

POPP | HUTCHESON<sub>PLLC</sub>  
The Property Tax Firm

May 14, 2013

Dr. Rodney Cavness  
Port Neches-Groves ISD  
620 Avenue C  
Port Neches, TX 77651

**Certified Article Number**

7196 9008 9040 1709 9005

**SENDERS RECORD**

Re: Form 50-772 - *Chapter 313 Annual Eligibility Report*

Dr. Cavness:

Enclosed please find the Annual Eligibility Report and Biennial Progress Report for BASF TOTAL Petrochemicals, LLC, formerly Sabina Petrochemicals, LLC in Jefferson County, TX pursuant to Chapter 313 of the Texas Property Tax Code.

Please contact me at 512-473-2661 or via email at [blas.ortiz@property-tax.com](mailto:blas.ortiz@property-tax.com) if you need additional information regarding this matter.

Sincerely,

POPP HUTCHESON PLLC



Blas J. Ortiz  
Tax Consultant

Enclosures

cc: Chris Miller – TOTAL Petrochemicals USA, Inc.  
Anthony Germinario – BASF Corporation



# Chapter 313 Annual Eligibility Report Form

**Form 50-772**  
(May 2010)

**2012**

Tax Year covered in this report

**Port Neches-Groves ISD**

**\$0.348070**

**\$1.0400**

School district name

I&S Tax Rate

M&O Tax Rate

**Butadine Unit, C4 Hydrogenation; Indirect Alkylation; Olefin Conversion**

**BASF TOTAL Petrochemicals LLC (f/k/a Sabina Petrochemicals LLC and BASF FINA Petrochemicals Limited Partnership)**

Project Name

Company Name

**P.O. Box 674411, Houston, Texas 77267-4411**

**Wayne Travis (713) 485-5713 E-mail: wayne.travis@total.com**

Company Address

Company Contact Information

NOTE: This form must be completed by an authorized representative of each approved applicant and each entity with property subject to the limitation agreement. It must be submitted to the school district by May 15th of every year using information from the previous tax (calendar) year. For limitation agreements where there are multiple company entities that receive a part of the limitation provided by the agreement: 1) each business entity not having a full interest in the agreement should complete a separate form for their proportionate share of required employment and investment information; and, 2) separately, the school district is required to complete an Annual Eligibility Report that provides for each question in this form a sum of the individual answers from reports submitted by each entity so that there is a cumulative Annual Eligibility Report reflecting the entire agreement.

**17429973229 12236204884**

Texas Taxpayer ID of Applicant

Texas Taxpayer ID Reporting Entity (if appropriate)

**December 10, 2002**

**Sabina Petrochemicals LLC, ATOFINA Petrochemicals Inc., and BASF Corporation**

Date of Agreement Approval

Original Applicant Name

**2003**

**2004**

First complete tax year of the qualifying time period

Last tax year of the qualifying time period

**2005**

**\$30,000,000**

First tax year of the limitation

Amount of the limitation at the time of application approval

## QUALIFIED PROPERTY INFORMATION

**\$73,459,100**

**\$73,459,100**

**\$30,000,000**

Market Value

I&S Taxable Value

M&O Taxable Value

Is the business entity in good standing with respect to Tax Code, Chapter 171?

(Attach printout from Comptroller Web site: <http://www.window.state.tx.us/taxinfo/coasintr.html>)

Yes  No

Is the business entity current on all taxes due to the State of Texas?

Yes  No

Is the business activity of the project an eligible business activity under Section 313.024(b)?

Yes  No

Please identify business activity: \_\_\_\_\_

**N/A**

What was the application review start date for your application (the date your application was determined to be complete)?  
(This question must only be answered for projects with applications approved after June 1, 2010.)

**33**

How many new jobs were based on the qualified property in the year covered by this report? (See note on page 3.)

**10**

What is the number of new jobs required for a project in this school district according to 313.021(2)(A)(iv)(b), 313.051(b), as appropriate?

**N/A**

If the applicant requested a waiver of minimum jobs requirement, how many new jobs must the approved applicant create under the waiver?

**26**

80 percent of New Jobs (0.80 x number of new jobs based on the qualified property in the year covered by this report.)

What is the minimum required annual wage for each qualifying job in the year covered by the report? ..... \$64,596.40

For agreements executed prior to June 19, 2009, please identify which of the two Tax Code sections is used to determine the wage standard required by the agreement: §313.021(5)(A) or §313.051(b). For agreements executed after June 19, 2009, please identify which of the four Tax Code sections is used to determine the wage standard required by the agreement: §313.021(5)(A), §313.021(5)(B), §313.021(3)(E)(ii), or §313.051(b). ..... §313.051(b)

Attach calculations and cite (or attach) exact Texas Workforce Commission data sources. .... See Attached

How many qualifying jobs (employees of this entity and employees of a contractor with this entity) were based on the qualified property in the year covered by the report? ..... 33

Of the qualifying job-holders last year, how many were employees of the approved applicant? ..... -0-

Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant? ..... 33

If any qualifying job-holders were employees of an entity contracting with the applicant, does the approved applicant or assignee have documentation from the contractor supporting the conclusion that those jobs are qualifying jobs? .....  NA  Yes  No

**THE FOLLOWING QUESTIONS APPLY ONLY TO APPROVED APPLICANTS WITH AGREEMENTS THAT REQUIRE THE APPROVED APPLICANT TO PROVIDE A SPECIFIED NUMBER OF JOBS AT A SPECIFIED WAGE.**

How many qualifying jobs did the approved applicant commit to create in the year covered by the report? ..... N/A

At what annual wage? ..... N/A

How many qualifying jobs were created at the specified wage? ..... N/A

**ENTITIES ARE NOT REQUIRED TO ANSWER THE FOLLOWING FIVE QUESTIONS IF THE YEAR COVERED BY THE REPORT IS AFTER THE QUALIFYING TIME PERIOD OF THEIR AGREEMENT.**

What is the qualified investment expended by this entity from the beginning of the qualifying time period through the end of the year covered by this report? ..... N/A

Was any of the land classified as qualified investment? .....  Yes  No

Was any of the qualified investment leased under a capitalized lease? .....  Yes  No

Was any of the qualified investment leased under and operating lease? .....  Yes  No

Was any property not owned by the applicant part of the qualified investment? .....  Yes  No

**THE FOLLOWING QUESTIONS MUST BE ANSWERED BY ENTITIES HAVING A PARTIAL INTEREST IN AN AGREEMENT.**

What was your limitation amount (or portion of original limitation amount) during the year covered by this report? ..... \$30,000,000

Please describe your interest in the agreement and identify all the documents creating that interest.

The original applicants, and the original parties to the agreement, were Sabina Petrochemicals LLC, ATOFINA Petrochemicals, Inc. (now known as TOTAL PETROCHEMICALS USA, INC.), and BASF Corporation. TOTAL PETROCHEMICALS USA, INC. and BASF Corporation assigned their respective interests in the agreement to BT Propylene LLC, a wholly-owned subsidiary of BASF FINA Petrochemicals Limited Partnership, pursuant to that certain Assignment and Assumption of Interest in Texas Economic Development Act Participation Agreement dated December 28, 2004. At the time of such assignment, and at all times thereafter, BASF FINA Petrochemicals Limited Partnership was and is wholly-owned, directly and indirectly, by TOTAL PETROCHEMICALS USA, INC. and BASF Corporation. Pursuant to a Certificate of Merger filed with the Texas Secretary of State on December 11, 2008, BT Propylene LLC merged with and into BASF FINA Petrochemicals Limited Partnership effective December 11, 2008. As a result of such merger, BT Propylene LLC's interest in the agreement was assigned by operation of law to BASF FINA Petrochemicals Limited Partnership. On August 31, 2012 Sabina Petrochemicals LLC was merged into the joint venture of BASF TOTAL Petrochemicals LLC, which consolidates the joint ventures formerly known as BASF FINA Petrochemicals Limited Partnership and Sabina Petrochemicals LLC.

NOTE: For job definitions see TAC §9.1051(14) and Tax Code, §313.021(3). If the agreement includes a definition of "new job" other than TAC §9.1051(14)(C), then please provide the definition "new job" as used in the agreement.

Notwithstanding any waiver by the district of the requirement for the creation of a minimum number of new jobs, or any other job commitment in the agreement, Tax Code 313.024(d) requires that 80 percent of all new jobs be qualifying jobs.

**APPROVAL.**

*"I am the authorized representative for the Company submitting this Annual Eligibility Report. I understand that this Report is a government record as defined in Chapter 37 of the Texas Penal Code. The information I am providing on this Report is true and correct to the best of my knowledge and belief."*



Signature

Blas Ortiz

Printed name of authorized company representative

Tax Consultant

Title

May 14, 2013

Date

**CONTACT INFORMATION FOR AUTHORIZED REPRESENTATIVE**

1301 S. Mopac Ste 430, Austin, TX 78746

Address

512-473-2661

Phone

blas.ortiz@property-tax.com

E-mail



## Franchise Tax Account Status

As of: 05/07/2013 05:15:38 PM

**This Page is Not Sufficient for Filings with the Secretary of State**

<b>SABINA PETROCHEMICALS LLC</b>	
Texas Taxpayer Number	17429973229
Mailing Address	100 PARK AVE FLORHAM PARK, NJ 07932-1049
Right to Transact Business in Texas	FRANCHISE TAX ENDED
State of Formation	DE
Texas SOS File Number	0800057741
Registered Agent Name	C T CORPORATION SYSTEM
Registered Office Street Address	350 N. ST. PAUL ST. STE. 2900 DALLAS, TX 75201



## Franchise Tax Account Status

As of: 05/07/2013 05:14:50 PM

**This Page is Not Sufficient for Filings with the Secretary of State**

<b>BASF TOTAL PETROCHEMICALS LLC</b>	
Texas Taxpayer Number	12236204884
Mailing Address	100 PARK AVE C/O CHRISTOPHER ZARO FLORHAM PARK, NJ 07932-1049
Right to Transact Business in Texas	ACTIVE
State of Formation	DE
Texas SOS File Number	0801691640
Registered Agent Name	CT CORPORATION SYSTEM
Registered Office Street Address	350 N. ST. PAUL ST. STE. 2900 DALLAS, TX 75201

**2011 Manufacturing Wages by Council of Government Region  
Wages for All Occupations**

COG	Wages	
	Hourly	Annual
<b>Texas</b>	<b>\$22.89</b>	<b>\$47,610</b>
<u>1. Panhandle Regional Planning Commission</u>	\$19.32	\$40,196
<u>2. South Plains Association of Governments</u>	\$16.45	\$34,210
<u>3. NORTEX Regional Planning Commission</u>	\$18.14	\$37,733
<u>4. North Central Texas Council of Governments</u>	\$24.03	\$49,986
<u>5. Ark-Tex Council of Governments</u>	\$16.52	\$34,366
<u>6. East Texas Council of Governments</u>	\$18.27	\$37,995
<u>7. West Central Texas Council of Governments</u>	\$17.76	\$36,949
<u>8. Rio Grande Council of Governments</u>	\$15.69	\$32,635
<u>9. Permian Basin Regional Planning Commission</u>	\$21.32	\$44,349
<u>10. Concho Valley Council of Governments</u>	\$15.92	\$33,123
<u>11. Heart of Texas Council of Governments</u>	\$18.82	\$39,150
<u>12. Capital Area Council of Governments</u>	\$26.46	\$55,047
<u>13. Brazos Valley Council of Governments</u>	\$15.71	\$33,718
<u>14. Deep East Texas Council of Governments</u>	\$15.48	\$32,207
<u>15. South East Texas Regional Planning Commission</u>	\$28.23	\$58,724
<u>16. Houston-Galveston Area Council</u>	\$25.82	\$53,711
<u>17. Golden Crescent Regional Planning Commission</u>	\$20.38	\$42,391
<u>18. Alamo Area Council of Governments</u>	\$18.00	\$37,439
<u>19. South Texas Development Council</u>	\$13.85	\$28,806
<u>20. Coastal Bend Council of Governments</u>	\$22.35	\$46,489
<u>21. Lower Rio Grande Valley Development Council</u>	\$15.08	\$31,365
<u>22. Texoma Council of Governments</u>	\$20.76	\$43,190
<u>23. Central Texas Council of Governments</u>	\$16.17	\$33,642
<u>24. Middle Rio Grande Development Council</u>	\$13.65	\$28,382

Source: Texas Occupational Employment and Wages

Data published: July 2012

\$58,724 x 110% =

Data published annually, next update will be summer 2013

\$64,596.40

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.