



# Application for Appraised Value Limitation on Qualified Property

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

**Form 50-296**  
(Revised May 2010)

**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 completed application to the Comptroller in a three-ring binder with tabs separating each section of the documents, in addition to an electronic copy on CD. See 34 TAC Chapter 9, Subchapter F.

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

When the Comptroller receives the notice and required information from the school district, the Comptroller will publish all submitted application materials on its Web site. 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 as explained in the Confidentiality Notice below.

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. 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, make a recommendation 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 before the 151st 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 complete the recommendation, economic impact evaluation or consider the application at any time during the application review period.

Please visit the Comptroller's Web site to find out more about the program at <http://www.window.state.tx.us/taxinfo/proptax/hb1200/index.html>. There are links on this Web page to the Chapter 313 statute, rules and forms. Information about minimum limitation values for particular districts and wage standards may also be found at that site.

## SCHOOL DISTRICT INFORMATION - CERTIFICATION OF APPLICATION

### Authorized School District Representative

Date application received by district

First Name

Last Name

Title

School District Name

Street Address

Mailing Address

City

State

ZIP

Phone Number

Fax Number

Mobile Number (optional)

E-mail Address

I authorize the consultant to provide and obtain information related to this application.....  Yes  No

Will consultant be primary contact? .....  Yes  No



SCHOOL DISTRICT INFORMATION - CERTIFICATION OF APPLICATION (CONTINUED)

Authorized School District Consultant (If Applicable)

First Name: Kevin Last Name: O'Hanlon

Title: Special Counsel

Firm Name: O'Hanlon, McCollom & Demearth

Street Address: 808 West Avenue

Mailing Address: 808 West Avenue

City: Austin State: TX ZIP: 78701

Phone Number: (512) 494-9949 Fax Number: (512) 494-9919

Mobile Number (Optional): E-mail Address: kohanlon@808west.com; mhanley@808west.com

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.

Signature (Authorized School District Representative): Tom Bailey Date: 8-25-10

Has the district determined this application complete? [X] Yes [ ] No

If yes, date determined complete. 8-25-10

Have you completed the school finance documents required by TAC 9.1054(c)(3)? [ ] Yes [X] No

SCHOOL DISTRICT CHECKLIST AND REQUESTED ATTACHMENTS

Table with 3 columns: Checklist, Page X of 16, Check Completed. Rows include: 1 Date application received by the ISD (1 of 16, X), 2 Certification page signed and dated by authorized school district representative (2 of 16, checkmark), 3 Date application deemed complete by ISD (2 of 16, checkmark), 4 Certification pages signed and dated by applicant or authorized business representative of applicant (4 of 16, checkmark), 5 Completed company checklist (12 of 16, checkmark), 6 School finance documents described in TAC 9.1054(c)(3) (2 of 16, Not yet)



**APPLICANT INFORMATION - CERTIFICATION OF APPLICATION**

**Authorized Business Representative (Applicant)**

First Name		Last Name	
Title			
Organization			
Street Address			
Mailing Address			
City		State	ZIP
Phone Number		Fax Number	
Mobile Number (optional)		Business e-mail Address	

Will a company official other than the authorized business representative be responsible for responding to future information requests? .....  Yes  No

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

First Name		Last Name	
Title			
Organization			
Street Address			
Mailing Address			
City		State	ZIP
Phone Number		Fax Number	
Mobile Number (optional)		E-mail Address	

I authorize the consultant to provide and obtain information related to this application.. ..... N/a .....  Yes  No

Will consultant be primary contact? ..... N/a .....  Yes  No



APPLICANT INFORMATION - CERTIFICATION OF APPLICATION (CONTINUED)

Authorized Company Consultant (If Applicable)

First Name

N/A

Last Name

Title

Firm Name

Street Address

Mailing Address

City

State

ZIP

Phone Number

Fax Number

Business email Address

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 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.

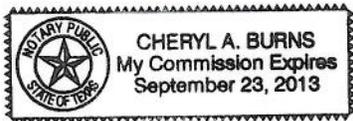
Signature (Authorized Business Representative (Applicant))

Date

Sam A Greshm

7/21/10

GIVEN under my hand and seal of office this 21ST day of JULY 2010



(Notary Seal)

[Signature]
Notary Public, State of TEXAS

My commission expires 9/23/13

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 § 37.10.



FEES AND PAYMENTS

Enclosed is proof of application fee paid to the school district.

For the purpose of this question, "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.

Please answer only either A OR B:

A. 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)?

B. 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)?

BUSINESS APPLICANT INFORMATION

Legal Name under which application is made

Texas Taxpayer I.D. Number of entity subject to Tax Code, Chapter 171 (11 digits)

NAICS code

Is the applicant a party to any other Chapter 313 agreements?

If yes, please list name of school district and year of agreement.

APPLICANT BUSINESS STRUCTURE

Registered to do business in Texas with the Texas Secretary of State?

Identify business organization of applicant (corporation, limited liability corporation, etc.)

1. Is the applicant a combined group, or comprised of members of a combined group, as defined by Texas Tax Code Chapter 171.0001(7)?

2. Is the applicant current on all tax payments due to the State of Texas?

3. Are all applicant members of the combined group current on all tax payments due to the State of Texas?



ELIGIBILITY UNDER TAX CODE CHAPTER 313.024

- Are you an entity to which Tax Code, Chapter 171 applies?
The property will be used as an integral part, or as a necessary auxiliary part, in one of the following activities:
(1) manufacturing
(2) research and development.
(3) a clean coal project, as defined by Section 5.001, Water Code
(4) an advanced clean energy project, as defined by Section 382.003, Health and Safety Code
(5) renewable energy electric generation
(6) electric power generation using integrated gasification combined cycle technology.
(7) nuclear electric power generation
(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)
Are you requesting that any of the land be classified as qualified investment?
Will any of the proposed qualified investment be leased under a capitalized lease?
Will any of the proposed qualified investment be leased under an operating lease?
Are you including property that is owned by a person other than the applicant?
Will any property be pooled or proposed to be pooled with property owned by the applicant in determining the amount of your qualified investment?

PROJECT DESCRIPTION

Provide a detailed description of the scope of the proposed project, including, at a minimum, the type and planned use of real and tangible personal property, the nature of the business, a timeline for property construction or installation, and any other relevant information. (Use attachments as necessary)

Describe the ability of your company to locate or relocate in another state or another region of the state.

PROJECT CHARACTERISTICS (CHECK ALL THAT APPLY)

- New Jobs, Construct New Facility, New Business / Start-up, Expand Existing Facility, Relocation from Out-of-State, Expansion, Purchase Machinery & Equipment, Consolidation, Relocation within Texas

PROJECTED TIMELINE

Begin Construction, Construction Complete, Purchase Machinery & Equipment, Begin Hiring New Employees, Fully Operational

Do you propose to construct a new building or to erect or affix a new improvement after your application review start date (date your application is finally determined to be complete)?
Note: Improvements made before that time may not be considered qualified property.

When do you anticipate the new buildings or improvements will be placed in service?



**ECONOMIC INCENTIVES**

Identify state programs the project will apply for:

State Source	Amount
_____	_____
_____	_____
_____	_____
Total	_____

Will other incentives be offered by local units of government? . . . . .  Yes  No

Please use the following box for additional details regarding incentives. (Use attachments if necessary.)

**THE PROPERTY**

Identify county or counties in which the proposed project will be located \_\_\_\_\_

Central Appraisal District (CAD) that will be responsible for appraising the property \_\_\_\_\_

Will this CAD be acting on behalf of another CAD to appraise this property? . . . . .  Yes  No

List all taxing entities that have jurisdiction for the property and the portion of project within each entity

County: \_\_\_\_\_ (Name and percent of project)      City: \_\_\_\_\_ (Name and percent of project)

Hospital District: \_\_\_\_\_ (Name and percent of project)      Water District: \_\_\_\_\_ (Name and percent of project)

Other (describe): \_\_\_\_\_ (Name and percent of project)      Other (describe): \_\_\_\_\_ (Name and percent of project)

Is the project located entirely within this ISD? . . . . .  Yes  No

If not, please provide additional information on the project scope and size to assist in the economic analysis.



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 rural, and the taxable value of the property within the school district. For assistance in determining estimates of these minimums, access the Comptroller's Web site at www.window.state.tx.us/taxinfo/proptax/hb1200/values.html.

At the time of application, what is the estimated minimum qualified investment required for this school district? \_\_\_\_\_

What is the amount of appraised value limitation for which you are applying? \_\_\_\_\_

What is your total estimated qualified investment? \_\_\_\_\_

NOTE: See 313.021(1) for full definition. Generally, Qualified Investment is the sum of the investment in tangible personal property and buildings and new improvements made between beginning of the qualifying time period (date of application final approval by the school district) and the end of the second complete tax year.

What is the anticipated date of application approval? \_\_\_\_\_

What is the anticipated date of the beginning of the qualifying time period? \_\_\_\_\_

What is the total estimated investment for this project for the period from the time of application submission to the end of the limitation period? \_\_\_\_\_

Describe the qualified investment.[See 313.021(1).]

Attach the following items to this application:

- (1) a specific and detailed description of the qualified investment you propose to make on the property for which you are requesting an appraised value limitation as defined by Tax Code §313.021,
(2) a description of any new buildings, proposed improvements or personal property which you intend to include as part of your minimum qualified investment and
(3) a map of the qualified investment showing location of new buildings or new improvements with vicinity map.

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

Except for new equipment described in Tax Code §151.318(q) or (q-1), is the proposed tangible personal property to be placed in service for the first time:

- (1) in or on the new building or other new improvement for which you are applying? Yes No
(2) if not in or on the new building or other new improvement for which you are applying for an appraised value limitation, is the personal property necessary and ancillary to the business conducted in the new building or other new improvement? Yes No
(3) on the same parcel of land as the building for which you are applying for an appraised value limitation? Yes No

("First placed in service" means the first use of the property by the taxpayer.)

Will the investment in real or personal property you propose be counted toward the minimum qualified investment required by Tax Code §313.023, (or 313.053 for rural school districts) be first placed in service in this state during the applicable qualifying time period? Yes No

Does the investment in tangible personal property meet the requirements of Tax Code §313.021(1)? Yes No

If the proposed investment includes a building or a permanent, non-removable component of a building, does it house tangible personal property? Yes No

QUALIFIED PROPERTY

Describe the qualified property. [See 313.021(2)] (If qualified investment describes qualified property exactly you may skip items (1), (2) and (3) below.)

Attach the following items to this application:

- (1) 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,
(2) a description of any new buildings, proposed improvements or personal property which you intend to include as part of your qualified property and
(3) a map of the qualified property showing location of new buildings or new improvements – with vicinity map.

Land

Is the land on which you propose new construction or 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

If you answered "no" to the question above, what is the anticipated date on which you will submit proof of a reinvestment zone with boundaries encompassing the land on which you propose new construction or improvements? \_\_\_\_\_

Will the applicant own the land by the date of agreement execution? Yes No

Will the project be on leased land? Yes No



QUALIFIED PROPERTY (CONTINUED)

If the land upon which the new building or new improvement is to be built is part of the qualified property described by §313.021(2)(A), please attach complete documentation, including:

- 1. Legal description of the land
2. Each existing appraisal parcel number of the land on which the improvements will be constructed, regardless of whether or not all of the land described in the current parcel will become qualified property
3. Owner
4. The current taxable value of the land. Attach estimate if land is part of larger parcel.
5. A detailed map (with a vicinity map) showing the location of the land

Attach a map of the reinvestment zone boundaries, certified to be accurate by either the governmental entity creating the zone, the local appraisal district, or a licensed surveyor. (With vicinity map)

Attach the order, resolution or ordinance establishing the zone, and the guidelines and criteria for creating the zone, if applicable.

Miscellaneous

Is the proposed project a building or new improvement to an existing facility? ... Yes No

Attach a description of any existing improvements and include existing appraisal district account numbers.

List current market value of existing property at site as of most recent tax year. (Market Value) (Tax Year)

Is any of the existing property subject to a value limitation agreement under Tax Code 313? ... Yes No

Will all of the property for which you are requesting an appraised value limitation be free of a tax abatement agreement entered into by a school district for the duration of the limitation? ... Yes No

WAGE AND EMPLOYMENT INFORMATION

What is the estimated number of permanent jobs (more than 1,600 hours a year), with the applicant or a contractor of the applicant, on the proposed qualified property during the last complete quarter before the application review start date (date your application is finally determined to be complete)?

The last complete calendar quarter before application review start date is the:

First Quarter Second Quarter Third Quarter Fourth Quarter of (year)

What were the number of permanent jobs (more than 1,600 hours a year) this applicant had in Texas during the most recent quarter reported to the TWC?

Note: For job definitions see TAC §9.1051(14) and Tax Code 313.021(3). If the applicant intends to apply a definition for "new job" other than TAC §9.1051(14)(C), then please provide the definition of "new job" as used in this application.

Total number of new jobs that will have been created when fully operational

Do you plan to create at least 25 new jobs (at least 10 new jobs for rural school districts) on the land and in connection with the new building or other improvement? ... Yes No

Do you intend to request that the governing body waive the minimum new job creation requirement, as provided under Tax Code §313.025(f-1)? ... Yes No

If you answered "yes" to the question above, attach evidence documenting that the new job creation requirement above exceeds the number of employees necessary for the operation, according to industry standards. Note: Even if a minimum new job waiver is provided, 80% of all new jobs must be qualifying jobs pursuant to Texas Tax Code, §313.024(d).

What is the maximum number of qualifying jobs meeting all criteria of §313.021(3) you are committing to create?

If this project creates more than 1,000 new jobs, the minimum required wage for this project is 110% of the average county weekly wage for all jobs as described by 313.021(3)(E)(ii).

If this project creates less than 1,000 new jobs, does this district have territory in a county that meets the demographic characteristics of 313.051(2)? (see table of information showing this district characteristic at http://www.window.state.tx.us/taxinfo/proptax/hb1200/values.html)

If yes, the applicant must meet wage standard described in 313.051(b) (110% of the regional average weekly wage for manufacturing)

If no, the applicant shall designate one of the wage standards set out in §§313.021(5)(A) or 313.021(5)(B).



WAGE AND EMPLOYMENT INFORMATION (CONTINUED)

For the following three wage calculations please include on an attachment the four most recent quarters of data for each wage calculation. Show the average and the 110% calculation. Include documentation from TWC Web site. 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(7).

110% of the county average weekly wage for all jobs (all industries) in the county is \_\_\_\_\_

110% of the county average weekly wage for manufacturing jobs in the county is \_\_\_\_\_

110% of the county average weekly wage for manufacturing jobs in the region is \_\_\_\_\_

Please identify which Tax Code section you are using to estimate the wage standard required for this project:

§313.021(5)(A) or  §313.021(5)(B) or  §313.021(3)(E)(ii), or  §313.051(b)?

What is the estimated minimum required annual wage for each qualifying job based on the qualified property? \_\_\_\_\_

What is the estimated minimum required annual wage you are committing to pay for each of the qualifying jobs you create on the qualified property? \_\_\_\_\_

Will 80% of all new jobs created by the owner be qualifying jobs as defined by 313.021(3)? .....  Yes  No

Will each qualifying job require at least 1,600 of work a year? .....  Yes  No

Will any of the qualifying jobs be jobs transferred from one area of the state to another? .....  Yes  No

Will any of the qualifying jobs be retained jobs? .....  Yes  No

Will any of the qualifying jobs be created to replace a previous employee? .....  Yes  No

Will any required qualifying jobs be filled by employees of contractors? .....  Yes  No

If yes, what percent? \_\_\_\_\_

Does the applicant or contractor of the applicant offer to pay at least 80% of the employee's health insurance premium for each qualifying job? .....  Yes  No

Describe each type of benefits to be offered to qualifying jobholders. (Use attachments as necessary.)

ECONOMIC IMPACT

Is an Economic Impact Analysis attached (If supplied by other than the Comptroller's office)? ..... N/A .....  Yes  No

Is Schedule A completed and signed for all years and attached? .....  Yes  No

Is Schedule B completed and signed for all years and attached? .....  Yes  No

Is Schedule C (Application) completed and signed for all years and attached? .....  Yes  No

Is Schedule D completed and signed for all years and attached? .....  Yes  No

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

If there are any other payments made in the state or economic information that you believe should be included in the economic analysis, please attach a separate schedule showing the amount for each year affected, including an explanation.

**CONFIDENTIALITY NOTICE**

**Property Tax Limitation Agreement Applications  
Texas Government Code Chapter 313  
Confidential Information Submitted to the Comptroller**

Generally, an application for property tax value limitation, the information provided therein, and documents submitted in support thereof, are considered public information subject to release under the Texas Public Information Act.

There is an exception, outlined below, by which information will be withheld from disclosure.

The Comptroller's office will withhold information from public release if:

- 1) it describes the specific processes or business activities to be conducted or the specific tangible personal property to be located on real property covered by the application;
- 2) the information has been segregated in the application from other information in the application; and
- 3) the party requesting confidentiality provides the Comptroller's office a list of the documents for which confidentiality is sought and for each document lists the specific reasons, including any relevant legal authority, stating why the material is believed to be confidential.

All applications and parts of applications which are not segregated and marked as confidential as outlined above will be considered public information and will be posted on the internet.

Such information properly identified as confidential will be withheld from public release unless and until the governing body of the school district acts on the application, or we are directed to do so by a ruling from the Attorney General.

Other information in the custody of a school district or the comptroller submitted in connection with the application, including information related to the economic impact of a project or the essential elements of eligibility under Texas Tax Code, Chapter 313, such as

the nature and amount of the projected investment, employment, wages, and benefits, will not be considered confidential business information and will be posted on the internet.

All documents submitted to the Comptroller, as well as all information in the application once the school district acts thereon, are subject to public release unless specific parts of the application or documents submitted with the application are identified as confidential. Any person seeking to limit disclosure of such submitted records is advised to consult with their legal counsel regarding disclosure issues and also to take the appropriate precautions to safeguard copyrighted material, trade secrets, or any other proprietary information. The Comptroller assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by respondents. A person seeking to limit disclosure of information must submit in writing specific detailed reasons, including any relevant legal authority, stating why that person believes the material to be confidential.

The following outlines how the Comptroller's office will handle requests for information submitted under the Texas Public Information Act for application portions and submitted records appropriately identified as confidential.

- This office shall forward the request for records and a copy of the documents at issue to the Texas Attorney General's office for an opinion on whether such information may be withheld from disclosure under the Texas Public Information Act.
- The Comptroller will notify the person who submitted the application/documents when the information is forwarded to the Attorney General's office.
- Please be aware that this Office is obligated to comply with an Attorney General's decision, including release of information ruled public even if it was marked confidential.



## COMPANY CHECKLIST AND REQUESTED ATTACHMENTS

	Checklist	Page X of 16	Check Completed
1	Certification pages signed and dated by Authorized Business Representative (applicant)	4 of 16	
2	Proof of Payment of Application Fee (Attachment)	5 of 16	
3	For applicant members, documentation of Combined Group membership under Texas Tax Code 171.0001(7) (if Applicable) (Attachment)	5 of 16	N/A
4	Detailed description of the project	6 of 16	
5	If project is located in more than one district, name other districts and list percentage in each district (Attachment)	7 of 16	N/A
6	Description of Qualified Investment (Attachment)	8 of 16	
7	Map of qualified investment showing location of new buildings or new improvements with vicinity map.	8 of 16	
8	Description of Qualified Property (Attachment)	8 of 16	
9	Map of qualified property showing location of new buildings or new improvements with vicinity map	8 of 16	
10	Description of Land (Attachment)	9 of 16	
11	A detailed map showing location of the land with vicinity map.	9 of 16	
12	A description of all existing (if any) improvements (Attachment)	9 of 16	N/A
13	Request for Waiver of Job Creation Requirement (if applicable) (Attachment)	9 of 16	
14	Calculation of three possible wage requirements with TWC documentation. (Attachment)	10 of 16	
15	Description of Benefits	10 of 16	
16	Economic Impact (if applicable)	10 of 16	N/A
17	Schedule A completed and signed	13 of 16	
18	Schedule B completed and signed	14 of 16	
19	Schedule C (Application) completed and signed	15 of 16	
20	Schedule D completed and signed	16 of 16	
21	Map of Reinvestment Zone (Attachment) (Showing the actual or proposed boundaries and size, Certified to be accurate by either the government entity creating the zone, the local appraisal district, or a licensed surveyor, with vicinity map)*	9 of 16	
22	Order, Resolution, or Ordinance Establishing the Zone (Attachment)*	9 of 16	
23	Legal Description of Reinvestment Zone (Attachment)*	9 of 16	
24	Guidelines and Criteria for Reinvestment Zone(Attachment)*	9 of 16	N/A

\*To be submitted with application or before date of final application approval by school board.

***Olney Independent School District***  
***Tom Bailey***  
***Superintendent***

Phone (940) 564-3519  
Fax (940) 564-5205

809 West Hamilton  
Olney, TX 76374

August 17, 2010

**INVOICE**

BP America, Inc.  
P. O. Box 3092  
Houston, TX 77253-3092  
Fax Number: 281-504-8593

Attn: Kerry Albright

Legal Services for Kevin O'Hanlon regarding Olney ISD Wind Project    \$75,000.00

**ATTACHMENT 3**

**N/A**

#### **ATTACHMENT 4**

BP Wind Energy North America Inc ("the Company") is requesting an appraised value limitation from Olney ISD for a proposed renewable energy project using wind turbines (wind farm) in Archer and Young County. The wind farm will be constructed within a reinvestment zone established by the Olney Independent School District. A map showing the location of the wind farm is included as Attachment 9. The resolution establishing the reinvestment zone is included as Attachment 22.

The wind farm will have a capacity of 225 megawatts. To construct the wind farm, the Company will install an estimated ninety (90) wind turbines in the Olney ISD that will have a rated capacity of 2.5 megawatts each. In addition to the wind turbines, electrical connections will be installed to permit the interconnection and transmission of electricity generated by the wind turbines.

Construction of the wind farm is proposed to begin in the second quarter of 2011 and will take approximately twelve (12) months. The wind farm is slated to begin commercial operations in the 4<sup>th</sup> quarter of 2011. At the peak of construction, an estimated one hundred and fifty (150) construction workers will be employed at the project site.

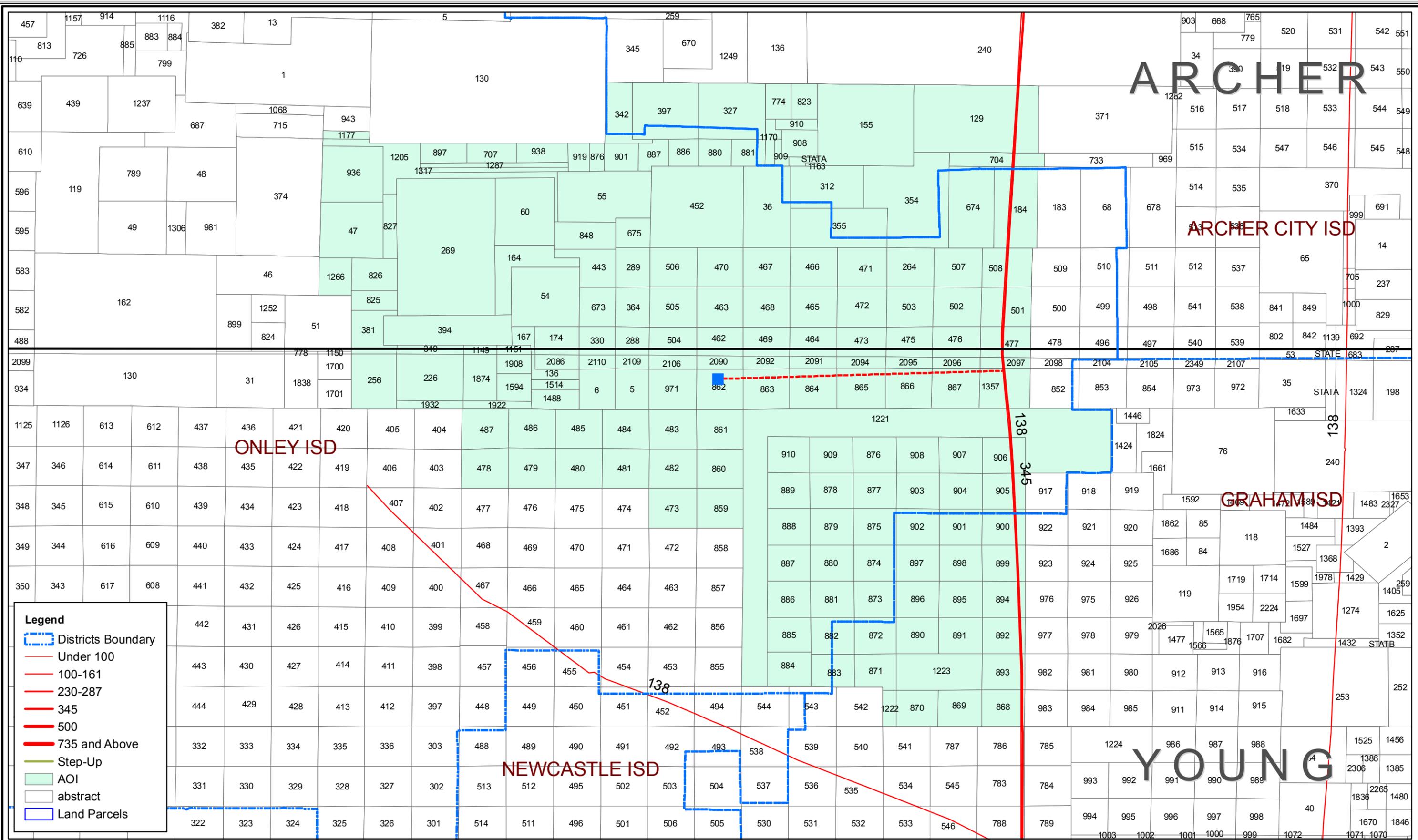
Wind farms are currently being developed, built, and installed in numerous other states, including but not limited to Colorado, Kansas, New Mexico, California, and Minnesota. Within Texas, at least 20 other counties currently have wind farms proposed, under construction, or are currently operating with potential new sites are growing yearly. The Company could invest its resources in any of these locations.

**ATTACHMENT 5**

**N/A**

## **ATTACHMENT 6**

The qualified investment will consist of an estimated ninety (90) wind turbines in the Olney ISD that will have a rated capacity of 2.5 megawatts each. In addition to the wind turbines, electrical connections will be installed to permit the interconnection and transmission of electricity generated by the wind turbines. The size and number of turbines will ultimately be determined by the time of the project and availability of turbines. There will be an electrical sub-station within the project boundary, a transmission line to the inter-connection, and related office and control buildings and personal property supporting the project.



**Legend**

- Districts Boundary
- Under 100
- 100-161
- 230-287
- 345
- 500
- 735 and Above
- Step-Up
- AOI
- abstract
- Land Parcels



# Reinvestment Zone - Proposed Archer Young Wind Farm

This drawing is proprietary information owned by BP Wind Energy NA, Inc. and is intended to be held CONFIDENTIAL. Any unauthorized reproduction or distribution is prohibited.



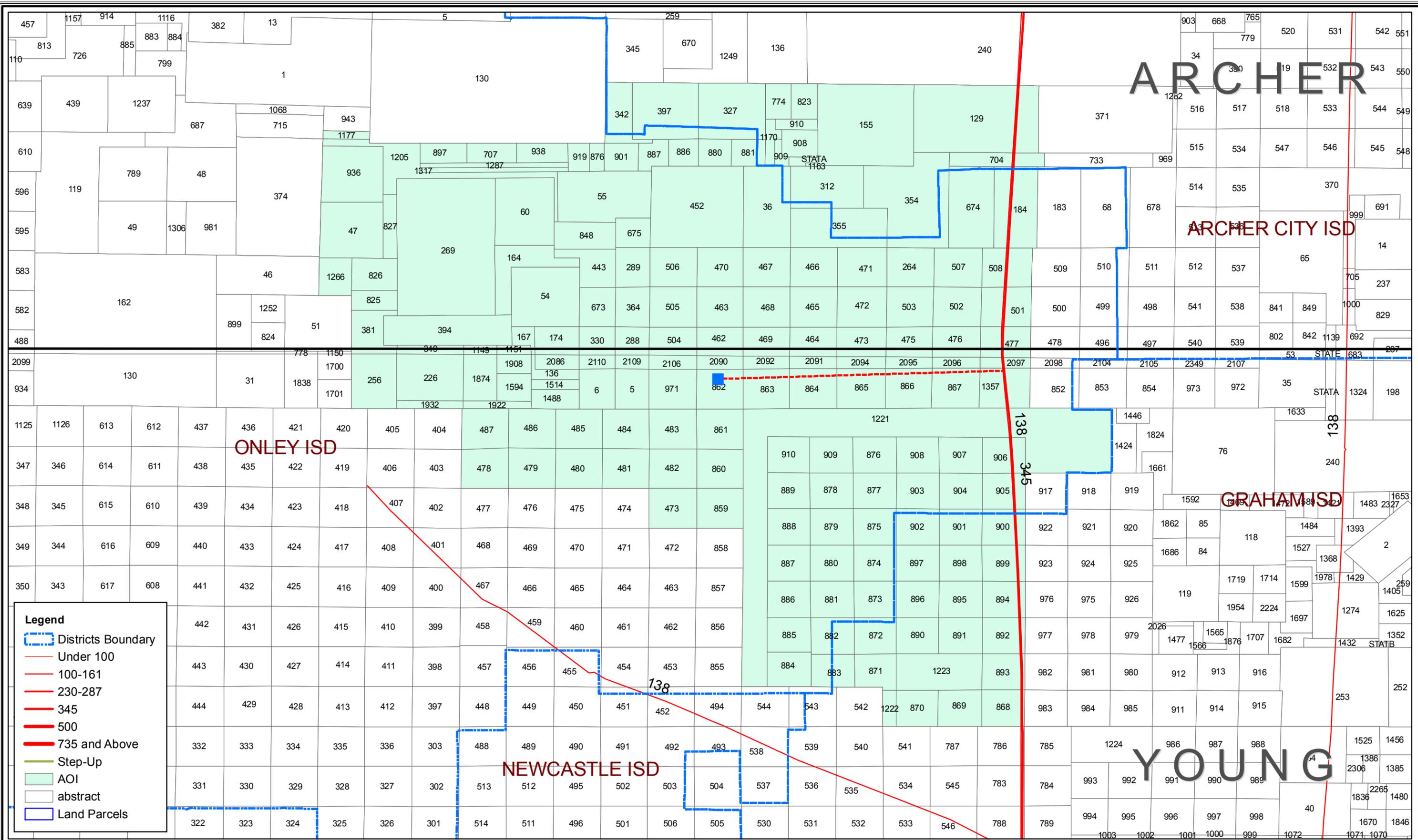
## **ATTACHMENT 8**

The qualified property will consist of an estimated ninety (90) wind turbines in the Olney ISD that will have a rated capacity of 2.5 megawatts each. In addition to the wind turbines, electrical connections will be installed to permit the interconnection and transmission of electricity generated by the wind turbines. The size and number of turbines will ultimately be determined by the time of the project and availability of turbines. There will be an electrical sub-station within the project boundary, a transmission line to the inter-connection, and related office and control buildings and personal property supporting the project.

The precise location of all these are not finalized at this time due to ongoing planning, discussions and negotiations with landowners.

However, all the property for which BP Wind Energy North America Inc is requesting an appraised value limitation as defined by Tax Code Section 313.021(2), which includes approximately 225 MW of turbines, towers, transformers, transmission lines, and associated ancillary equipment necessary to safely operate, maintain and transmit power to the ERCOT grid, and meteorological equipment to measure and test wind speed and direction, and a relatively insubstantial amount of personal property will be placed within the Olney Independent School District Reinvestment Zone. The project boundaries are wholly contained within the reinvestment zone boundaries.

The proposed project will consist of a facility designed to use wind power to generate electricity (commonly referred to as a wind farm). The applicant expects to build the proposed project within one year, with 100% of the construction to be in the Olney Independent School District. Applicant intends to begin construction in the second quarter of 2011. The applicant intends to complete construction prior to the end of 2011 and expects to meet the minimum qualified investment threshold by the end of 2011 and in any event prior to the expiration of the Qualifying Period. All of the property for which the applicant is seeking a limitation on appraised value will be owned by the applicant.



**Legend**

- Districts Boundary
- Under 100
- 100-161
- 230-287
- 345
- 500
- 735 and Above
- Step-Up
- AOI
- abstract
- Land Parcels



# Reinvestment Zone - Proposed Archer Young Wind Farm

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Attachment 10

“Exhibit A”

**Olney Independent School District**

**The lands located in the below described Abstracts in Archer County, TX:**

A-1177  
A-936  
A-1205  
A-897  
A-707  
A-938  
A-919  
A-876  
A-901  
A-887  
A-886  
A-880  
A-881  
A-184  
A-674  
A-355  
A-36  
A-452  
A-55  
A-848  
A-60  
A-1287  
A-1317  
A-47  
A-827  
A-269  
A-60  
A-164  
A-443  
A-675  
A-289  
A-506  
A-470  
A-467  
A-466  
A-471  
A-264  
A-507  
A-508  
A-501

**Olney Independent School District**

**The lands located in the below described Abstracts in Archer Co, TX: (continued)**

A-502  
A-503  
A-472  
A-465  
A-468  
A-463  
A-505  
A-364  
A-673  
A-54  
A-826  
A-825  
A-381  
A-394  
A-1149  
A-1151  
A-167  
A-174  
A-330  
A-288  
A-504  
A-462  
A-469  
A-464  
A-473  
A-475  
A-476  
A-477  
A-1266  
A-349  
A-381

**Olney Independent School District**

**The lands located in the below described Abstracts in Young County, TX:**

A-2086  
A-2110  
A-2109  
A-2106  
A-2090  
A-2092  
A-2091  
A-2094

**Olney Independent School District**

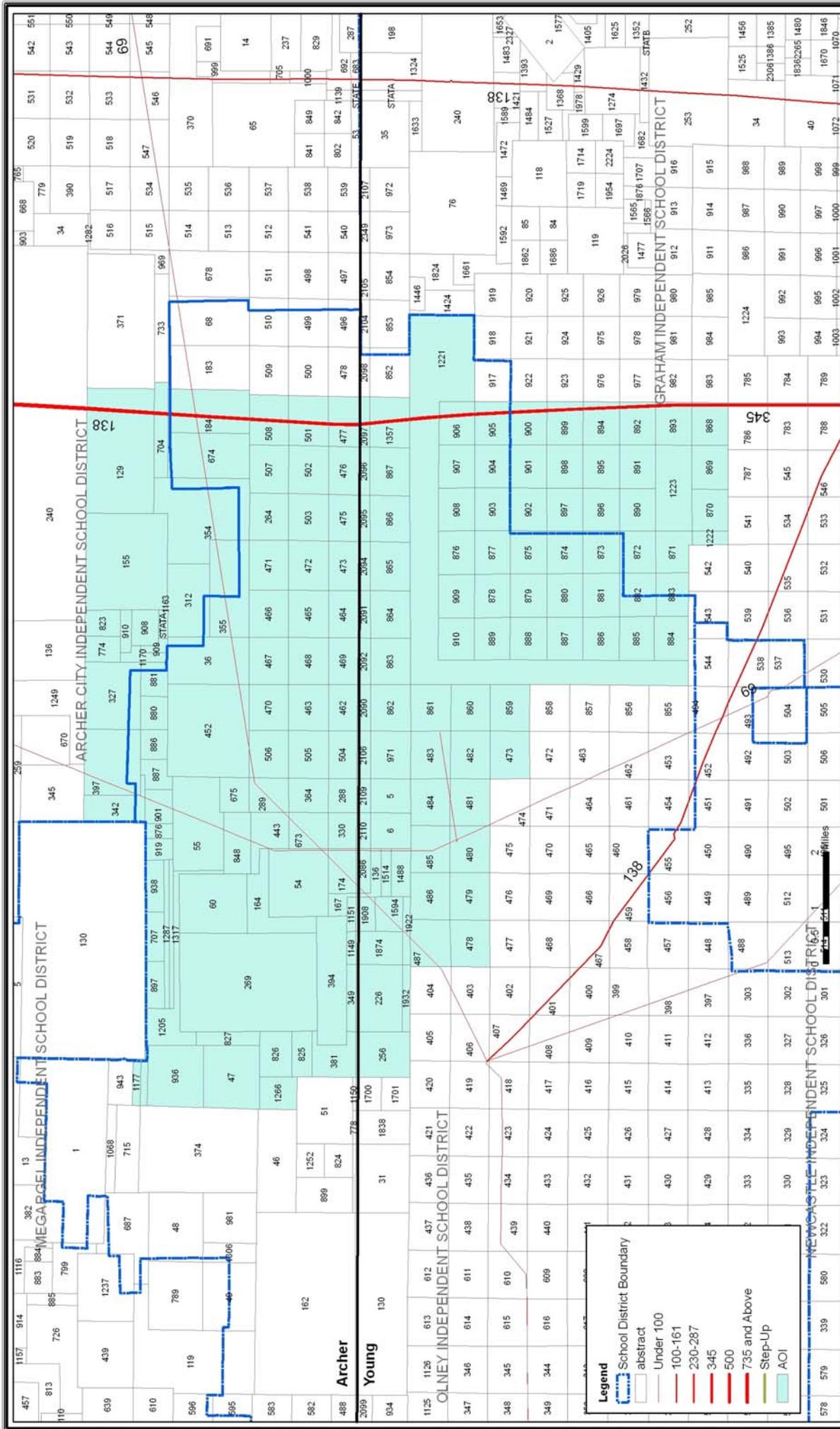
**The lands located in the below described Abstracts in Young Co, TX: (continued)**

A-2095  
A-2096  
A-2097  
A-1357  
A-867  
A-866  
A-865  
A-864  
A-863  
A-862  
A-971  
A-5  
A-6  
A-136  
A-1514  
A-1488  
A-1594  
A-1908  
A-1874  
A-226  
A-256  
A-487  
A-1932  
A-1922  
A-486  
A-485  
A-478  
A-479  
A-480  
A-484  
A-481  
A-483  
A-482  
A-473  
A-861  
A-860  
A-859  
A-1221  
A-906  
A-907  
A-908  
A-876  
A-909

**Olney Independent School District**

**The lands located in the below described Abstracts in Young Co, TX: (continued)**

A-910  
A-889  
A-878  
A-877  
A-903  
A-904  
A-905  
A-875  
A-879  
A-888  
A-873  
A-881  
A-886  
A-887  
A-880  
A-874  
A-884  
A-885  
A-883  
A-882



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# Proposed Reinvestment Zone - Archer Young Wind Farm



Exhibit B

**ATTACHMENT 12**

**N/A**

## **ATTACHMENT 13**

### **Job Requirement Waiver**

The BP Wind Energy Project will create six qualifying jobs, as that term is defined in Chapter 313.021 (3). House Bill 1470 altered the jobs requirement by adding Section 313.025 (f-1) to permit a school district's board of trustees to make a finding that the job requirement could be waived if the job requirement exceeds the industry standard for the number of employees reasonably necessary for the operation of the facility of the property owner that is described in the application.

BP Wind Energy North America Inc has requested that the Olney Independent School District's Board of Trustees make such a finding and waive the job creation requirement. Based on the industry standard, the size and scope of this project will require less than ten permanent jobs.

Wind projects create a large number of part time jobs during the construction phase, but require a small number of highly skilled technicians to operate a wind project once commercial operations start. The permanent employees of a wind project maintain and service wind turbines, underground electrical connections, substations, and other infrastructure associated with the safe and reliable operation of the project. Based on its operating procedures, BP Wind Energy North America Inc staffs a wind farm in a ratio of one full-time employee for every fifteen turbines, although this number can and does vary depending upon the turbine selected and the support and technical assistance offered by the turbine manufacturer. In addition to the onsite employees described above, there may be asset managers or technicians who supervise, monitor, and support wind project operations from offsite locations.

**ATTACHMENT 14**

**110% of Archer County Average Weekly Wage for all Jobs**

2009	2Q	564	
2009	3Q	586	
2009	4Q	639	
2010	1Q	<u>551</u>	
		2340/4 =	\$585 average weekly salary
			<u>X 1.1 (110%)</u>
			\$643.50

**110% of Young County Average Weekly Wage for all Jobs**

2009	2Q	688	
2009	3Q	674	
2009	4Q	738	
2010	1Q	<u>737</u>	
		2837/4 =	\$709.25 average weekly salary
			<u>X 1.1 (110%)</u>
			\$780.18

**110% of Combined County Average Weekly Wage for all Jobs**

Archer	643.50	
Young	<u>780.18</u>	
	1423.68/2 =	\$711.84

**110% of Archer County Average Weekly Wage for Manufacturing Jobs in County**

2009	2Q	503	
2009	3Q	485	
2009	4Q	554	
2010	1Q	<u>520</u>	
		2062/4 =	\$515.50 average weekly salary
			<u>X 1.1 (110%)</u>
			\$567.05

**110% of Young County Average Weekly Wage for Manufacturing Jobs in County**

2009	2Q	990	
2009	3Q	955	
2009	4Q	989	
2010	1Q	<u>1262</u>	
		4196/4 =	\$1049 average weekly salary
			<u>X 1.1 (110%)</u>
			\$1153.90

**110% of Combined County Average Weekly Wage for Manufacturing Jobs in County**

Archer	567.05	
Young	<u>1153.90</u>	
	1720.95/2 =	\$860.48

**110 % of County Average Weekly Wage for Manufacturing Jobs in Region (Nortex)**

\$17.78 per hour

X 40 hr per week

\$ 711.20 average weekly salary

X 1.10 (110%)

\$782.32

X 52 weeks

40,680.64

## Quarterly Employment and Wages (QCEW)

Page 1 of 1 (40 results/page)

Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2009	2nd Qtr	Archer County	Private	31	2	31-33	cturing	\$503
2009	3rd Qtr	Archer County	Private	31	2	31-33	Manufacturing	\$485
2009	4th Qtr	Archer County	Private	31	2	31-33	Manufacturing	\$554
2010	1st Qtr	Archer County	Private	31	2	31-33	Manufacturing	\$520
2010	1st Qtr	Young County	Private	31	2	31-33	Manufacturing	\$1,262
2009	4th Qtr	Young County	Private	31	2	31-33	Manufacturing	\$989
2009	3rd Qtr	Young County	Private	31	2	31-33	Manufacturing	\$955
2009	2nd Qtr	Young County	Private	31	2	31-33	Manufacturing	\$990

## Quarterly Employment and Wages (QCEW)

[Back](#)

Page 1 of 1 (40 results/page)

 Year	 Period	 Area	 Ownership	 Division	 Level	 Ind Code	 Industry	 Avg Weekly Wages
2009	2nd Qtr	Archer County	Private	00	0	10	Total, All Industries	\$564
2009	3rd Qtr	Archer County	Private	00	0	10	Total, All Industries	\$586
2009	4th Qtr	Archer County	Private	00	0	10	Total, All Industries	\$639
2010	1st Qtr	Archer County	Private	00	0	10	Total, All Industries	\$551
2010	1st Qtr	Young County	Private	00	0	10	Total, All Industries	\$737
2009	4th Qtr	Young County	Private	00	0	10	Total, All Industries	\$738
2009	3rd Qtr	Young County	Private	00	0	10	Total, All Industries	\$674
2009	2nd Qtr	Young County	Private	00	0	10	Total, All Industries	\$688

**2008 Manufacturing Wages by Council of Government Region  
Wages for All Occupations**

COG	Wages	
	Hourly	Annual
<b>Texas</b>	<b>\$20.61</b>	<b>\$42,872</b>
<a href="#">1. Panhandle Regional Planning Commission</a>	\$18.23	\$37,916
<a href="#">2. South Plains Association of Governments</a>	\$14.81	\$30,799
<a href="#">3. NORTEX Regional Planning Commission</a>	<b>\$17.78</b>	<b>\$36,982</b>
<a href="#">4. North Central Texas Council of Governments</a>	\$22.60	\$47,011
<a href="#">5. Ark-Tex Council of Governments</a>	\$15.50	\$32,239
<a href="#">6. East Texas Council of Governments</a>	\$16.07	\$33,431
<a href="#">7. West Central Texas Council of Governments</a>	\$16.30	\$33,904
<a href="#">8. Rio Grande Council of Governments</a>	\$14.93	\$31,048
<a href="#">9. Permian Basin Regional Planning Commission</a>	\$17.51	\$36,422
<a href="#">10. Concho Valley Council of Governments</a>	\$14.07	\$29,274
<a href="#">11. Heart of Texas Council of Governments</a>	\$17.19	\$35,749
<a href="#">12. Capital Area Council of Governments</a>	\$24.50	\$50,969
<a href="#">13. Brazos Valley Council of Governments</a>	\$14.93	\$31,052
<a href="#">14. Deep East Texas Council of Governments</a>	\$15.42	\$32,066
<a href="#">15. South East Texas Regional Planning Commission</a>	\$24.60	\$51,161
<a href="#">16. Houston-Galveston Area Council</a>	\$21.80	\$45,353
<a href="#">17. Golden Crescent Regional Planning Commission</a>	\$18.72	\$38,932
<a href="#">18. Alamo Area Council of Governments</a>	\$16.50	\$34,330
<a href="#">19. South Texas Development Council</a>	\$13.76	\$28,631
<a href="#">20. Coastal Bend Council of Governments</a>	\$22.61	\$47,037
<a href="#">21. Lower Rio Grande Valley Development Council</a>	\$13.05	\$27,145
<a href="#">22. Texoma Council of Governments</a>	\$17.99	\$37,415
<a href="#">23. Central Texas Council of Governments</a>	\$16.47	\$34,255
<a href="#">24. Middle Rio Grande Development Council</a>	\$13.85	\$28,810

Source: Texas Occupational Employment and Wages

Data published: 9 June 2009

Data published annually, next update will be June 2010.

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

Wage data is produced from Texas OES data, and is not to be compared to BLS estimates.

Data intended for TAC 313 purposes only.

**ATTACHMENT 15**

In addition to the annual salary, each qualified position will receive Medical, Dental, Vision, Life, and Short & Long Term Disability Insurance. Additional benefits will include a 401K will 100% match up to 6%, and a retirement fund based upon age and years of service.

**ATTACHMENT 16**

**N/A**

Schedule A (Rev. May 2010): Investment

Applicant Name  
ISD Name

Form 50-296

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

The year preceding the first complete tax year of the qualifying time period (assuming no deferrals)	Investment made before filing complete application with district (neither qualified property nor eligible to become qualified investment)	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	Column A: Tangible Personal Property (The amount of new investment (original cost) placed in service of building during this year)	Column B: Building or permanent nonremovable component of building (annual amount only)	Column C: Sum of A and B Qualifying Investment (during the qualifying time period)	Column D: Other investment that is not qualified investment but investment affecting economic impact and total value	Column E: Total Investment (A+B+D)
Tax Credit Period (with 50% cap on credit)	Investment made after final board approval of application (eligible to become qualified property)	1	2010-2011	2010					
		2	2011-12	2011	\$ 319,940,000.00	60,000	\$ 320,000,000.00		\$ 320,000,000.00
		3	2012-13	2012					
		4	2013-14	2013					
		5	2014-15	2014					
		6	2015-16	2015					
		7	2016-17	2016					
		8	2017-18	2017					
		9	2018-19	2018					
		10	2019-20	2019					
		11	2020-21	2020					
		12	2021-22	2021					
		13	2022-23	2022					
		14	2023-24	2023					
		15	2024-25	2024					
Post-Settle-Up Period	Post-Settle-Up Period	2025-26	2025						

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

Column A: This represents the total dollar amount of planned investment in tangible personal property the applicant considers qualified investment - as defined in Tax Code §313.021(1)(A)-(D). For the purposes of investment, please list amount invested each year, not cumulative totals.

Column B: [For the years outside the qualifying time period, this number should simply represent the planned investment in tangible personal property]. Include estimates of investment for "replacement" property-property that is part of original agreement but scheduled for probable replacement during limitation period. The total dollar amount of planned investment each year in buildings or nonremovable component of buildings that the applicant considers qualified investment under Tax Code §313.021(1)(E).

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

Column D: Note: Land can be listed as part of investment during the "pre-year 1" time period. It cannot be part of qualifying investment.

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

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE  
*Sam A. Stearns*

DATE  
7/21/10

Schedule B (Rev. May 2010): Estimated Market And Taxable Value

Applicant Name  
 ISD Name

Form 50-296

				Qualified Property		Reductions from Market Value	Estimated Taxable Value	
				Estimated Market Value of Land	Estimated Total Market Value of new buildings or other new improvements		Estimated Total Market Value of tangible personal property in the new building or "in or on the new improvement"	Final taxable value for 1&S after all reductions
	pre-year 1	2010-2011	2010					
Tax Credit Period (with 50% cap on credit)	Value Limitation Period	2011-12	2011					
		2012-13	2012					
		2013-14	2013		\$ 319,940,000	\$ 60,000	\$ 320,000,000	\$ 320,000,000
		2014-15	2014		\$ 307,142,400	\$ 57,600	\$ 307,142,400	\$ 10,000,000
		2015-16	2015		\$ 294,856,704	\$ 55,296	\$ 294,856,704	\$ 10,000,000
		2016-17	2016		\$ 283,062,436	\$ 53,084	\$ 283,062,436	\$ 10,000,000
		2017-18	2017		\$ 271,739,938	\$ 50,961	\$ 271,739,938	\$ 10,000,000
		2018-19	2018		\$ 260,870,341	\$ 48,922	\$ 260,870,341	\$ 10,000,000
		2019-20	2019		\$ 250,435,527	\$ 46,965	\$ 250,435,527	\$ 10,000,000
		2020-21	2020		\$ 240,418,106	\$ 45,087	\$ 240,418,106	\$ 10,000,000
		2021-22	2021		\$ 230,801,382	\$ 43,283	\$ 230,801,382	\$ 10,000,000
		2022-23	2022		\$ 221,569,327	\$ 41,552	\$ 221,569,327	\$ 221,569,327
		2023-24	2023		\$ 212,706,554	\$ 39,890	\$ 212,706,554	\$ 212,706,554
		2024-25	2024		\$ 204,198,291	\$ 38,294	\$ 204,198,291	\$ 204,198,291
		2025-26	2025		\$ 196,030,360	\$ 36,763	\$ 196,030,360	\$ 196,030,360
Post-Settle-Up Period	15	2025-26	2025	\$ 188,189,145	\$ 35,292	\$ 188,189,145	\$ 188,189,145	

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

Signature: *Sam A. Steger*  
 DATE: 7/21/10  
 SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

**Schedule C - Application: Employment Information**

Applicant Name  
ISD Name

Form 50-296

		Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Construction		New Jobs		Qualifying Jobs	
					Column A: Number of Construction FTE's or man-hours (specify)	Column B: Average annual wage rates for construction workers	Column C: Number of new jobs applicant commits to create (cumulative)	Column D: Average annual wage rate for all new jobs.	Column E: Number of qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Column F: Average annual wage of qualifying jobs
	Complete tax years of qualifying time period	pre-year 1	2010-11	2010						
		1	2011-12	2011	150 FTE	52,000	6	\$41,000	6	\$41,000
		2	2012-13	2012			6	\$41,000	6	\$41,000
		3	2013-14	2013			6	\$41,000	6	\$41,000
		4	2014-15	2014			6	\$41,000	6	\$41,000
		5	2015-16	2015			6	\$41,000	6	\$41,000
		6	2016-17	2016			6	\$41,000	6	\$41,000
		7	2017-18	2017			6	\$41,000	6	\$41,000
		8	2018-19	2018			6	\$41,000	6	\$41,000
		9	2019-20	2019			6	\$41,000	6	\$41,000
		10	2020-21	2020			6	\$41,000	6	\$41,000
		11	2021-22	2021			6	\$41,000	6	\$41,000
		12	2022-23	2022			6	\$41,000	6	\$41,000
		13	2023-24	2023			6	\$41,000	6	\$41,000
	Post- Settle-Up Period	14	2024-25	2024			6	\$41,000	6	\$41,000
	Post- Settle-Up Period	15	2025-26	2025			6	\$41,000	6	\$41,000

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

This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

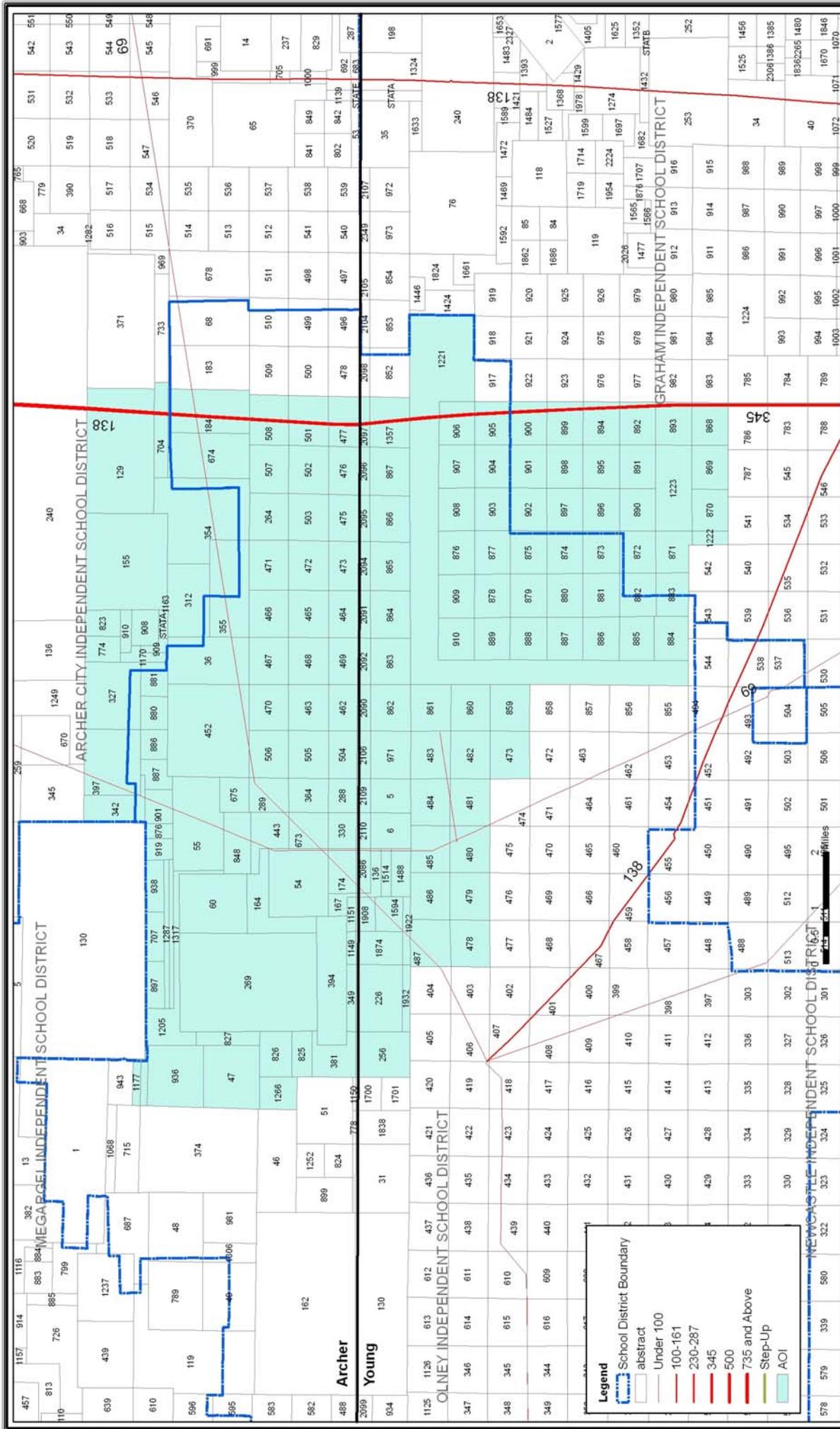
SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE 7/21/10



Sam A. Green  
SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

7/21/10  
DATE



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# Proposed Reinvestment Zone - Archer Young Wind Farm

Exhibit B



## RESOLUTION

**A RESOLUTION DESIGNATING A CERTAIN AREA AS A REINVESTMENT ZONE FOR TEXAS TAX CODE CHAPTER 313 APPRAISED VALUE LIMITATION IN THE OLNEY INDEPENDENT SCHOOL DISTRICT, IN PORTIONS OF ARCHER AND YOUNG COUNTY TEXAS, TO BE KNOWN AS *OLNEY INDEPENDENT SCHOOL DISTRICT REINVESTMENT ZONE NUMBER ONE*; ESTABLISHING THE BOUNDARIES THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE.**

*WHEREAS*, the Board of Trustees of the Olney Independent School District desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a reinvestment zone as authorized by the Property Redevelopment and Tax Abatement Act, as amended (V.T.C.A. Texas Tax Code § 312.0025), for the purpose of authorizing an *Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes*, as authorized by the V.T.C.A. Texas Tax Code § Chapter 313; and,

*WHEREAS*, on October 20, 2008, a hearing before the Board of Trustees of the Olney Independent School District was held, such date being at least seven (7) days after the date of publication of the notice of such public hearing, and the delivery of written notice to the respective presiding officers of each taxing entity which includes within its boundaries real property that is to be included in the proposed reinvestment zone; and,

*WHEREAS*, the Board of Trustees of the Olney Independent School District at such public hearing invited any interested person to appear and speak for or against the creation of the reinvestment zone, and whether all or part of the territory described should be included in the proposed reinvestment zone; and,

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

***BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE OLNEY INDEPENDENT SCHOOL DISTRICT:***

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

**SECTION 2.** That the Board of Trustees of the Olney Independent School District, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations based on the evidence and testimony presented to it:

- (a) That the public hearing on the adoption of *Olney Independent School District Reinvestment Zone Number One* has been properly called, held and conducted, and that notices of such hearing have been published as required by law and mailed to the respective presiding officers of the governing bodies of all taxing units overlapping the territory inside the proposed reinvestment zone; and,
- (b) That the boundaries of *Olney Independent School District Reinvestment Zone Number One* be the area as described in the legal description attached hereto as “**EXHIBIT A**”; and,
- (c) That the map attached hereto as “**EXHIBIT B**” shows the *Olney Independent School District Reinvestment Zone Number One* boundaries and that the property described is inside those boundaries; and,; and,
- (d) That creation of the proposed *Olney Independent School District Reinvestment Zone Number One* with boundaries as described in “**EXHIBIT A**”; will result in benefits to the Olney Independent School District and to land included in the zone, and that the improvements sought are feasible and practical and will be a benefit to the land to be included in this Reinvestment Zone and to the District after the expiration of the *Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes*, as authorized by the V.T.C.A. Texas Tax Code § Chapter 313; entered into contemporaneously with the adoption of this Resolution; and,
- (e) The *Olney Independent School District Reinvestment Zone Number One* described in “**EXHIBIT A**” meets the criteria set forth in Texas Tax Code §312.0025 for the creation of a reinvestment zone as set forth in the Property Redevelopment and Tax Abatement Act, as amended, in that it is reasonably likely that the designation will contribute to the retention or expansion of primary employment, and/or will attract investment in the zone that will be a benefit to the property, and would contribute to economic development within the Olney Independent School District.

**SECTION 3.** That pursuant to the Property Redevelopment and Tax Abatement Act, as amended, the Olney Independent School District, hereby creates a reinvestment zone under the provisions of Tex. Tax Code § 312.0025, encompassing the area described by the legal description in “**EXHIBIT A**,” and such reinvestment zone is hereby designated and shall hereafter be referred to as *Olney Independent School District Reinvestment Zone Number One*.

**SECTION 4.** That *Olney Independent School District Reinvestment Zone Number One* shall take effect upon adoption by the Board of Trustees and shall remain designated as a commercial-industrial reinvestment zone for a period of five (5) years from such date of such designation.

**SECTION 5.** That if any section, paragraph, clause or provision of this Resolution shall for any reason beheld to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

**SECTION 6.** That it is hereby found, determined and declared that a sufficient notice of the date, hour, place and subject of the meeting of the Olney Independent School District Board of Trustees, at which this Resolution was adopted, was posted at a place convenient and readily accessible at all times, as required by the Texas Open Government Act, Texas Government Code, Chapter 551, as amended; and that a public hearing was held prior to the designation of such reinvestment zone, and that proper notice of the hearing was published in newspapers of general circulation in Archer and Young Counties of the State of Texas, and furthermore, such notice was, in fact, delivered to the presiding officer of any effected taxing entity as prescribed by the Property Redevelopment and Tax Abatement Act.

PASSED, APPROVED AND ADOPTED on this 20<sup>th</sup> day of October, 2008.

**OLNEY INDEPENDENT SCHOOL DISTRICT**

By:   
\_\_\_\_\_  
DAVID ICKERT  
President  
Board of Trustees

**ATTEST:**

  
\_\_\_\_\_  
JAN WILLIAMS  
Secretary  
Board of Trustees

---

**“Exhibit A”**

**Olney Independent School District**

**The lands located in the below described Abstracts in Archer County, TX:**

A-1177  
A-936  
A-1205  
A-897  
A-707  
A-938  
A-919  
A-876  
A-901  
A-887  
A-886  
A-880  
A-881  
A-184  
A-674  
A-355  
A-36  
A-452  
A-55  
A-848  
A-60  
A-1287  
A-1317  
A-47  
A-827  
A-269  
A-60  
A-164  
A-443  
A-675  
A-289  
A-506  
A-470  
A-467  
A-466  
A-471  
A-264  
A-507  
A-508  
A-501

**Olney Independent School District**

The lands located in the below described Abstracts in Archer Co, TX: (continued)

A-502  
A-503  
A-472  
A-465  
A-468  
A-463  
A-505  
A-364  
A-673  
A-54  
A-826  
A-825  
A-381  
A-394  
A-1149  
A-1151  
A-167  
A-174  
A-330  
A-288  
A-504  
A-462  
A-469  
A-464  
A-473  
A-475  
A-476  
A-477  
A-1266  
A-349  
A-381

**Olney Independent School District**

The lands located in the below described Abstracts in Young County, TX:

A-2086  
A-2110  
A-2109  
A-2106  
A-2090  
A-2092  
A-2091  
A-2094

**Olney Independent School District**

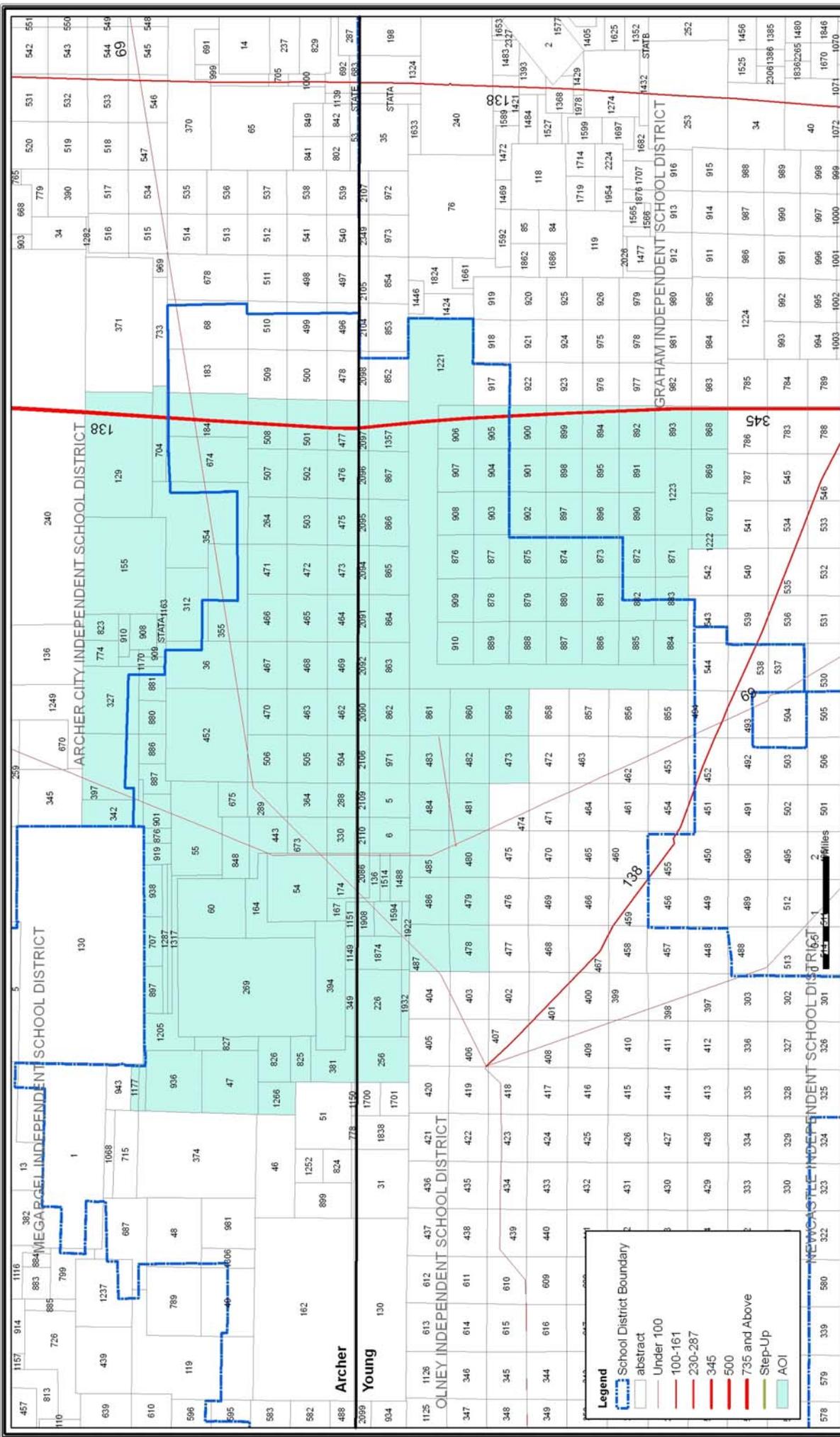
**The lands located in the below described Abstracts in Young Co, TX: (continued)**

A-2095  
A-2096  
A-2097  
A-1357  
A-867  
A-866  
A-865  
A-864  
A-863  
A-862  
A-971  
A-5  
A-6  
A-136  
A-1514  
A-1488  
A-1594  
A-1908  
A-1874  
A-226  
A-256  
A-487  
A-1932  
A-1922  
A-486  
A-485  
A-478  
A-479  
A-480  
A-484  
A-481  
A-483  
A-482  
A-473  
A-861  
A-860  
A-859  
A-1221  
A-906  
A-907  
A-908  
A-876  
A-909

**Olney Independent School District**

**The lands located in the below described Abstracts in Young Co, TX: (continued)**

A-910  
A-889  
A-878  
A-877  
A-903  
A-904  
A-905  
A-875  
A-879  
A-888  
A-873  
A-881  
A-886  
A-887  
A-880  
A-874  
A-884  
A-885  
A-883  
A-882



The drawing is proprietary information owned by BP Wind Energy S.A. Inc. and its subsidiaries. All rights reserved. Any unauthorized reproduction or distribution is prohibited.

# Proposed Reinvestment Zone - Archer Young Wind Farm

Exhibit B



Attachment 23

“Exhibit A”

**Olney Independent School District**

**The lands located in the below described Abstracts in Archer County, TX:**

A-1177  
A-936  
A-1205  
A-897  
A-707  
A-938  
A-919  
A-876  
A-901  
A-887  
A-886  
A-880  
A-881  
A-184  
A-674  
A-355  
A-36  
A-452  
A-55  
A-848  
A-60  
A-1287  
A-1317  
A-47  
A-827  
A-269  
A-60  
A-164  
A-443  
A-675  
A-289  
A-506  
A-470  
A-467  
A-466  
A-471  
A-264  
A-507  
A-508  
A-501

**Olney Independent School District**

The lands located in the below described Abstracts in Archer Co, TX: (continued)

A-502  
A-503  
A-472  
A-465  
A-468  
A-463  
A-505  
A-364  
A-673  
A-54  
A-826  
A-825  
A-381  
A-394  
A-1149  
A-1151  
A-167  
A-174  
A-330  
A-288  
A-504  
A-462  
A-469  
A-464  
A-473  
A-475  
A-476  
A-477  
A-1266  
A-349  
A-381

**Olney Independent School District**

The lands located in the below described Abstracts in Young County, TX:

A-2086  
A-2110  
A-2109  
A-2106  
A-2090  
A-2092  
A-2091  
A-2094

**Olney Independent School District**

**The lands located in the below described Abstracts in Young Co, TX: (continued)**

A-2095  
A-2096  
A-2097  
A-1357  
A-867  
A-866  
A-865  
A-864  
A-863  
A-862  
A-971  
A-5  
A-6  
A-136  
A-1514  
A-1488  
A-1594  
A-1908  
A-1874  
A-226  
A-256  
A-487  
A-1932  
A-1922  
A-486  
A-485  
A-478  
A-479  
A-480  
A-484  
A-481  
A-483  
A-482  
A-473  
A-861  
A-860  
A-859  
A-1221  
A-906  
A-907  
A-908  
A-876  
A-909

**Olney Independent School District**

**The lands located in the below described Abstracts in Young Co, TX: (continued)**

- A-910
- A-889
- A-878
- A-877
- A-903
- A-904
- A-905
- A-875
- A-879
- A-888
- A-873
- A-881
- A-886
- A-887
- A-880
- A-874
- A-884
- A-885
- A-883
- A-882

**ATTACHMENT 24**

**N/A**