

**RESOLUTION OF THE COMMISSIONERS COURT  
OF DEAF SMITH COUNTY, TEXAS  
DESIGNATING REINVESTMENT ZONE NUMBER 2013-01**

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

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

*WHEREAS*, on April 22, 2013, a hearing before the Commissioners Court of Deaf Smith County, Texas was held, such date being at least seven (7) days after the date of publication of the notice of such public hearing in the local newspaper of general circulation in Deaf Smith County and the delivery of written notice to the respective presiding officers of each taxing entity that includes within its boundaries real property that is to be included in the proposed reinvestment zone; and

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

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

***BE IT RESOLVED BY THE COMMISSIONERS COURT OF DEAF SMITH COUNTY, TEXAS:***

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

**SECTION 2.** That the Commissioners Court of Deaf Smith County, Texas, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations based on the evidence and testimony presented to it:

- (a) That the public hearing on adoption of the reinvestment zone has been properly called, held and conducted and that notice of such hearing has been published as required by law and mailed to the respective presiding officers of the governing bodies of all taxing units overlapping the territory inside the proposed reinvestment zone; and

- (b) That the boundaries of the proposed reinvestment zone should be the area described in the description attached hereto as Exhibit "A" and depicted on the map attached hereto as Exhibit "B", both Exhibits being incorporated herein by reference for all purposes; and,
- (c) That creation of the reinvestment zone will result in benefits to Deaf Smith County, Texas and to land included in the reinvestment zone and that the improvements sought are feasible and practical; and
- (d) The reinvestment zone meets the criteria set forth in Texas Property Tax Code Chapter 312 for the creation of a reinvestment zone as set forth in the Property Redevelopment and Tax Abatement Act, as amended, and the Guidelines, in that it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract investment in the zone that would be a benefit to the property and that would contribute to the economic development of Deaf Smith County, Texas, and that the entire tract of land is located entirely within an unincorporated area of Deaf Smith County, Texas.

SECTION 3. That pursuant to the Property Redevelopment and Tax Abatement Act, as amended, and the Guidelines, the Deaf Smith County Commissioners Court hereby creates Deaf Smith County Reinvestment Zone Number 2013-01; a reinvestment zone for commercial-industrial tax abatement encompassing only the area described in "Exhibit A" and depicted in Exhibit "B", and such reinvestment zone is hereby designated and shall hereafter be referred to as Deaf Smith County Reinvestment Zone Number 2013-01.

SECTION 4. That Deaf Smith County Reinvestment Zone Number 2013-01 shall take effect on April 22, 2013 and shall remain designated as a commercial-industrial reinvestment zone for a period of five (5) years from such date of designation, and may be renewed for an additional five (5) year period thereafter.

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

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

PASSED, APPROVED AND ADOPTED on this the \_\_\_\_ day of April, 2013.

*Pat Smith*

Pat Smith  
Commissioner, Precinct 1

*Jerry O'Connor*

Jerry O'Connor  
Commissioner, Precinct 2

*Mike Brumley*

Mike Brumley  
Commissioner, Precinct 3

*David Wagner*

David Wagner  
Commissioner, Precinct 4

*Tom Simons*

Tom Simons  
County Judge

*Amelda DeLaCruz*

County Clerk

[COUNTY SEAL]

**EXHIBIT A**  
**DESCRIPTION OF**  
**DEAF SMITH COUNTY**  
**REINVESTMENT ZONE 2013-01**

The SE/4 of Section 86, Blk M7, BS&F Survey, Deaf Smith County, Texas

All of Sections 1, 2, 3, 4, 19, 20, 21, 22, 23, 24, 25, 26, 41, 42, 43, 44, 45, 46, 47, 48, 63, 64, 65, 66, 67, 68, 69, and 70, Blk M7, BS&F Survey, Deaf Smith County, Texas

Those portions of Sections 71, 62, 49, 40, 27, 18, and 5, Blk M7, BS&F Survey, lying in Deaf Smith County, Texas

WT THORP Survey, Deaf Smith County, Texas

WH HOWARD Survey, Deaf Smith County, Texas

JS WICHE Survey, Deaf Smith County, Texas

AS GRACY Survey, Deaf Smith County, Texas

All of Sections 318, 319, 320, 321, 322, 323, 358, 359, and 360, Blk. M-6, SK&K Survey, Deaf Smith County, Texas

Those portions of Sections 281, 282, 283, 284, 317, 324, 356, and 357, Blk M-6, SK&K Survey, lying in Deaf Smith County, Texas

**EXHIBIT B**  
**MAP OF**  
**DEAF SMITH COUNTY**  
**REINVESTMENT ZONE 2013-01**



Exhibit "B"