FILED FOR RECORD
_____O'CLOCK_____M.

JUL 0 8 2013

JANICE ROBINSON, County Clerk
JACK COUNTY, TEXAS
BY_____DEPUTY

COUNTY OF JACK

STATE OF TEXAS

AN ORDER CREATING THE KEECHI REINVESTMENT ZONE (JACK COUNTY REINVESTMENT ZONE NO. 7) FOR TAX ABATEMENT PURPOSES; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY

WHEREAS, the creation and retention of job opportunities in Jack County is paramount to the County's continued economic development; and

WHEREAS, Keechi Wind, L.L.C. ("Keechi Wind") desires to invest in the construction of a facility within the proposed zone (as defined below) to be used as an wind generation electric power plant; and

WHEREAS, Keechi Wind has filed a written request for tax abatement; and

WHEREAS, Keechi Wind represents that upon the completion of the improvements to the property, the value of said property will increase; and

WHEREAS, Keechi Wind represents that it will create full-time jobs in the proposed zone (as defined below), on a permanent basis; and

WHEREAS, the Commissioners Court of Jack County held a public hearing on July 8, 2013, on the designation of the proposed reinvestment zone to be known as "Keechi Reinvestment Zone" (Jack County Reinvestment Zone No. 7) (the "proposed zone"); and

WHEREAS, it is reasonably likely that the creation of the proposed zone will contribute to the retention or expansion of primary employment and will attract major investment in the proposed zone that will be a benefit to the property and that will contribute to the economic development of the County; and

WHEREAS, the improvements sought to be constructed and installed within the proposed zone are feasible and practicable and will be of benefit to the land to be included within the proposed zone and to the County; NOW, THEREFORE,

BE IT ORDERED BY THE COMMISSIONERS COURT OF JACK COUNTY, TEXAS:

Section 1. The findings and recitals contained in the preamble of this Order are found to be true and correct and are adopted as part of this Order for all purposes.

Section 2. Jack County hereby establishes and designates a reinvestment zone to be known as "Jack County Reinvestment Zone No. 7" (referred to hereinafter as the "Zone") for the purpose of encouraging economic development through commercial-industrial tax abatement. This designation shall be effective for five (5) years from the effective date of this Order.

Section 3. The Zone encompasses the area described in Exhibit A attached and said Exhibit accurately shows the *Jack County Reinvestment Zone No. 7* boundaries and the property described therein is inside those boundaries of the said Zone 7.

Section 4. This Order shall serve as notice of the establishment of the Zone by the County to every taxing unit that includes inside its boundaries property that is located within the boundaries of the Zone, and the County Judge is hereby directed to send certified copies of this Order to all such affected taxing units.

Section 5. Should any portion or part of this Order be held for any reason to be invalid and unenforceable, the same shall not be construed to affect any other valid portion hereof, but all valid portions hereof shall remain in full force and effect and to this end all provisions of this Order are hereby declared to be severable.

Section 6. The Commissioners Court officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place, and subject of this meeting of the Commissioners Court was posted at a place convenient to the public for the time required by law preceding this meeting, as required by law; and that this meeting has been open to the public as required by law at all times during which this Order and the subject matter thereof has been discussed, considered, and formally acted upon. The Commissioners Court further ratifies, approves, and confirms such written notice and the contents and posting thereof.

PASSED, APPROVED, AND ADOPTED THIS 8th day of July, 2013.

COUNTY OF JACK

By:

Mitchell G. Davenport,
County Judge of Jack County, Texas

Fearl Smith,
County Commissioner, Prct. 1, Jack County

James L. Brock,
County Commissioner, Prct. 2, Jack County

James L. Cozart,
County Commissioner, Prct. 3, Jack County

Terry Ward,
County Commissioner, Prct. 4, Jack County

ATTEST:

Janice Robinson

Janice C. Robinson, County Clerk of Jack County, Texas

THE STATE OF TEXAS
JACK COUNTY

By: _____

Deputy Clerk

LEGAL DESCRIPTION OF KEECHI WIND, LLC REINVESTMENT ZONE

Approximately 147.9 acres out of the Thomas Rives Survey, Abstract 505 being more fully described as: Beginning in the Southwestern most corner of the Thomas Rives Survey, Abstract 505, said corner being shared with the Northwest corner of the TH West Survey, Abstract 1499, thence northeasterly along the west line of the Thomas Rives Survey, Abstract 505 a distance of 3,455', thence Southeasterly a distance of 1,600' thence South a distance of 3,238' to the South line of the Thomas Rives, Survey Abstract 505 being the North line of the W Hart Survey, Abstract 278, thence West along the southern survey line of the Thomas Rives Survey, Abstract 505 being the northern survey line of the W Hart Survey, Abstract 505 a distance of 2,209' to the point of beginning being approximately 147.9 acres.

That portion of the CSL Henderson Survey, Abstract 257 lying West of Highway 1156.

All of the following abstracts and surveys:

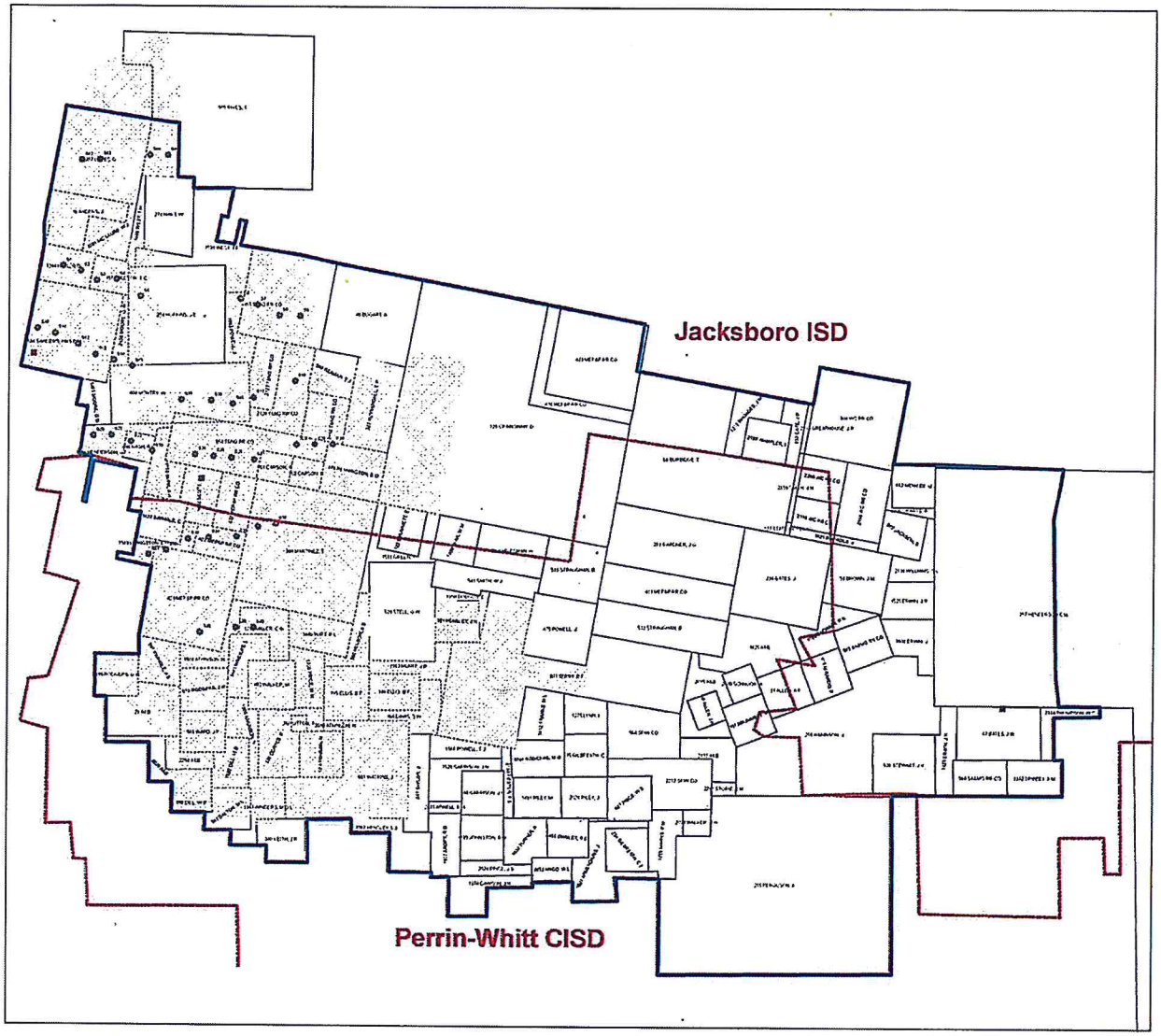
1024 J ARMENDARIES	162 R CARSON	2442 J POWELL(T&NO RR)	903 J P WARD
1025 ARNOLD & BARRETT	163 R CARSON	2458 G W MOORE	904 WASHINGTON C RR CO
111 W BRUMMETT	17 N ATKINSON	254 J E HOPKINS	933 J R CATE
1189 R K STEWART	1708 W PRICE	259 J HARRISON	943 M L DALTON
122 E BRUMMETT	1755 F M MARKS	278 WM HART	960 A B HENSON
1264 Q D HALL	1764 M W ROGERS	30 J A ALLEN	972 S JACKSON
1267 L I HENSLEY	184 G W DAVIS	301 J H HENSLEY	987 W B PRICE
1275 ISHAM LYNN	189 W B DILL	31 A F ALLEN	997 S A SWINGLE
128 D CRENSHAW	1934 A TURNER	327 T P KUYKENDALL	LT 1 BLK 43 J W BUCKNER AB 34

1285 W J MCCLURE	1937 R D ARDREY	360 A LITTON	46 BOGART, A
1286 H G MILLER	195 B F ELLIS	386 T MARTINEZ	1481 MOORE, G W
1312 J M RHOADES	1950 E D DODSON	404 WM MONTRY	22 STATE OF TEXAS
1332 A M TRIBBEY	196 B F ELLIS	412 C MENEFEE	585 SA & MG RR CO
1343 M D L WINDERS	1983 J POWELL	419 F MIRANDO	340 KEITH, J R
1374 J H DAWSON	2015 J C JOHNSON	419 J MIRANDO	
139 F CORTES	2024 J S PRICE	420 MEP & P RR CO	
1395 A W JOHNSON	2026 J RILEY	422 MEP & PRR	
1400 W M LEEK	2030 N ATKINSON	423 MEP & PRR	
1421 J RHOADES	2031 R T ATWELL	424 MEP & PRR	
1423 G SWINGLE	2052 W L ARGO	431 M E P & PRR	
1440 R L WATT	2094 R H WALKER	432 MEP & PRR	
1441 L WINDERS	2127 T J POWELL(T&NO RR)	456 R OWSLEY	
1459 J R ERWIN	2128 J POWELL(T&NO RR)	47 J W BATES	
1489 G W ROGERS	2132 L M SINGLETON	475 J POWELL	
1491 M RILEY	2138 S A WILLIAMS	476 S PENNINGTON	
1492 J SCOTT	215 A FERGUSON	489 T ROBBINS	

1499 T F WEST	2169 S S PIERCE(W C RR)	496 R C RASH	
1503 N ATKINSON	2176 J N SMITH(W C RR)	2306 OBARTS, R	
1506 N ATKINSON	2180 I WAMPLER	509 T J REAGAN	
151 H CHRIESMAN	2193 P E FOSTER	513 J W ROGERS	
1520 W DILL	2212 J D MULLINAX(SFIW CO)	528 J V STEWART	
1525 J R ERWIN	2258 J L SHOWN(A&B)	529 G W STELL	
1529 J M GARRISON	2260 J N SMITH(W C RR)	532 B B STRAUGHN	
1531 T GREEN	2261 J M STORIE	533 B B STRAUGHN	
1538 J T HENDERSON	2293 G R GREATHOUSE	534 E M SANDERS	
1549 E G LIVINGSTON	2294 G R GREATHOUSE	541 WM J SMITH	
1552 J D MURFF	23 A & BARRETT	564 SFIW CO	
1564 F PAYNE	233 J G GARDNER	584 SA & MG RR CO	
1568 T J POWELL	2338 W C THOMPSON	59 J M BROWN	
1572 T C RECTOR	234 C J GILBREATH	611 B F TERRY	
1591 T F WEST	235 C J GILBREATH	68 T BURBRIDGE	
1591 TP WEST	2355 J M SMITH	847 J TAYLOR	

1593 A HBURK	236 J GATES	854 T & N O RR CO	
16 J ANDERS	237 G GATES	855 T & N O RR CO	
16 J ANDERS GRAVEL PIT	2379 A TURNER	881 J WATKINS	
1608 J ERWIN	2400 A SCHOOK	892 M WALKER	
1612 M L FRANKS	244 J GARRISON	2020 A & B	

Keechi Creek Site Plan



Legend

Reinvestment Zone

- Keechi Creek Reinvestment Zone
- Keechi Creek Project Boundary
- ISD Boundary
- Keechi Operations Building
- Keechi Substation
- Joplin Substation

res AMERICAS
powering change®

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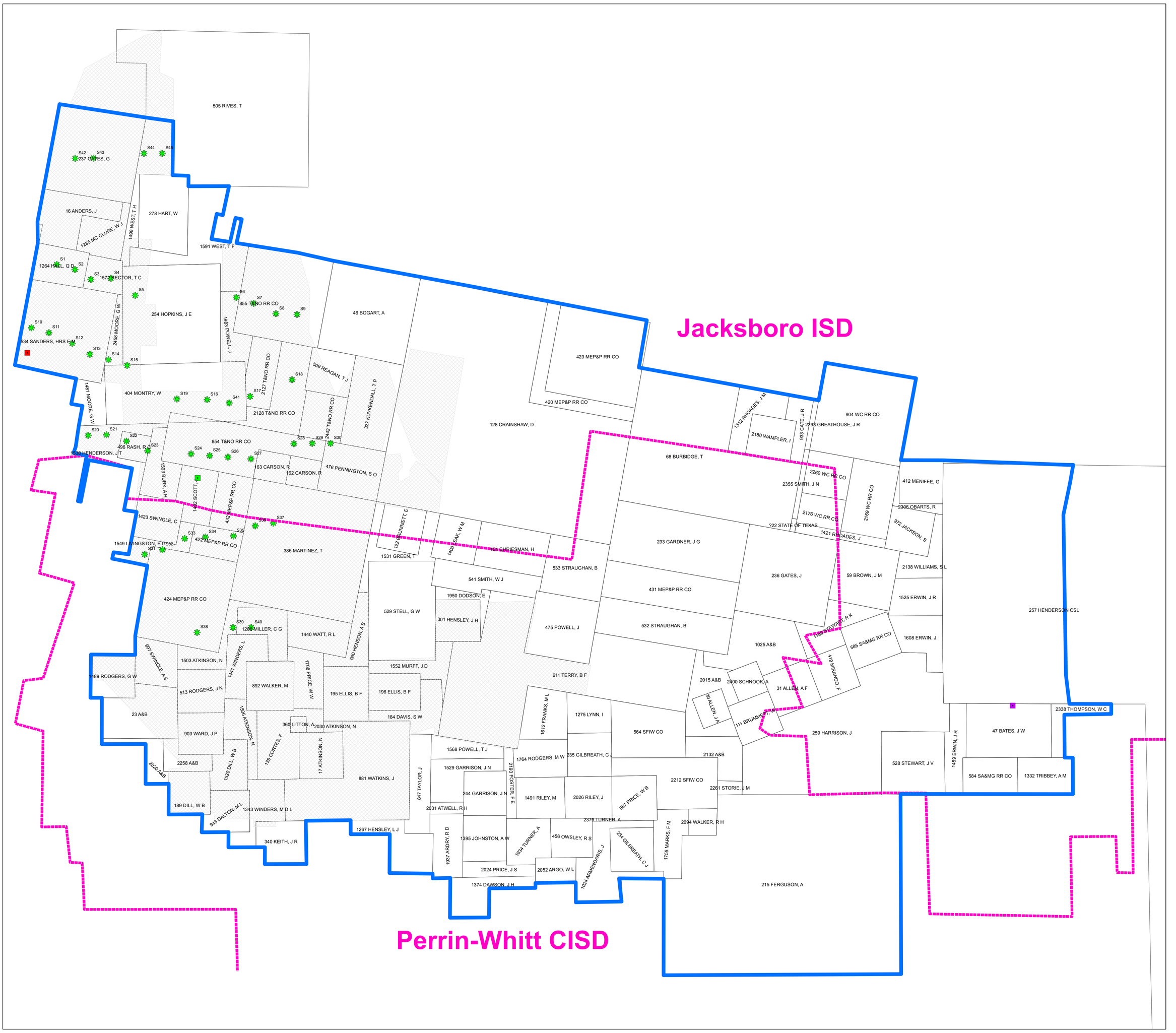
0 0.5 1 2 3 4 5 Miles

Keechi Creek Site Plan



Legend

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FILED FOR RECORD
O'CLOCK ___ M.
JUN 20 2013
JANICE ROBINSON, County Clerk
JACK COUNTY, TEXAS
BY ___ DEPUTY

COUNTY OF JACK
STATE OF TEXAS

A RESOLUTION OF THE JACK COUNTY COMMISSIONERS'COURT ADOPTING GUIDELINES AND CRITERIA GOVERNING TAX ABATEMENT AGREEMENTS BY THE COUNTY OF JACK, TEXAS

WHEREAS, Texas Tax Code Section 312.002 provides that no municipality or county may designate an area as a reinvestment zone, and that no taxing unit may execute a tax abatement agreement under Texas Tax Code chapter 312, unless it first (i) establishes guidelines and criteria for tax abatement agreements and (ii) adopts a resolution stating that the taxing unit elects to become eligible to participate in tax abatement; and

W'HEREAS, the County of Jack, Texas, desires to be eligible to participate in tax abatement under certain circumstances; now therefore,

BE IT RESOLVED BY THE COMMISSIONERS COURT OF JACK COUNTY, TEXAS THAT

ARTICLE I.

Jack County, Texas elects to be eligible to participate in tax abatement.

ARTICLE II

The following guidelines and criteria were previously established, are hereby established and shall hereafter govern tax abatement agreements by the County of Jack, Texas:

1. Improvements proposed as part of a tax abatement agreement for property located within a duly designated reinvestment zone shall be commenced within two (2) years of the date designated in said agreement.

2. All construction proposed, as part of any such improvements, shall meet applicable County of Jack, Texas, Codes and Zoning requirements.

3. All property included in a tax abatement shall be maintained in accordance with all applicable County of Jack, Texas, Codes and Zoning requirements during the term of the tax abatement agreement.

4. Throughout tax abatement agreement, the owner(s) or persons in possession and control of the improvements located thereon which is included within an area which is the subject of a tax abatement agreement shall pay all lawfully assessed ad valorem taxes levied on such property before the same shall become delinquent.

5. For property located in a commercial and/or industrial reinvestment zone, and proposed as the subject of a tax abatement agreement, the following criteria shall apply:

    a. The proposed improvements must have the effect of increasing the value of the real property upon which they are located; and,

    b. The proposed improvements shall have the effect of adding to the available number of jobs and/or retaining existing jobs in the greater Jack County, Texas area.

6. For residential property located in a residential reinvestment zone, and proposed as the subject of a tax abatement agreement, the following criteria shall apply:

    a. The proposed improvements shall address the blighting or deteriorating influences on the subject property;

    b. The proposed improvements shall address building safety, unsanitary or unsafe conditions, or property deterioration; and

    c. Where applicable, the improvements shall address faulty lot layout with respect to size, accessibility, or usefulness.

7. All improvements proposed, as part of a tax abatement agreement, shall further the purposes established by the Legislature of the State of Texas in Chapter 312 of the Texas Tax Code.

8. In accordance with Texas Tax Code section 312.002, these guidelines and criteria shall not limit the discretion of the County to decide whether to enter into a specific tax abatement agreement. Accordingly, the County may enter into a particular tax abatement agreement whenever it determines that it is in the best interests of the County to enter into such agreement and provide such abatement with respect to a particular applicant, In doing so, the County may vary from the provisions of this Tax Abatement Policy Statement in any respect that is not contrary to state law.

ARTICLE III

This resolution shall be effective from its adoption on May 24, 2013, for the full period authorized by law.

PASSED, APPROVED, AND ADOPTED THIS 24th day of May, 2013.

COUNTY OF JACK

By:

Mitchell G. Davenport,
County Judge of Jack County, Texas

Fearl F. Smith,
County Commissioner, Prct. 1, Jack County

James Brock,
County Commissioner, Prct. 2, Jack County

James L. Cozart,
County Commissioner, Prct. 3, Jack County

Terry Ward,
County Commissioner, Prct. 4, Jack County

ATTEST:

Janice C. Robinson,
County Clerk of Jack County, Texas

COMMISSIONERS COURT
JACK COUNTY, TEXAS