2022
4. First year of limitation (MM/DD/YYYY): 01/01/2025

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: September 1, 2024

SECTION 10: The Property

1. Identify county or counties in which the proposed project will be located: Milam County
2. Identify Central Appraisal District (CAD) that will be responsible for appraising the property: Milam 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): Cameron ISD, $0.97, 100%
(Name, tax rate and percent of project)

I&S (ISD): Cameron ISD, $0.3495, 100%
(Name, tax rate and percent of project)

County: Milam County, $0.73, 100%
(Name, tax rate and percent of project)

City: N/A
(Name, tax rate and percent of project)

Hospital District: N/A
(Name, tax rate and percent of project)

Water District: N/A
(Name, tax rate and percent of project)

Other (describe): N/A
(Name, tax rate and percent of project)

Other (describe): N/A
(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, 100%, 2024, 2034
(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 yeart)

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

Other (describe): N/A
(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/.

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? September 13, 2021

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 828.00

   b. Qualifying job wage minimum option §313.021(5)(A)
   -110% of the average weekly wage for manufacturing jobs in the county is 1,415.00

   c. Qualifying job wage minimum option §313.021(5)(B)
   -110% of the average weekly wage for manufacturing jobs in the region is 939.00

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? 48,829.00
7. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? 48,829.00
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	Maps that clearly show: a) Project boundary and project vicinity, including county and school district boundaries b) Qualified investment including location of tangible personal propertry to be placed in service during the qualifying time period and buildings to be constructed during the qualifying time period c) Qualified property including location of new buildings or new improvements d) Any existing property within the project area e) Any facilities owned or operated by the applicant having interconnections to the proposed project f) Location of project, and related nearby projects within vicinity map g) Reinvestment or Enterprise Zone within vicinity map, showing the actual or proposed boundaries and size **Note**: Electronic maps should be high resolution files. Include map legends/markers.
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	Description of Reinvestment or Enterprise Zone, including: a) evidence that the area qualifies as a enterprise zone as defined by the Governor's Office b) legal description of reinvestment zone* c) order, resolution or ordinance establishing the reinvestment zone* d) guidelines and criteria for creating the zone *** To be submitted with application or before date of final application approval by school board**
17	Signature and Certification page, signed and dated by Authorized School District Representative and Authorized Company Representative (applicant)

TAB 2

Proof of Payment of Application Fee

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)

TAB 3

Documentation of Combined Group membership under Texas Tax Code 171.0001(7), history of tax default, delinquencies and/or material litigation (if Applicable)

Not Applicable

TAB 4

Detailed Description of the Project

Two Rivers Solar, LLC proposes developing a solar photovoltaic facility designed to use solar power to generate electricity. If developed, the Project will be capable of generating approximately 214 MW. The exact capacity and specific technology will be determined during the design process and so the exact location of the improvements cannot be specified at this time. The qualified property and qualified investment may include, but will not be limited to, the following: solar modules/panels, metal mounting system with tracking capabilities, underground conduit, communications cables and electric system wiring, combiner boxes, a project substation including breakers, a transformer and meters, overhead transmission lines, inverter boxes, an operations and maintenance facility, fencing for safety and security, telephone and internet communication system, and meteorological equipment to measure solar irradiation and weather conditions. All of the property for which Two Rivers Solar, LLC is seeking a limitation of appraised value will be owned by the Applicant.

The total Project site lies within Cameron ISD and totals roughly 3400 acres.

Milam County has established a Reinvestment Zone to include all land that may be utilized for the Project. The land utilized for the Project will remain privately owned and will be secured via a long-term lease by the Applicant. The land currently hosts farming operations; there is no oil and gas activity on the land at this time.

Construction of the Project is anticipated to begin in September 2023 with completion by September 2024. Once in operation, the Project may operate for twenty-five years or longer.

TAB 5

Documentation to Assist in Determining if Limitation is a Determining Factor

Apex Clean Energy (Apex), the parent company ofTwo Rivers Solar, LLC, has developed and delivered more than 3,000 MW of operational wind and photovoltaic projects. Texas projects account for 1,497 MW of clean renewable energy that has been delivered to the grid. The Two Rivers Solar project team combines experience in renewable energy market development with a capital-efficient approach to deliver high-quality and low-risk renewable energy projects.

Apex Clean Energy is actively developing projects throughout the United States; each project competes for a finite pool of capital investment. State and local tax incentives help lower the cost of power sold to customers, which makes the investment more viable and marketable. The proposed project as described in this application is in the early stages of development, and further investment could, if necessary, be redeployed to other states competing for similar renewable energy projects.

Apex Clean Energy is continually comparing investment opportunities and the market viability of each project based on financial metrics. As a national power developer, Apex can locate projects of this type in other states with favorable wind and solar characteristics.

The Applicant is actively assessing and developing other projects that are competing for limited funds. This appraised value limitation is critical to the ability of the proposed project to move forward as currently sited. Without the appraised value limitation, the project will not attract investment and resources will be directed to other projects in other states.

TAB 6

Description of how project is located in more than one district, including list of percentage in each district and, if determined to be a single unified project, documentation from the Office of the Governor (if applicable)

Milam County	- 100%
Cameron ISD	- 100%
Elm Creek Watershed Authority	- 100%

TAB 7

Description of Qualified Investment

Two Rivers Solar, LLC, anticipates constructing a solar photovoltaic (PV) electric generating facility with an operating capacity of approximately 214MW located in Cameron ISD. The exact capacity and the specific technology components will be determined during the development and design process.

A 214 MW solar PV generating facility may include a qualified investment consisting of the following improvements:

- Photovoltaic modules;
- DC-to-AC inverters;
- Medium and high-voltage electric cabling;
- Single axis racking system (mounting structures);
- Project substation which will include a high-voltage transfomer, switchgear, transmission equipment, telecommunications and SCADA equipment, among other things;
- High-voltage transmission line connecting the project to the grid (gen tie);
- Operations and maintenance (O&M) building including telecommunications and computing equipment, among other things;
- Meteorological equipment to measure solar irradiance and other weather conditions; and
- Associated equipment to safely operate, maintain and deliver electricity to the grid.
- Storage

TAB 8

Description of Qualified Property

Two Rivers Solar, LLC, anticipates constructing a solar photovoltaic (PV) electric generating facility with an operating capacity of approximately 214MW located in Cameron ISD. The exact capacity and the specific technology components will be determined during the development and design process.

A 214 MW solar PV generating facility may include a qualified investment consisting of the following improvements:

- Photovoltaic modules;
- DC-to-AC inverters;
- Medium and high-voltage electric cabling;
- Single axis racking system (mounting structures);
- Project substation which will include a high-voltage transfomer, switchgear, transmission equipment, telecommunications and SCADA equipment, among other things;
- High-voltage transmission line connecting the project to the grid (gen tie);
- Operations and maintenance (O&M) building including telecommunications and computing equipment, among other things;
- Meteorological equipment to measure solar irradiance and other weather conditions; and
- Associated equipment to safely operate, maintain and deliver electricity to the grid.
- Storage

TAB 9

Description of Land

Not applicable. The land on which the new buildings and new improvements will be built is not being claimed as part of the qualified property described by §313.021(2)(A).

TAB 10

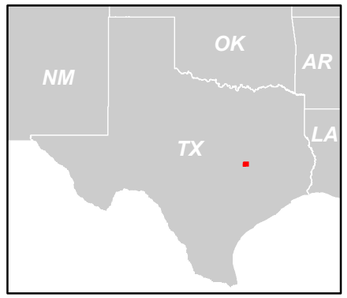
Description of all property not eligible to become qualified property (if applicable)

None

TAB 11

Maps that clearly show:

a) Project vicinity
b) Qualified investment including location of new building or new improvements
c) Qualified Property including location of new building or new improvements
d) Existing property
e) Land Location within vicinity map
f) Reinvestment Zone within vicinity map, showing the actual or proposed boundaries and size



Two Rivers Solar Proposed Reinvestment Zone

Milam County, TX

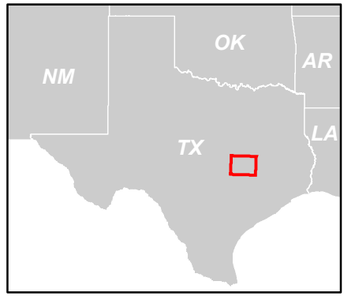
- Project Boundary
- Independent School Districts
- County
- Proposed Reinvestment Zone
- Major Roads
- Streets

BUSINESS PROPRIETARY
DO NOT RELEASE WITHOUT PERMISSION OF APEX CLEAN ENERGY CHARLOTTESVILLE, VA

Date: 6/21/2021 Author: PB

Coordinate System: NAD 1983 2011 StatePlane Texas Central FIPS 4203 Ft US
Projection: Lambert Conformal Conic
Datum: NAD 1983 2011
Units: Foot US

APEX CLEAN ENERGY



Two Rivers Solar Proposed Reinvestment Zone

Milam County, TX

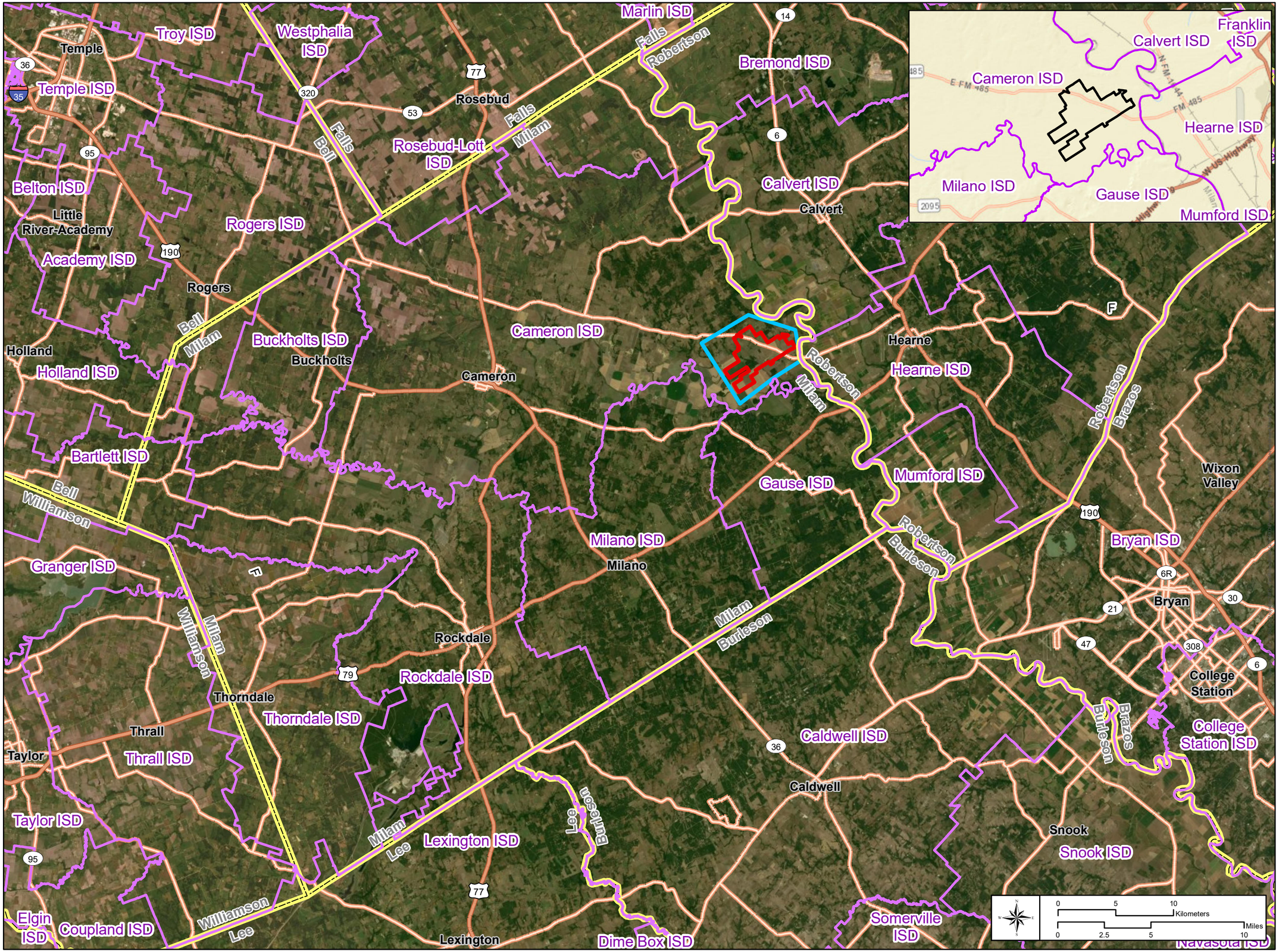
- Independent School Districts
- County
- Project Boundary
- Proposed Reinvestment Zone
- Major Highways
- Highways
- Major Roads
- Streets
- Ramps

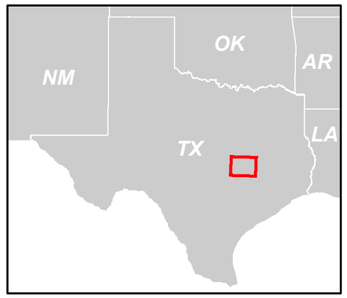
BUSINESS PROPRIETARY
DO NOT RELEASE WITHOUT PERMISSION OF APEX CLEAN ENERGY CHARLOTTESVILLE, VA

Date: 6/21/2021 Author: PB

Coordinate System: NAD 1983 2011 StatePlane Texas Central FIPS 4203 Ft US
Projection: Lambert Conformal Conic
Datum: NAD 1983 2011
Units: Foot US

APEX CLEAN ENERGY





Two Rivers Solar Project Vicinity

Milam County, TX

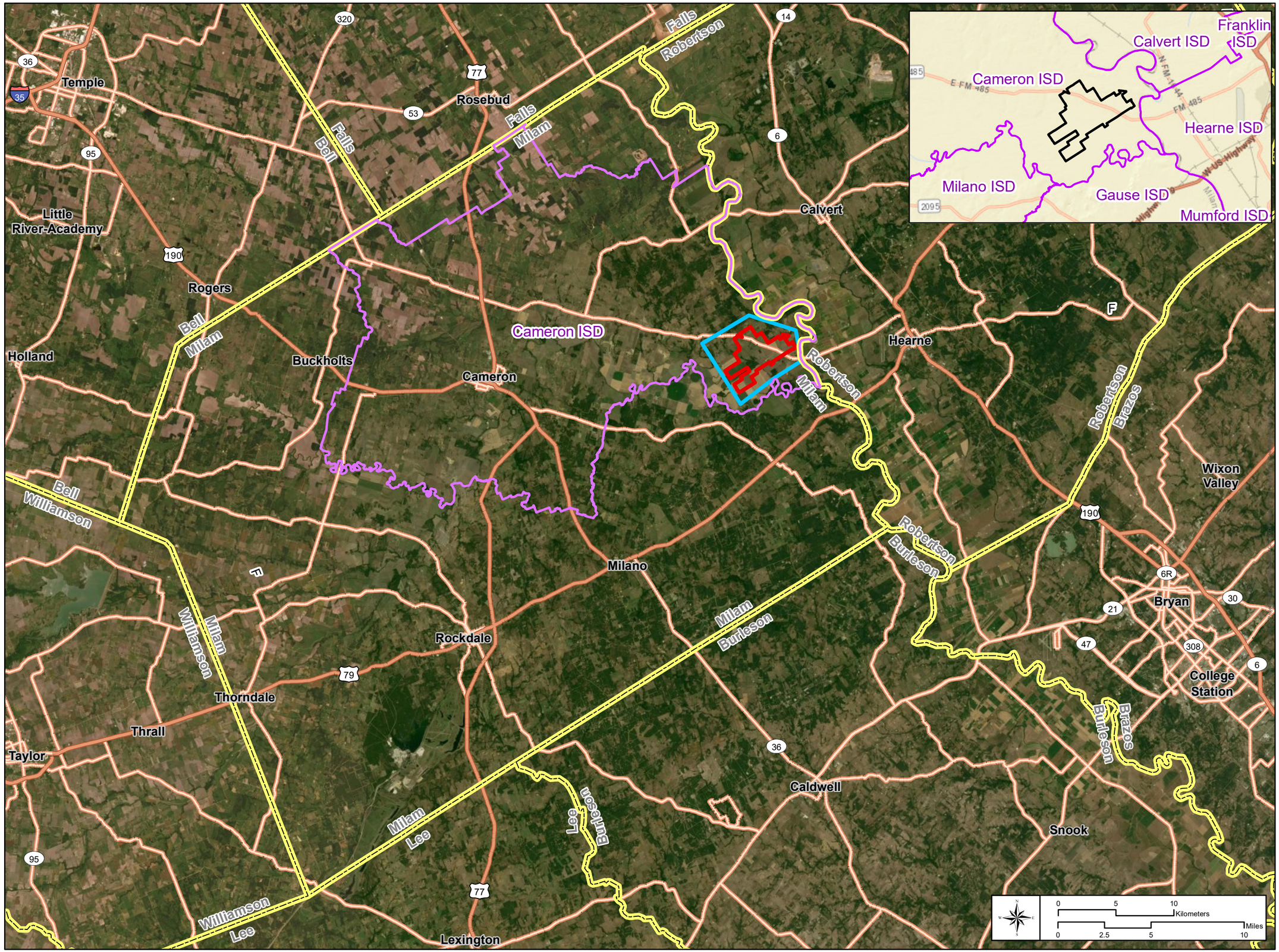
- Independent School Districts
- County
- Project Boundary
- Proposed Reinvestment Zone
- Major Highways
- Highways
- Major Roads
- Streets
- Ramps

BUSINESS PROPRIETARY
DO NOT RELEASE WITHOUT PERMISSION OF APEX CLEAN ENERGY CHARLOTTESVILLE, VA

Date: 6/21/2021 Author: PB

Coordinate System: NAD 1983 2011 StatePlane Texas Central FIPS 4203 Ft US
Projection: Lambert Conformal Conic
Datum: NAD 1983 2011
Units: Foot US

APEX CLEAN ENERGY



TAB 12

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

See Attached

September 9, 2021

Mr. Kevin Sprinkles
Superintendent
Cameron ISD
304 E. 12th Street
Box 712
Cameron, Texas 76520

RE: Request for Waiver of New Job Creation Requirements

Dear Mr. Sprinkles:

Pursuant to Section 313.025 (f-1) of the Texas Tax Code, Two Rivers Solar LLC (TRS) formally requests that the Cameron Independent School District Board of Trustees waive the minimum new job creation requirement provisions under Section 313.051(b) of the Texas Tax Code.

Under Section 313.025(f-1),the governing body of a school district may find that the jobs creation requirement exceeds the industry standard for the number of employees reasonably necessary for the operation of the facility that is described in an Application for Appraised Value Limitation on Qualified Property. TRS requests that Cameron ISD make such finding and waive the job creation requirement for 10 permanent jobs. In line with the current industry standards for job requirements, TRS has committed to create 1 qualifying job in Cameron ISD.

During the construction phase, solar projects create many full-time jobs, but these jobs are temporary in nature. After construction is completed, the solar facilities only require a relatively small number of workers to operate and maintain the plant. The number of jobs TRS has committed to create is congruent with current industry standards for maintenance and operation of a facility of this capacity. This is evidenced by previously certified limitation agreement applications by solar developers who also requested and were granted a waiver of the job requirements as well as the industry standard of 1 worker per 75-100 MW.

The permanent employees of a solar facility maintain and service the photovoltaic panels and inverters, underground electrical connections, substations, as well as other infrastructure associated with the safe and reliable operation of the facilities. In addition to onsite employees, there will be managers and/or technicians who provide support to the facility remotely.

The establishment of TRS will undoubtedly be beneficial to the economic development of Milam County, Cameron Independent School District, and the advancement of renewable energy. Thank you for your consideration of this request. If you have any questions, feel free to contact us.

Very truly yours,

Ken Young, COO

APEX CLEAN ENERGY, INC.
310 4TH STREET NE, SUITE 200
CHARLOTTESVILLE, VA 22902 • 434-220-7595
WWW.APEXCLEANENERGY.COM

TAB 13

Calculation of three possible wage requirements with TWC documentation

1. Milam County average weekly wage for all jobs (all industries)
2. Milam County average weekly wage for all manufacturing jobs
3. Central Texas Council of Governments Regional Wage Calculation and Documentation

Tab 13

Milam County average weekly wage all jobs (all industries)

Year	Period	Area	Ownership	Industry Code	Industry	Level	Average Weekly Wage
2020	01	Milam	Private	10	Total, All Industries	0	803
2020	02	Milam	Private	10	Total, All Industries	0	815
2020	03	Milam	Private	10	Total, All Industries	0	808
2020	04	Milam	Private	10	Total, All Industries	0	907
2021	01	Milam	Private	10	Total, All Industries	0	782
					Average		828

Tab 13

Milam County average weekly wage for all manufacturing jobs

Year	Period	Area	Ownership	Industry Code	Industry	Level	Average Weekly Wage	Annualized Wages
2020	01	Milam	Private	31-33	Manufacturing	2	1,637	85124
2020	02	Milam	Private	31-33	Manufacturing	2	1,304	67808
2020	03	Milam	Private	31-33	Manufacturing	2	1,252	65104
2020	04	Milam	Private	31-33	Manufacturing	2	1,556	80912
2021	01	Milam	Private	31-33	Manufacturing	2	1,324	68848
						4 Qtr Average	1,415	73559.2
								110%
								80915.12

2020 Manufacturing Average Wages by Council of Government Region
Wages for All Occupations

COG	COG Number	Wages	
		Hourly	Annual
Panhandle Regional Planning Commission	1	$23.32	$48,501
South Plains Association of Governments	2	$20.42	$42,473
NORTEX Regional Planning Commission	3	$20.64	$42,928
North Central Texas Council of Governments	4	$32.34	$67,261
Ark-Tex Council of Governments	5	$21.30	$44,299
East Texas Council of Governments	6	$29.28	$60,904
West Central Texas Council of Governments	7	$21.54	$44,797
Rio Grande Council of Governments	8	$19.02	$39,552
Permian Basin Regional Planning Commission	9	$22.57	$46,945
Concho Valley Council of Governments	10	$27.28	$56,739
Heart of Texas Council of Governments	11	$23.41	$48,696
Capital Area Council of Governments	12	$29.96	$62,326
Brazos Valley Council of Governments	13	$18.41	$38,286
Deep East Texas Council of Governments	14	$21.07	$43,829
South East Texas Regional Planning Commission	15	$27.38	$56,957
Houston-Galveston Area Council	16	$29.83	$62,050
Golden Crescent Regional Planning Commission	17	$22.09	$45,945
Alamo Area Council of Governments	18	$27.45	$57,101
South Texas Development Council	19	$19.20	$39,945
Coastal Bend Council of Governments	20	$35.39	$73,603
Lower Rio Grande Valley Development Council	21	$20.70	$43,056
Texoma Council of Governments	22	$19.18	$39,897
Central Texas Council of Governments	23	$21.34	$44,390
Middle Rio Grande Development Council	24	$22.98	$47,809
Texas		$28.00	$58,233

Calculated by the Texas Workforce Commission Labor Market and Career Information Department.
Data published: August 2021.
Data published annually, next update will likely be July 31, 2022
Annual Wage Figure assumes a 40-hour work week.

Note: Data is not supported by the Bureau of Labor Statistics (BLS).
Wage data is produced from Texas Occupational Employment and Wage Statistics (OEWS) data, and is not to be compared to BLS estimates.
Data intended only for use implementing Chapter 313, Texas Tax Code.

110% x $44,390 = $48,829

TAB 14

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

See Attached

TAB 15

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

NONE

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

Date 9/1/2021
Applicant Name Two Rivers Solar
ISD Name Cameron ISD

Form 50-296A
Revised February 2020

PROPERTY INVESTMENT AMOUNTS

(Estimated Investment in each year. Do not put cumulative totals.)

				Column A	Column B	Column C	Column D	Column E
	Year	**School Year** (YYYY-YYYY)	**Tax Year** (Fill in actual tax year below) YYYY	New investment (original cost) in **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 new investment made during this year that will not become Qualified Property [SEE NOTE]	Other new investment made during this year that may become Qualified Property [SEE NOTE]	**Total Investment** (Sum of Columns A+B+C+D)
Investment made before filing complete application with district	--	Year preceding the first complete tax year of the qualifying time period (assuming no deferrals of qualifying time period)	2022	Not eligible to become Qualified Property			[The only other investment made before filing complete application with district that may become Qualified Property is land.]	
Investment made after filing complete application with district, but before final board approval of application				-	-	-	-	-
Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period				-	-	-	-	-
Complete tax years of qualifying time period	QTP1	2023-2024	2023	3,400,000				3,400,000
	QTP2	2024-2025	2024	190,000,000	-	-	-	190,000,000
Total Investment through Qualifying Time Period [ENTER this row in Schedule A2]				193,400,000	-	-	-	193,400,000

Enter amounts from TOTAL row above in Schedule A2

Total Qualified Investment (sum of green cells) 193,400,000

For All Columns: List amount invested each year, not cumulative totals.

Column A: This represents the total dollar amount of planned investment in tangible personal property. Only include estimates of investment for "replacement" property if the property is specifically described in the application.
Only tangible personal property that is specifically described in the application can become qualified property.

Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings.

Column C: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that will not become qualified property include investment meeting the definition of 313.021(1) but not creating a new improvement as defined by TAC 9.1051. This is proposed property that functionally replaces existing property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property—described in SECTION 13, question #5 of the application.

Column D: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that may result in qualified property are land or professional services.

Total Investment: Add together each cell in a column and enter the sum in the blue total investment row. Enter the data from this row into the first row in Schedule A2.

Qualified Investment: For the green qualified investment cell, enter the sum of all the green-shaded cells.

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

Date 9/1/2021

Applicant Name Two Rivers Solar

ISD Name Cameron ISD

Form 50-296A

Revised February 2020

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: New investment (original cost) in **tangible personal property** placed in service during this year that will become Qualified Property	Column B: New investment made during this year in **buildings or permanent nonremovable components of buildings** that will become Qualified Property	Column C: Other investment made during this year that will not become Qualified Property [SEE NOTE]	Column D: Other investment made during this year that will become Qualified Property {SEE NOTE]	Column E: **Total Investment** (A+B+C+D)
Total Investment from Schedule A1*		**TOTALS FROM SCHEDULE A1**		193,400,000	-	-	-	193,400,000
				Enter amounts from TOTAL row in Schedule A1 in the row below				
Each year prior to start of value limitation period** *Insert as many rows as necessary*	Stub	2022-2023	2022	-	-	-	-	-
	QTP 1	2023-2024	2023	3,400,000	-	-	-	3,400,000
	QTP2	2024-2025	2024	190,000,000	-	-	-	190,000,000
Value limitation period***	1	2025-2026	2025	-	-	-	-	-
	2	2026-2027	2026	-	-	-	-	-
	3	2027-2028	2027	-	-			
	4	2028-2029	2028	-	-			
	5	2029-2030	2029	-	-			
	6	2030-2031	2030	-	-			
	7	2031-2032	2031	-	-			
	8	2032-2033	2032	-	-			
	9	2033-2034	2033	-	-			
	10	2034-2035	2034	-	-			
Total Investment made through limitation				193,400,000	-	0	0	193,400,000
Continue to maintain viable presence	11	2035-2036	2035					
	12	2036-2037	2036					
	13	2037-2038	2037					
	14	2038-2039	2038					
	15	2039-2040	2039					
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2040-2041	2040					
	17	2041-2042	2041					
	18	2042-2043	2042					
	19	2043-2044	2043					
	20	2044-2045	2044					
	21	2045-2046	2045					
	22	2046-2047	2046					
	23	2047-2048	2047					
	24	2048-2049	2048					
	25	2049-2050	2049					

* All investments made through the qualifying time period are captured and totaled on Schedule A1 [blue box] and incorporated into this schedule in the **first row.**

** Only investment made during deferrals of the start of the limitation (after the end of qualifying time period but before the start of the Value Limitation Period) should be included in the "year prior to start of value limitation period" row(s). If the limitation starts at the end of the qualifying time period or the qualifying time period overlaps the limitation, no investment should be included on this line.

*** If your qualifying time period will overlap your value limitation period, do not also include investment made during the qualifying time period in years 1 and/or 2 of the value limitation period, depending on the overlap. Only include investments/years that were **not** captured on Schedule A1.

For All Columns: List amount invested each year, not cumulative totals. Only include investments in the remaining rows of Schedule A2 that were not captured on Schedule A1.

Column A: This represents the total dollar amount of planned investment in tangible personal property. Only include estimates of investment for "replacement" property if the property is specifically described in the application.
Only tangible personal property that is specifically described in the application can become qualified property.

Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings.

Column C: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that will not become qualified property include investment meeting the definition of 313.021(1) but not creating a new improvement as defined by TAC 9.1051. This is proposed property that functionally replaces existing property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property—described in SECTION 13, question #5 of the application.

Column D: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that may result in qualified property are land or professional services.

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

Date 9/1/2021

Applicant Name **Two Rivers Solar**

ISD Name Cameron ISD

Form 50-296A

Revised February 2020

				Qualified Property			Estimated Taxable Value		
	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	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 *Insert as many rows as necessary*	Stub	2022-2023	2022	-	-	-	-	-	-
	QTP 1	2023-2024	2023						
	QTP2	2024-2025	2024	-	-	-	-	-	-
Value Limitation Period	1	2025-2026	2025	-	$ 193,399,994	$ 193,399,994	$ 193,399,994	$ 193,399,994	$ 20,000,000
	2	2026-2027	2026	-	$ 180,055,394	$ 180,055,394	$ 180,055,394	$ 180,055,394	$ 20,000,000
	3	2027-2028	2027	-	$ 165,627,755	$ 165,627,755	$ 165,627,755	$ 165,627,755	$ 20,000,000
	4	2028-2029	2028	-	$ 150,059,055	$ 150,059,055	$ 150,059,055	$ 150,059,055	$ 20,000,000
	5	2029-2030	2029	-	$ 133,233,256	$ 133,233,256	$ 133,233,256	$ 133,233,256	$ 20,000,000
	6	2030-2031	2030	-	$ 115,072,996	$ 115,072,996	$ 115,072,996	$ 115,072,996	$ 20,000,000
	7	2031-2032	2031	-	$ 95,462,237	$ 95,462,237	$ 95,462,237	$ 95,462,237	$ 20,000,000
	8	2032-2033	2032	-	$ 74,284,938	$ 74,284,938	$ 74,284,938	$ 74,284,938	$ 20,000,000
	9	2033-2034	2033	-	$ 51,405,718	$ 51,405,718	$ 51,405,718	$ 51,405,718	$ 20,000,000
	10	2034-2035	2034	-	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 20,000,000
Continue to maintain viable presence	11	2035-2036	2035	-	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999
	12	2036-2037	2036	-	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999
	13	2037-2038	2037	-	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999
	14	2038-2039	2038	-	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999
	15	2039-2040	2039	-	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2040-2041	2040	-	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999
	17	2041-2042	2041	-	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999
	18	2042-2043	2042	-	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999
	19	2043-2044	2043	-	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999
	20	2044-2045	2044	-	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999
	21	2045-2046	2045	-	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999
	22	2046-2047	2046	-	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999
	23	2047-2048	2047	-	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999
	24	2048-2049	2048	-	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999
	25	2049-2050	2049	-	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999	$ 38,679,999

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 9/1/2021
Applicant Name Two Rivers Solar
ISD Name Cameron ISD

Form 50-296A
Revised February 2020

				Construction		Non-Qualifying Jobs	Qualifying Jobs	
				Column A	Column B	Column C	Column D	Column E
	Year	**School Year** (YYYY-YYYY)	**Tax Year** (Actual tax year) YYYY	Number of Construction FTE's	**Average** annual wage rates for construction workers	Number of non-qualifying jobs applicant estimates it will create (cumulative)	Number of new qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	~~A~~nnual wage of new qualifying jobs
Each year prior to start of Value Limitation Period *Insert as many rows as necessary*	Stub	2022-2023	2022			-	-	-
	QTP 1	2023-2024	2023	200	50,000			
	QTP2	2024-2025	2024	200	50,000			
Value Limitation Period *The qualifying time period could overlap the value limitation period.*	1	2025-2026	2025	N/A	N/A	-	1	48,829.00
	2	2026-2027	2026	N/A	N/A	-	1	48,829.00
	3	2027-2028	2027	N/A	N/A	-	1	48,829.00
	4	2028-2029	2028	N/A	N/A	-	1	48,829.00
	5	2029-2030	2029	N/A	N/A	-	1	48,829.00
	6	2030-2031	2030	N/A	N/A	-	1	48,829.00
	7	2031-2032	2031	N/A	N/A	-	1	48,829.00
	8	2032-2033	2032	N/A	N/A	-	1	48,829.00
	9	2033-2034	2033	N/A	N/A	-	1	48,829.00
	10	2034-2035	2034	N/A	N/A	-	1	48,829.00
Years Following Value Limitation Period	11 through 25	2035-2049	2035-2049	N/A	N/A	-	1	48,829.00

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

TAB 16

Description of Reinvestment Zone or Enterprise Zone, including:

a) Evidence that the area qualifies as an enterprise zone as defined by the Governor's office
b) Legal description of reinvestment zone
c) Order, resolution, or ordinance established the reinvestment zone
d) Guidelines and criteria for creating the zone

a) Not Applicable
b) See Attached
c) See Attached
d) See Attached

b) Legal Description of Reinvestment Zone

c) Order Creating Reinvestment Zone

IN THE COMMISSIONERS COURT
OF
MILAM COUNTY, TEXAS

RESOLUTION AND ORDER TO PARTICIPATE IN TAX ABATEMENT AND DESIGNATING MILAM COUNTY REINVESTMENT ZONE – TWO RIVERS SOLAR

WHEREAS, on the 23rd day of August, 2021, came on for consideration the determination to participate in tax abatement and designation of a Reinvestment Zone pursuant to Chapter 312 of the Texas Tax Code, and

WHEREAS, the Commissioners Court of Milam County has determined that it is eligible to participate in tax abatement and by this Order hereby Resolves and Designates a Reinvestment Zone as described more fully in the documents attached to this Order and incorporated by reference, specifically, the following descriptive documents:

> A description of the project, and the property to be contained within the Milam County Reinvestment Zone – Two Rivers Solar, said description being incorporated herein by reference as Exhibit A.

The Application, Property Description and Map of the Reinvestment Zone Created by this Order and attached to this Order as Exhibit A are intended to more fully and accurately describe the geographic region included within the Reinvestment Zone to be known as Milam County Reinvestment Zone – Two Rivers Solar,

WHEREAS, prior to the creation of the Milam County Reinvestment Zone – Two Rivers Solar, the Commissioners court made a determination that the application filed by Two Rivers Solar, LLC, meets the applicable guidelines and criteria adopted by the Commissioners Court on or about December 23, 2019, and that a tax abatement agreement between the County and Two Rivers Solar, LLC, would be in compliance with the established guidelines and criteria for tax abatement, and,

WHEREAS, the Commissioners Court, prior to the creation of the reinvestment zone, did conduct a public hearing, after due notice, as required by Chapter 312 of the Texas Tax Code. After receiving public comment, the Commissioners Court hereby determines that the designation of an area as a reinvestment zone would contribute to the retention or expansion of primary employment in Milam County, Texas, and would contribute to the economic development of the County,

THEREFORE, PREMISES CONSIDERED, the Commissioners Court of Milam County, Texas has elected to participate in tax abatement and does hereby designate the Milam County Reinvestment Zone – Two Rivers Solar, as described more fully in the attachments to this Order, which are incorporated herein by reference and are to be filed in the minutes of the Commissioners Court with this Order, as an area of Milam County, Texas eligible for tax abatement.

It is further ORDERED by the Commissioners Court that the County Judge is hereby authorized to execute, on behalf of Milam County, Texas, such documents as may be necessary to facilitate and implement this Order.

Dated: Adopted on 8/23, 2021.

County Judge, Milam County, Texas

Commissioner, Precinct 1

Commissioner, Precinct 2

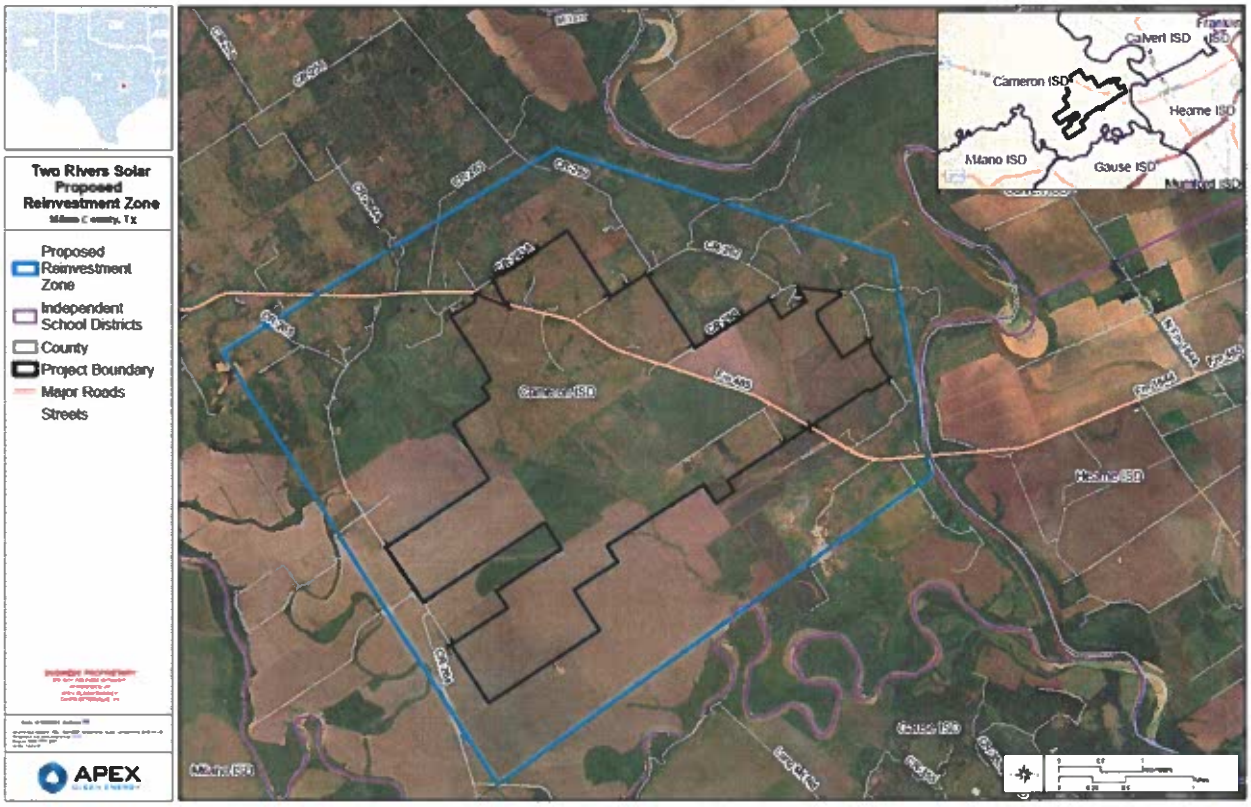
Commissioner, Precinct 3

Commissioner, Precinct 4

Attest:

County Clerk, Milam County, Texas

Exhibit "A"



LANDOWNER NAME	PARCEL I.D. NUMBER
259 Property Holdings	20608
Agripina Olivarez	21218
Aldoba & Julia Ibarra	24114
Alfredo Loera	61086
Bankson Cattle Ranch	57806
Barbara Walker	27468
Bell Dixon	23357
Bell Dixon	22647
Betty Bighorse	17519
Boyce Van Harlan	14919
Boyce Van Harlan	28387
Boyce Van Harlan	23441
Brenda Jo Davis	21455
Bud Johnson	25830
C. Mccollough	27022
Canitra Williams	26710
Carmen Thompson	23845
Carolyn Cobb	24945

Catherine Kuehn		68289
Catherine Wells		23926
Clara Jackson		24791
Clifford A. Skiles		25029
Cliffton Ogilvie		26435
Connie and Robert Humber		25451
Connie and Robert Humber		62147
Constance M. Rogers		18888
Cynthia Fechner		20517948
Daniel & George Foster		20076
Daniel Foster		59770
Daniel Foster		19648
Daniel Foster		21536
Daniel Foster		56662
Daniel Foster		21536
David Jay Dotson		23761
Detrick Eaton		68276
Diana Janz Raymond		23584
Double Stirrup Ranch		22890
Edwin Wayne Steamer		23596
Ellen Marie Whitfield		23832
Ernest Drone		28110
Ernest Wallace		22485
Essie Bowie		27273
Eula Lewis		22245
Eunice & Robert Ambriz		20520012
Eunice & Robert Ambriz		20520011
Felix and Olivia Aleman		18789
FMK GMK Family Trust		19600
FMK Jr.		19163
FMK Jr.		60988
FMK Jr.		60980
Frank & Alice Borgas		26987
Frank F. & Alice Borgas		26530
Frank Herrera		20512882
Frank Lopez		26189
Galvin Crooked Creek		15109
Gary and Lisa Cobb	11661B	
Gary and Lisa Cobb	11661A	
Gary and Lisa Cobb		24575
Gary and Lisa Cobb		23648
Gary and Lisa Cobb		22451
Gary and Lisa Cobb		59832

Gary and Lisa Cobb	21767
Gayle R. Mercer Maril	19818
Glen & Joyce Johnson	17530
Glen Ray Johnson	26279
Gloria Sullivan	23748
Gloria Sullivan	21941
Hattie Gafford	27119
Helen & Arthur Gutierrez	20511996
Hor. Juvenal Calderon	26333
Jacqueline Newsome	27208
Jacqueline Newsome	26734
Jacqueline Newsome	27412
James Williams	21365
Jane Whitfield	24108
Jimmie Jenkins Estate	57656
Jimmie Mccollough	62158
Joe Aleman	57680
John & Angela Sennet	24699
John A. Smith	11497
John A. Smith	242222
John A. Smith	24327
John A. Smith	15604
John A. Smith	24414
John A. Smith	24507
John A. Smith	15617
John MacDonald	20510700
Jose & Leticia Lopez	20510742
Juan Rubio	61866
Julia Ibarra Aldoba	24114
K Jack	27742
K Jack	58569
Katherine Sommer	26617
LC & Elnora Smith	59158
Little River Church	62146
Loyd Ragan	57850
M. Adkins Tary Stoker	20517950
M. Adkins Tary Stoker	20517949
Mable & Hezzie Ashford	20319
Mamie Looney	19335
Manuela Aleman	22076
Maria De Arevalo	21045
Marjorie & Jack Humber	20879
Mary Ann Lewis	17754

Maysfield Holdings	20520362
McKinney Lodge	27321
Mica Grain Company	23517
Milam County Judge	24030
Mission de Cristo	23675
Nancy Ann Aguillon	20805
Nancy Ann Aguillon	20518823
Nancy Ann Aguillon	20518548
Napoleon Harlan	23661
Niley J. Smith	26468
Niley J. Smith	23284
Niley J. Smith	24713
Niley J. Smith	24601
Niley J. Smith	24559
Niley J. Smith	24756
Niley J. Smith	24925
Niley J. Smith	24837
Niley J. Smith	24459
Niley J. Smith	24372
Niley J. Smith	24276
Niley J. Smith	24168
Niley J. Smith	15641
Niley J. Smith	11129
Niley J. Smith	19074
Niley J. Smith	25243
Niley J. Smith	19978
Niley J. Smith	19244
Niley J. Smith	19899
Niley J. Smith	15641
Niley J. Smith	26477
Niley J. Smith	26804
OGC Milam County Ranch	26098
OGC Milam County Ranch	20520364
Oliver Wells	26567
Patrick Matejka	20520363
Pete & Myra Lynch	20519957
Peter C. Gibson Jr.	19732
Peter Gibson	22031
Peter Gibson	24312
Port Sullivan Ranch	75857
Port Sullivan St Ant	61397
Providence Cemetary	26655
Providence Church	27378

Rachel Day	57212
Raymond and Barbara Potter	61772
Reddie Pittman King	70571
Richard Merrill	18789
Richard Pena	62144
Ricky J. Palasota	72160
Roger & Nancy Delong	23206
Ronald & Linda Post	20956
Ronald & Linda Post	59903
Rosalie Steamer	23527
Steven R. Sadler	26832
Stoker M. & Tary Adkins	20517949
Thomas Frank Mercer	57814
Towns-Hopcus Real Estate	11316
Towns-Hopcus Real Estate	20519
Victor & Natal Huitron	25924
Wille Mccollough	62145
Willie Whitfield	10651
Willie Whitfield	24008
Willie Whitfield	69801
Zachary Gandy	15300
Zachary Gandy	27555

BK0092PG0181

ORDER AND RESOLUTION OF MILAM COUNTY COMMISSIONERS COURT ESTABLISHING GUIDELINES AND CRITERIA GOVERNING TAX ABATEMENTS BY MILAM COUNTY, TEXAS

WHEREAS, the Milam County Industrial Development Corporation recommends that Tax Abatements be initiated in the County of Milam; and

WHEREAS, the Milam County Commissioners Court finds that Tax Abatements, in accordance with the "Guidelines and Criteria Governing Tax Abatements by Milam County, Texas," attached hereto as Exhibit "A" and incorporated herein for all purposes, contributes to the economic development of Milam County and is in **Exhibit "A"** of the policies and objectives of the County as authorized in Chapter 312 of the Texas Tax Code, and will assist the County in the achievement of its objectives to create jobs for the citizens of the County, build the tax base of the County, and provide an attractive environment for businesses to build capital intensive projects within Tax Abatement Reinvestment Zones; and

WHEREAS, state law requires re-adoption of guidelines governing Tax Abatements every two years.

WHEREAS, the Milam County Commissioners Court believes it necessary to adopt Tax Abatement Guidelines and Criteria for the County; and

NOW THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF MILAM COUNTY, TEXAS THAT:

Section 1. Election to Participate in Tax Abatement. The County does hereby elect/reaffirm the election to become eligible to participate in tax abatement agreements in accordance with Texas Tax Code §312.002 et seq.

Section 2. Guidelines and Criteria Governing Tax Abatements Adopted. In accordance with the requirements in Section 312.002 of the Texas Tax Code. the Milam County Commissioners Court hereby adopts the "Guidelines and Criteria Governing Tax Abatements by Milam County", attached hereto as **Exhibit "A"** and incorporated herein for all purposes as if set forth in full.

Section 3. No Limits. Adoption of the Guidelines and Criteria adopted in Section 1 herein does not:

(1) Limit the discretion of the Milam County Commissioners Court to decide whether to enter into a specific Tax Abatement agreement nor the terms of an abatement;

(2) Create, nor shall it be construed to create, any property, contract, or other legal right in any person or entity to have the Milam County Commissioners Court consider or grant a specific application or request for Tax Abatement.

Section 4. Effectiveness of Guidelines. The Guidelines and Criteria adopted in Section 1 herein shall be effective for two (2) years from the effective date of this Order. During that period, the said

Guidelines and Criteria Governing Tax Abatements may be amended or repealed only by a vote of three-fourths of the members of the Milam County Commissioners Court.

Section 5. Effective Date. This Resolution and Order shall become effective upon passage and approval.

Section 6. Severability. If any provision, section, subsection, sentence, clause or phrase of this Resolution and Order, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid or for any reason unenforceable, the validity of the remaining portion of this Resolution and Order or its application to any person or set of circumstances shall not be affected thereby, it being the intent of the Commissioners Court of Milam County, Texas in adopting this Resolution and Order that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity, and all provisions are declared severable for that purpose.

PASSED and APPROVED this 23rd day of DEC 2019.

BK00926G0182

MILAM COUNTY:

Steve Young, Milam County Judge

ATTESTED:

Jodi Morgan, Milam County Clerk

EXHIBIT A

GUIDELINES AND CRITERIA
GOVERNING TAX ABATEMENTS
MILAM COUNTY, TEXAS
DEC 23, 2019

BK0092PG0183

SECTION 1: GENERAL PURPOSE AND OBJECTIVES

The County of Milam is committed to enhancing the competitiveness and the expansion potential of the County; to attracting and encouraging new industry and investment; to improving Milam County and its infrastructure which attracts and supports development; and to expanding the tax base, employment opportunities, and the overall quality of life for its citizens. This document describes the Guidelines and Criteria to opportunities Milam County may consider in attempts to assert positive economic development. Nothing herein shall imply or suggest that the County of Milam is under obligation to afford these opportunities to any applicant. All applicants shall be reviewed on a case-by case basis and decisions of the Court will be made on a case by case basis. The customized design of a total incentives package is intended to allow maximum flexibility in addressing the unique concerns of each applicant while enabling Milam County to respond to the changing needs of the County. Consideration will be given to applicants according to the criteria listed in this document and to Chapter 312 of the State Tax Code.

(1). **Purpose:**

Chapter 312 of the Texas Tax Code allows, but does not obligate or require, the County to grant a Tax Abatement on the value added to a particular property on account of a specific development project that meets the eligibility requirements set forth in these Guidelines and Criteria. In order for the County to enter into Tax Abatement agreements, the County is required to establish guidelines and criteria governing Tax Abatements and to pass a resolution stating that the County elects to become eligible to participate in Tax Abatement.

(2). **Objective:**

The County of Milam is committed to the promotion of high quality developments in all parts of Milam County and to ongoing improvement in the quality of life for all citizens. These objectives are generally served by the enhancement and expansion of the local economy, the County of Milam, will on a case-by-case determination, give consideration to providing Tax Abatement as stimulus for economic development within the boundaries of the County of Milam, It is herein proclaimed to be a policy of the County of Milam to make available Tax Abatement for both new facilities and for the Expansion or Modernization of existing structures. It is further recognized to be a policy of Milam County that the consideration of Tax Abatement will be made in accordance with the procedures and criteria set forth herein. Nothing herein shall imply, suggest or in any way be interpreted to obligate the County of Milam to provide a Tax Abatement to any applicant.

(3). **General Eligibility Criteria:**

A Tax Abatement can only be granted to persons or entities eligible for Tax Abatement pursuant to Section 312.402 of the Texas Tax Code, which persons or entities as of the effective date of these Guidelines and Criteria are:

(i) the owner of taxable real property located in a reinvestment zone;

(ii) the owner of a leasehold interest in tax-exempt real property located in a Tax Abatement reinvestment zone;
(iii) the owner of a leasehold interest in real property located in a Tax Abatement reinvestment zone; or
(iv) the owner of tangible personal property located in a reinvestment zone.

(4). **General Exclusions and Limitations:**

(5). **Leases of Real Property**

A person or entity seeking Tax Abatement on real property that is leased from a third party should be advised that, pursuant to state law, the County of Milam can only abate taxes on the increased value of the taxable leasehold interest in the real property, if any, and the increase in value of taxable improvements and tangible personal property located on the real property and subject to the leasehold interest, if any. Before applying for a Tax Abatement from the County of Milam, such persons or entities should seek professional and legal guidance, and may wish to consult with the appraisal district having jurisdiction over the property in question, as to whether their development projects will result in a taxable leasehold interest in the property and, if so, the anticipated value of that leasehold interest.

SECTION 2: DEFINITIONS.

As used within these Guidelines and criteria, the following words or phrases shall have the following meanings:

(1). **"Abatement" or "Tax Abatement"** means the temporary, full or partial exemption from ad valorem taxes of certain eligible taxable real and in some cases tangible personal property and/or improvements located in a Reinvestment Zone designated for economic development purposes.

(2). **"Added Value"** means the increase in the assessed value, as compared to base year value, of an eligible property as a result of "Expansion" or "Modernization" of an existing Facility or construction of a "new Facility." It does not mean or include "Deferred Maintenance."

(3). **"Agreement"** means a contractual agreement between an owner and/or lessee of eligible property and the County of Milam for the purposes of Tax Abatement.

(4). **"Base Year Value"** means the assessed value of eligible property as determined by the Milam County Appraisal District located in a reinvestment zone on January 1 of the year in which the Agreement is executed.

(5). **"Deferred Maintenance"** means improvements necessary for continued operations which do not improve productivity or alter the process technology.

(6). **"Affected Jurisdiction"** means Milam County and every other taxing unit that includes, within its boundaries, property located within a proposed or existing reinvestment zone.

(7). **"Economic Life"** means the number of years a property improvement is expected to be in service in a reinvestment zone.

(8). **"Expansion"** means the addition of buildings, structures, machinery, or equipment for purposes of increasing production capacity.

(9). **"Facility"** means property improvements completed or in the process of construction

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which together compromise an integral whole.

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(10). **"Manufacturing Facility"** means 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.

(11). **"Modernization"** means the replacement and upgrading of existing facilities which increase the productive input or output, updates the technology or substantially lowers the unit cost of the operation, and extends the Economic Life of the facilities. Modernization may result from the construction, alteration, or installation of buildings, structures, fixed machinery or equipment. It shall not be for the purpose of reconditioning, refurbishing, repairing or completion of Deferred Maintenance.

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

(13). **"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 primarily serve a market outside Milam County, Texas. Corporate Home Office is included in this definition.

(14). **"Other Basic Industry Facility"** means property, previously undeveloped, which is placed into service by means other than or in conjunction with Expansion or Modernization.

(15). **"Owner"** means the owner of property subject to Abatement. If the eligible property is constructed or located on a leased property, the owner shall be the party which owns the property eligible for a Tax Abatement. The other party to the lease may join in the execution of the Agreement but shall not be obligated to assure performance of the party receiving the Abatement,

(16). **"Permanent Full-Time Job"** means a new employment position created by a business that provides a regular work schedule of at least 40 hours per week of regular employment per year to a Milam County, Texas resident and maintain the employment position during the term of the Abatement agreement.

(17). **"Employee"** means a person whose employment is both permanent and fulltime, who works for and is an employee of the Owner or an employee of a Contractor, who works a minimum of 40 hours per week, who receives industry-standard benefits, and whose employment is reflected in the Owner's (and Contractor's, if applicable) quarterly report filed with the Texas Workforce Commission ("TWC");but excluding any direct contract (seasonal, part-time, and full-time equivalent). It is understand that two or more part time employees may be considered as one full time employee, depending on the amount of hours a part time employee acutally works.

(18). **"Tax Abatement Reinvestment Zone"** means any real property within Milam County, Texas which has been designated as a reinvestment zone, by the Milam County Commissioners Court.

SECTION 3: ABATEMENT AUTHORIZED

(1). **Authorized Facility**: Abatement may be eligible for new facilities and improvements to existing facilities for the purpose of Modernization or Expansion.

(2). **Creation of New Value**: Abatement may only be granted for the Added Value of eligible property improvements based on valuations as determined by the Milam County Appraisal District

and subject to and listed in an Abatement agreement between County and the property owner and lessee, if required, subject to such limitations as said jurisdiction may require.

(3). **Eligible Property**: Abatement may be extended to the Added Value of real and tangible personal property as noted in Section 3.6.

(4). **Ineligible Property**: The following types of property shall be fully taxable and ineligible for Abatement: Land; inventories; supplies; tools; furnishings, and other forms of movable personal property; vehicles; vessels; aircraft; housing; hotel accommodations; Deferred Maintenance investments; property with an economic life of less than 15 years; 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 property exempted by local, state or federal law. When such exempted property includes manufacturing machinery and equipment listed in the Investment Budget (as required in "Application"), then the value of such property many not be included toward the achievement of investment or valuation thresholds set out in the Agreement.

(5). **Types Of Industry**: In keeping with the broad based approach to economic development, Agreements will not be restricted to any particular type of industry. Preference will, however, be given to manufacturing and any other type of industry which provides relatively higher wages. In keeping with obtaining the highest cost-benefit, Tax Abatements will be granted on the basis of (a) new jobs and (b) additional investments, for a maximum term of 10 years.

(6). **Abatement Calculations**:

Category I:	Dollar Amount of Improvements	Points
	$50,000. - $100.000.	3
	$101,000. - $250,000.	6
	$251,000. - $1,000,000.	9
	Greater than $1,000,000.	12

Category II:	Number of Jobs Created or Retained	Points
	1- 5	3
	6-15	6
	16 – 30	9
	Greater than 31	12

Category III:	Positive Impact on the Community	Points
	No Significant Positive Impact	0
	Desirable Positive Impact	6
	Exceptional Positive Impact	12

Point Summary

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Points	Years	% abatement
Less than 6	2	none
6-9	2	40%
12-15	2	50%
18-21	2	60%
24-27	3	80%
30	4	80%

(7). **Living Wage Requirement**: In order to count as a permanent full-time job under this Tax Abatement program, the job should pay Employees wages at a minimum level which is equal to five dollars ($5.00) above the U.S. minimum wage in effect at the time of the Agreement, Additional compensation, such as commissions and mileage, will be taken into consideration and will be included in the wages.

(8). **Other General Guidelines:**

(1.) Companies shall pay permanent full time Employees with at least 50% of their health benefits.

(2). Applicable work must be offered to local companies for the Expansion of existing facilities as well as new facilities.

(3). Efforts to hire must be "performance based" to provide cost benefit advantages to Milam County.

(4). Applicant must not permit outside companies to unfairly compete with local in the same business in the local market.

(5). The contracts must be effectively protected by cancellation, recalibration and "claw-back" provisions which would ensure the return of the community's funds if the company's default on their part of the Agreement.

(9). **Negotiation and Variance**

(1). Notwithstanding anything to the contrary in these Guidelines, the Milam County Commissioners Court may, depending upon the applicant, grant Tax Abatements which differ from the Basic Formula contained in Section 3(6) taking into consideration the cost benefit, company's financial statements or D & B rating, past business history, nature of the production process, environmental hazards, cost breakdown of the investment into lnd, building, equipment, probable project status at the end of 10 years, percent of hiring of local workers, and benefits to be paid to local workers and other criteria deemed appropriate by Milam County Commissioners Court.

(2). The Milam County Commissioners Court further reserves the right to vary the term and percent of Abatement from the Basic Formula contained in Section 3(6) on a case by case basis, where the applicant shows unique circumstances that, in the opinion of Milam County Commissioners Court, meet the economic development goals and objectives of Milam County, Texas.

SECTION 4. APPLICATION.

(1). Any owner of taxable property in Milam County may request the designation of a reinvestment zone and a Tax Abatement agreement by filing a written application with the County of Milam.

(2). The application shall be signed by the Owner accompanied by:

(i). A description of the involved parcels of land to be included in the reinvestment zone and the owner(s) of each parcel;

(ii). A general description of the proposed use and the general nature and extent of the Modernization, Expansion or new improvements to be undertaken;

(iii). a descriptive list of the improvements which will be a part of the Facility;

(iv). an estimate of the cost of the improvements;

(v). an estimate of the number of Employees during construction, and thereafter, operate the Facility;

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(vi). a map, metes and bounds or other valid legal property description of the property proposed as a reinvestment zone;

(vii). a time schedule for undertaking and completing the planned improvements; and a proposed program for the recruitment of local Employees in the construction and operation of the Facility or facilities together with a statement affirming the applicant's commitment to equal opportunity hiring, at all levels, and

(viii). a plan to implement and ensure such hiring.

(3). 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.

(4). The application shall provide such financial and other information as required by the County to enable it to evaluate the financial capacity of the applicant. In the case of an application based on job retention, the applicant shall include sufficient information to verify the potential of job loss that would occur without Abatement.

(5). If the County intends to act favorably on the application and enter into an Agreement, it shall do so in writing with the owner of the taxable real property located in an area designated as a reinvestment zone to exempt from taxation all of the increase in the value of the property over its value in the year in which the Agreement is executed.

(6). The County may not enter into a Tax Abatement agreement unless it finds that the terms of the Agreement, and the property subject to the Agreement, meet the applicable provisions of these "Guidelines and Criteria". Not later than the seventh day before the date on which the

County enters into such an Agreement, the County Judge, or an officer or employee of the County designated by him, shall deliver to the presiding officer of the governing body of each other taxing unit in which the property to be subject to the Agreement is located a written notice that the County intends to enter into an Agreement. The notice shall be placed in the mail, postage paid, properly addressed, and sent by certified mail with return receipt requested.

(7). A resolution designating an area as a reinvestment zone may not be adopted by the County until the Milam County Commissioners Court has held a public hearing on the designation.

(i). It also must be found that the area of the proposed reinvestment zone is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and would contribute to the economic development of the County.

(ii). At the hearing, interested persons are entitled to speak and present evidence for or against the designation.

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(iii). Not later than the seventh day before the date of such hearing, notice of the hearing must be published in a newspaper having general circulation in Milam County. Said notice shall be delivered in writing to the presiding officer of the governing body of each taxing unit that includes, within its boundaries, real property that is to be included in the proposed reinvestment zone.

(iv). The notice shall be placed in the mail, postage paid, and properly addressed to the appropriate presiding officer.

(v). The County shall not establish a reinvestment zone for the purpose of tax Abatement if it finds that the request for the Abatement was filed after the commencement of construction, alteration, or installation of improvements related to a proposed Modernization, Expansion or new Facility.

SECTION 5: AGREEMENT

After the hearing the Commissioners Court shall adopt a resolution finding that the proposed Agreement filed with the resolution, a copy of which is to be attached thereto, meets the applicable provisions of these "Guidelines and Criteria". The resolution shall also authorize the execution of the Agreement with the Owner, to include provisions for:

(1). The exemption from taxation of all the increases in value of the property, over its value in the year in which the Agreement was executed for the period of time provided.

(2). A general description of the kind, number, and location of the proposed improvements of the property;

(3). Access to and inspection of property by County employees to ensure that the improvements or repairs are made according to the specifications and conditions of the Agreement;

(4). Limiting the uses of the property consistent with the general purpose of encouraging development or redevelopment of the zone during the period that property tax exemptions are in effect;

(5). Recapturing property tax revenue lost as a result of the Agreement if the owner of the property fails to make the improvements or repairs as provided by the Agreement.

(6). Total estimated cost of the improvements and employment estimates.

(7). The commencement date, the termination date of the Tax Abatement and the date taxes are first due the County.

(8). A provision that the Agreement shall be effective when executed by all parties and upon the final passage of an ordinance designating the reinvestment zone, and

(9). A provision that the applicant is required to file an annual report to the County describing the efforts of the applicant toward local hires and using local vendors and subsequent to completion, progress on construction.

SECTION 6: RECAPTURE

(1). In the event that the Facility is completed and begins producing product or service, but subsequently discontinues producing product or service for any reason excepting fire, explosion, or other casualty or accident or natural disaster for a period of one year during the Abatement period, then the Agreement shall terminate and so shall the Abatement of the taxes for the calendar year during which the Facility no longer produces. The taxes otherwise abated for that calendar year shall be paid to the Affected Jurisdiction and other taxing agencies within sixty days from the date of termination.

(2). Should the County of Milam determine that the company or individual is in default according to the terms and conditions of its Agreement, the County shall notify the company or individual in writing at the address stated in the Agreement, and if the default is not cured within sixty (60) days from the date of such notice ("Cure Period"), the Agreement may be terminated.

(3). In the event that the company or individual (1) allows any ad valorem taxes owed the County of Milam or affected jurisdictions to become delinquent and fails to timely and properly follow the legal procedures for their protest and/or (2) contest; or violates any of the terms and conditions of the Abatement agreement and fails to cure any default within the Cure Period, the Agreement may then be terminated and all taxes previously abated, by virtue of the Agreement, shall be recaptured and paid within sixty (60) days of the termination.

SECTION 7: ADMINISTRATION

(1). Each year, the company or individual receiving Abatement shall furnish the Chief Appraiser of Milam County with such information as may be necessary for the Abatement. The Chief Appraiser will annually determine the assessment of the real and personal property comprising the reinvestment zone and notify the affected jurisdictions of the amount of the assessment.

(2). Upon completion of construction, Milam County shall annually evaluate each Facility receiving Abatement to ensure compliance with the Agreement.

SECTION 8: ASSIGNMENT

Tax Abatement may be transferred and assigned by the holder to a new owner or lessee of the same Facility upon the approval by resolution of the Commissioners Court, subject to the financial capacity of the assignee, and provided all conditions and obligations in the Tax Abatement agreement are guaranteed by the execution of a new contractual agreement with the County of Milam. No assignment or transfer shall be approved if the parties to the existing Agreement, the new owner or new lessee are liable to the County of Milam or any affected jurisdiction or other taxing agency for outstanding taxes or other obligations. Approval shall not be unreasonably withheld.

SECTION 9: SUNSET PROVISION

These Guidelines and Criteria are effective for two years from the date adopted. During that period, the "Guidelines and Criteria" may be amended or repealed only by a vote of three-fourths of the members of the Commissioners Court.

SECTION 10: LEGAL NOTICE TO POTENTIAL APPLICANTS

The adoption of these guidelines and criteria by the County does not and shall not:

(1). Limit the discretion of the County to decide whether to enter into a specific Tax Abatement agreement;

(2). Limit the discretion of the County to delegate to its employee the authority to determine whether or not the County should consider a particular application or request for Tax Abatement; or

(3). Create any property, contract, or other legal rights in any person to have the County consider or grant a specific application or request for Tax Abatement.

(4). Waive or relinquish any immunity or defense on behalf of the County, its commissioners, offices, employees and agents as a result of the execution of a Tax Abatement agreement and/or the performance of the functions and obligations described herein.

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TAB 17

Signature and Certification Page; signed and dated by Authorized School District Representative and Authorized Company Representative (applicant)

See Attached

SECTION 16: Authorized Signatures and Applicant Certification

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

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

1. Authorized School District Representative Signature

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

print here Kevin Sprinkles
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 Mark Goodwin
Print Name (Authorized Company Representative (Applicant))

CEO
Title

sign here
Signature (Authorized Company Representative (Applicant))

Date

GIVEN under my hand and seal of office this, the

_____ day of _____, _____

_____
Notary Public in and for the State of Texas

(Notary Seal)

My Commission expires: _____

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.

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print here Kevin Sprinkles
Print Name (Authorized School District Representative)

Superintendent
Title

sign here
Signature (Authorized School District Representative)

Date

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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 Ken Young
Print Name (Authorized Company Representative (Applicant))

COO of the Manager of the Sole Member of the Sole Member of Two Rivers Solar, LLC
Title

sign here
Signature (Authorized Company Representative (Applicant))

September 10, 2021
Date

MARY MADELEINE RAY
Notary Public
Commonwealth of Virginia
Registration No. 7842040
My Commission Expires Jul 31, 2023

(Notary Seal)

GIVEN under my hand and seal of office this, the

10th day of September, 2021

Notary Public in and for the ~~State of Texas~~

My Commission expires: July 31, 2023

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