

Attachment A

Application

O'HANLON, McCOLLOM & DEMERATH

ATTORNEYS AND COUNSELORS AT LAW

808 WEST AVENUE

AUSTIN, TEXAS 78701

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KEVIN O'HANLON

CERTIFIED, CIVIL APPELLATE

CERTIFIED, CIVIL TRIAL

LESLIE McCOLLOM

CERTIFIED, CIVIL APPELLATE

CERTIFIED, LABOR AND EMPLOYMENT

TEXAS BOARD OF LEGAL SPECIALIZATION

JUSTIN DEMERATH

June 12, 2013

Local Government Assistance & Economic Analysis
Texas Comptroller of Public Accounts
P.O. Box 13528
Austin, Texas 78711-3528

RE: Application to the Brckett Independent School District from Solar Prime LLC

To the Local Government Assistance & Economic Analysis Division:

By copy of this letter transmitting the application for review to the Comptroller's Office, the Brckett Independent School District is notifying the Applicant Solar Prime LLC of its intent to consider Solar Prime LLC's application for appraised value limitation on qualified property. The Applicant submitted the application to the school district on June 10, 2013. The Board voted at a properly posted Board meeting to accept the application on June 10, 2013. The application was determined completed on June 12, 2013. Please prepare the economic impact report.

Please note, no construction has begun at the project site as of the date of the filing of the application and the District's determination that the application is complete. The Applicant is aware that the determination of a completed application by the Comptroller determines what property may be eligible for a value limitation agreement. There is no existing property for this project.

The applicant has requested that the school district create the reinvestment zone for this project. We anticipate that the Board will consider this at its regularly scheduled July Board meeting. Upon adoption by the Board, the reinvestment zone materials will be forwarded to your office.

The school district has determined that the wage information included in the application represents the most recent wage data available at the time of the application. The wage the Applicant has committed to paying on this project is above the required statutory minimums.

Letter to Local Government Assistance & Economic Analysis Division
June 12, 2013
Page 2 of 2

A paper copy of the application will be hand delivered to your office today. In accordance with 34 Tex. Admin Code §9.1054, a copy of the application will be submitted to the Kinney County Appraisal District.

Please feel free to contact me with questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin O'Hanlon", with a stylized flourish at the end.

Kevin O'Hanlon
School District Consultant

Cc: Chief Appraiser
Kinney County Appraisal District

Solar Prime LLC

Taylor Stephenson, Brackett ISD

Brackett ISD
Brackettville, TX

Application for Appraised Value Limitation

Submitted by: Solar Prime LLC

June 10, 2013

ORIGINAL

Brackett ISD

Application for
Appraised
Value
Limitation

Submitted by:
Solar Prime
LLC

June 10, 2013

1	Application for Appraised Value Limitation (Form 50-296)
2	Proof of Payment
3	Combined Group Membership Documentation(not applicable)
4	Description of Project
5	Not Applicable
6	Description of Qualified Investment
7	Map of Qualified Investment, Location of New Improvements
8	Description of Qualified Property
9	Map of Qualified Property, Location of New Improvements
10	Description of the Land
11	Land Location & Vicinity Map
12	Description of All Existing Improvements
13	Request for Waiver of Job Creation Requirement
14	Calculation for Wage Requirements
15	Description of Benefits
16	Economic Impact
17	Schedule A: Investment Table
18	Schedule B: Estimate Market & Taxable Value Table
19	Schedule C: Employment Information Table
20	Schedule D: Other Tax Information Table
21	Map of Reinvestment Zone
22	Resolution Establishing Reinvestment Zone
23	Legal Description of Reinvestment Zone
24	Guidelines & Criteria for Reinvestment Zone
25	
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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

6-10-13

First Name

Taylor

Last Name

Stephenson

Title

Superintendent

School District Name

Brackett Independent School District

Street Address

400 Ann Street

Mailing Address

City

Brackettville

Phone Number

830-563-2491

Mobile Number (optional)

830-719-1973

State

TX

ZIP

78832

Fax Number

830-563-9264

E-mail Address

taylor.stephenson@brackettisd.net

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

Will consultant be primary contact? ☒ Yes ☐ No



Form 50-296

Application for Appraised Value Limitation on Qualified Property

SCHOOL DISTRICT INFORMATION - CERTIFICATION OF APPLICATION (CONTINUED)

Authorized School District Consultant (If Applicable)

First Name

Daniel

Last Name

Casey

Title

Partner

Firm Name

Moak, Casey & Associates

Street Address

400 W 15th Street

Mailing Address

Suite 1410

City

Austin

State

TX

ZIP

78701-1648

Phone Number

512-485-7878

Fax Number

512-485-7888

Mobile Number (Optional)

512-426-6662

E-mail Address

dcasey@moakcasey.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)

Date

6-10-13

Has the district determined this application complete? ☒ Yes ☐ No

If yes, date determined complete. 6-12-13

Have you completed the school finance documents required by TAC 9.1054(c)(3)? ☐ Yes ☒ No

will supplement

SCHOOL DISTRICT CHECKLIST AND REQUESTED ATTACHMENTS

	Checklist	Page X of 16	Check Completed
1	Date application received by the ISD	1 of 16	✓
2	Certification page signed and dated by authorized school district representative	2 of 16	✓
3	Date application deemed complete by ISD	2 of 16	✓
4	Certification pages signed and dated by applicant or authorized business representative of applicant	4 of 16	✓
5	Completed company checklist	12 of 16	✓
6	School finance documents described in TAC 9.1054(c)(3) (Due within 20 days of district providing notice of completed application)	2 of 16	will supplement

APPLICANT INFORMATION - CERTIFICATION OF APPLICATION

Authorized Business Representative (Applicant)

First Name

Robert

Last Name

Reichenberger

Title

CEO

Organization

Solar Prime LLC

Street Address

777 South High St

Mailing Address

City

Denver

State

CO

ZIP

80209

Phone Number

303.886.1162

Fax Number

Mobile Number (optional)

303.886.1162

Business e-mail Address

robert@solar-prime.com

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

N/A

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..... ☐ Yes ☒ NoWill consultant be primary contact? ☐ Yes ☒ No



Form 50-296

Application for Appraised Value Limitation on Qualified Property

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))

X

Robert Reichenberger

Date

6/7/13

GIVEN under my hand and seal of office this 7th day of June, 2013



(Notary Seal)

Vali E

Notary Public, State of ColoradoMy commission expires 4-2-16

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)? ☐ Yes ☒ No

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)? ☐ Yes ☒ No

BUSINESS APPLICANT INFORMATION

Legal Name under which application is made

Solar Prime LLC

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

32050536062

NAICS code

221114

Is the applicant a party to any other Chapter 313 agreements? ☐ Yes ☒ No

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

n/a

APPLICANT BUSINESS STRUCTURE

Registered to do business in Texas with the Texas Secretary of State? ☒ Yes ☐ No

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

Limited Liability Corporation

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)? ☐ Yes ☒ No
If so, please attach documentation of the combined group membership and contact information.

2. Is the applicant current on all tax payments due to the State of Texas? ☒ Yes ☐ No

3. Are all applicant members of the combined group current on all tax payments due to the State of Texas? ☒ NA ☐ Yes ☐ No

If the answer to either question is no, please explain and/or disclose any history of default, delinquencies and/or any material litigation, including litigation involving the State of Texas. (Use attachment if necessary.)



Are you an entity to which Tax Code, Chapter 171 applies? ☒ Yes ☐ No

The property will be used as an integral part, or as a necessary auxiliary part, in one of the following activities:

- (1) manufacturing ☐ Yes ☒ No
- (2) research and development ☐ Yes ☒ No
- (3) a clean coal project, as defined by Section 5.001, Water Code ☐ Yes ☒ No
- (4) an advanced clean energy project, as defined by Section 382.003, Health and Safety Code ☐ Yes ☒ No
- (5) renewable energy electric generation ☒ Yes ☐ No
- (6) electric power generation using integrated gasification combined cycle technology ☐ Yes ☒ No
- (7) nuclear electric power generation ☐ Yes ☒ No
- (8) a computer center that is used as an integral part or as a necessary auxiliary part for the activity conducted by applicant in one or more activities described by Subdivisions (1) through (7) ☐ Yes ☒ No

Are you requesting that any of the land be classified as qualified investment? ☐ Yes ☒ No

Will any of the proposed qualified investment be leased under a capitalized lease? ☐ Yes ☒ No

Will any of the proposed qualified investment be leased under an operating lease? ☐ Yes ☒ No

Are you including property that is owned by a person other than the applicant? ☐ Yes ☒ No

Will any property be pooled or proposed to be pooled with property owned by the applicant in determining the amount of your qualified investment? ☐ Yes ☒ No

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)

Project is a solar photovoltaic electric generating station location on approximately 630 acres immediately NE of Brackettville, TX (see ATTACHMENT 4 for more detail)

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

Applicant is a national solar developer with the ability to locate a project of this type in multiple other states. (See ATTACHMENT 4 for detail).

- ☒ 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

Begin Construction October 2013 Begin Hiring New Employees September 2013

Construction Complete June 2014 Fully Operational July 2014

Purchase Machinery & Equipment October 2013

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)? ☒ Yes ☐ No

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? October 2013

ECONOMIC INCENTIVES

Identify state programs the project will apply for:

State Source

Amount

N/A

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.)

Applying for abatements on Kinney County and Farm to Market related property taxes (see SCHEDULE D for details)

THE PROPERTYIdentify county or counties in which the proposed project will be located Kinney CountyCentral Appraisal District (CAD) that will be responsible for appraising the property Kinney County Appraisal DistrictWill 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: Kinney County, 100% City: City of Brackettville (6.25% of project, only 40 acres)
(Name and percent of project) (Name and percent of project)Hospital District: n/a Water District: Kinney County Water Conservation District, 100%
(Name and percent of project) (Name and percent of project)Other (describe): Farm to Market, 100% Other (describe): n/a
(Name and percent of project) (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? \$1,000,000

What is the amount of appraised value limitation for which you are applying? \$1,000,000

What is your total estimated *qualified* investment? \$62,813,250

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? October 2013

What is the anticipated date of the beginning of the qualifying time period? October 2013

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? \$70,681,000

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? July 30, 2013

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

Will the project be on leased land? ☐ Yes ☒ No (Note: 350 Acres will be owned, 283 Acres Leased)

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. Property ID 17487, Barn, Steel Leanto: \$4504 2012
(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)? 0

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

☒ First Quarter ☐ Second Quarter ☐ Third Quarter ☐ Fourth Quarter of 2013
(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? 0

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 1

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).** **See Attachment 13 for evidence**

What is the maximum number of qualifying jobs meeting all criteria of §313.021(3) you are committing to create? 1

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). **See Attachment 14 for Wage Calc details)**

110% of the county average weekly wage for all jobs (all industries) in the county is \$627.55/week

110% of the county average weekly wage for manufacturing jobs in the county is There is no manufacturing wage in Kinney County

110% of the county average weekly wage for manufacturing jobs in the region is \$600.36/week

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? \$32,632/year

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? \$32,700/year

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.)

Standard benefits including Medical, Dental, 401K, and paid vacation. Company pays at least 80% of the health insurance premium.

ECONOMIC IMPACT

Is an Economic Impact Analysis attached (If supplied by other than the Comptroller's office)? ☐ 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.

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	
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	
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	
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	
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	

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

ATTACHMENT 2: Proof of Payment

To be provided

Proof of payment of filing fee received by the
Comptroller of Public Accounts per TAC Rule
§9.1054 (b)(5)

*(Page Inserted by Office of Texas Comptroller of Public
Accounts)*

ATTACHMENT 3: Combined Group Membership Documentation

Not Applicable

ATTACHMENT 4: Description of the Project

The Applicant for this project is a national solar developer with the ability to locate projects of this type in several other states in the US with strong solar characteristics. The applicant is actively developing other projects in Colorado, Utah, New Mexico, and in other Texas Counties that are competing for the limited investment funds.

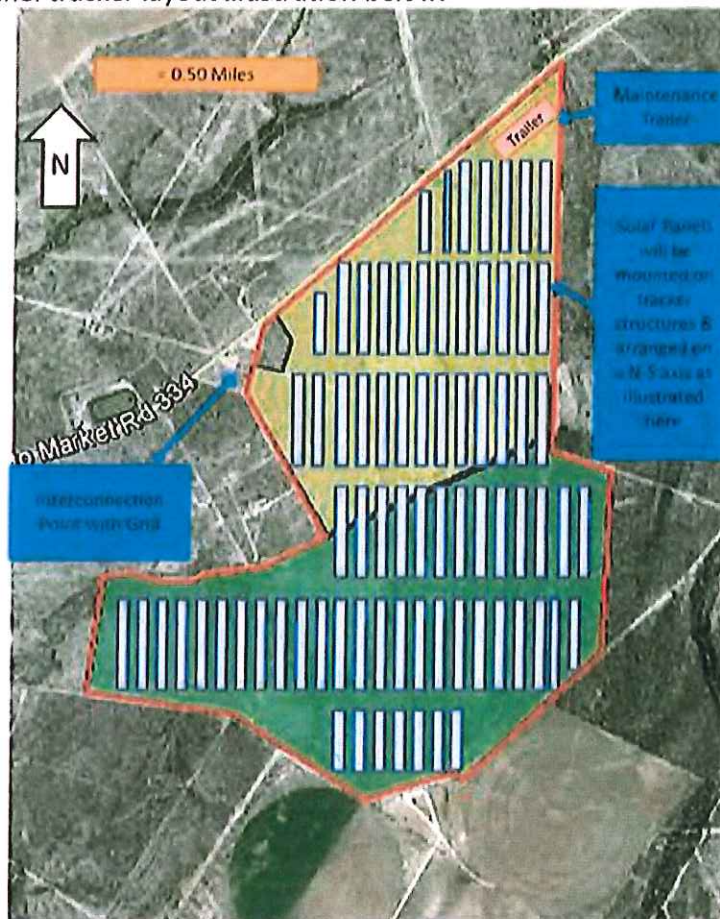
The project is to be located on approximately 640 acres of land northeast of the city of Brackettville in Kinney County, Texas, and totally in the Brackett Independent School District.

The property for which the applicant is seeking an appraised value limitation shall include, but is not limited to, the following:

- A 39.6MW solar power generating facility containing:
 - 160,430 Solar Panels and 72 DC-to-AC Inverters
 - Tracker system infrastructure for a 39.6MW project.
 - High Voltage Transformer, Switch Gear & Transmission equipment
 - Maintenance trailer and office equipment
 - Meteorological equipment to measure solar irradiance & weather conditionsand associated equipment necessary to safely operate, maintain, and transmit power to the grid.

A portion of the land on which the project is located will be purchased and owned by the project company (green shaded area). A portion of the land will be rented (yellow shaded area) from the landowner, secured by a long term lease.

Project area & panel tracker layout illustration below.



Attachment 5: Percentage of Project in Multiple Districts

Not Applicable as this project is 100% in Brackett ISD and 100% in Kinney County.

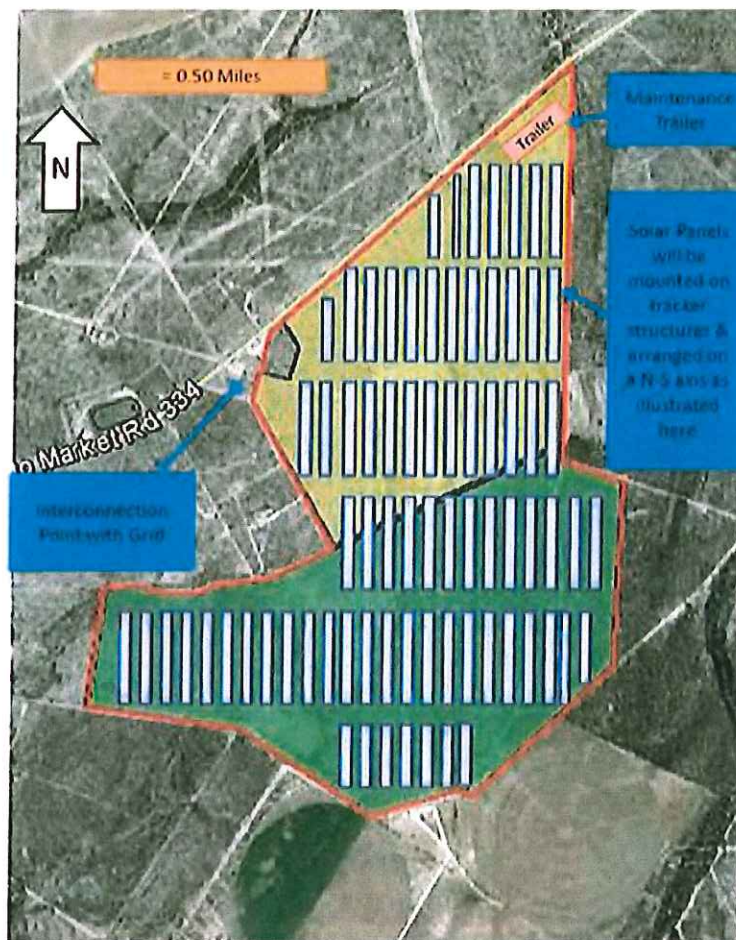
ATTACHMENT 6: Description of Qualified Investment

The Qualified Investment is described below:

- A 39.6MW solar power generating facility containing:
 - 160,430 Solar Panels and 72 DC-to-AC Inverters
 - Tracker system infrastructure for a 39.6MW project.
 - High Voltage Transformer, Switch Gear & Transmission equipment
 - Maintenance trailer and office equipment
 - Meteorological equipment to measure solar irradiance & weather conditions

and associated ancillary equipment necessary to safely operate, maintain, and transmit power to the ERCOT grid.

Project area & panel tracker layout illustration below.

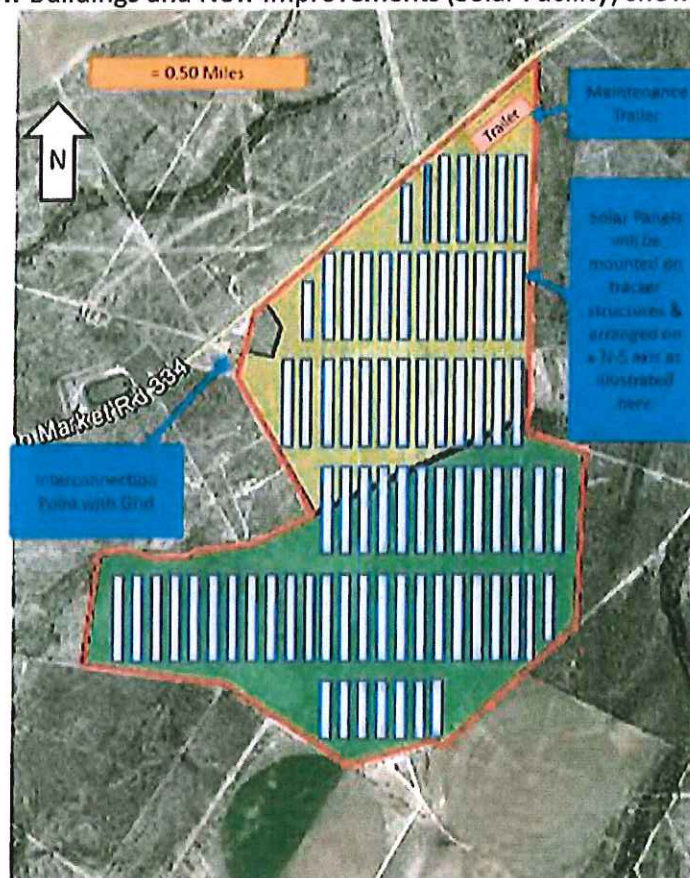


ATTACHMENT 7: Map of Qualified Investment Showing Location of New Buildings or New Improvement with Vicinity Map

Vicinity Map: Solar Project is located 100% in Kinney County and 100% in Brackett ISD



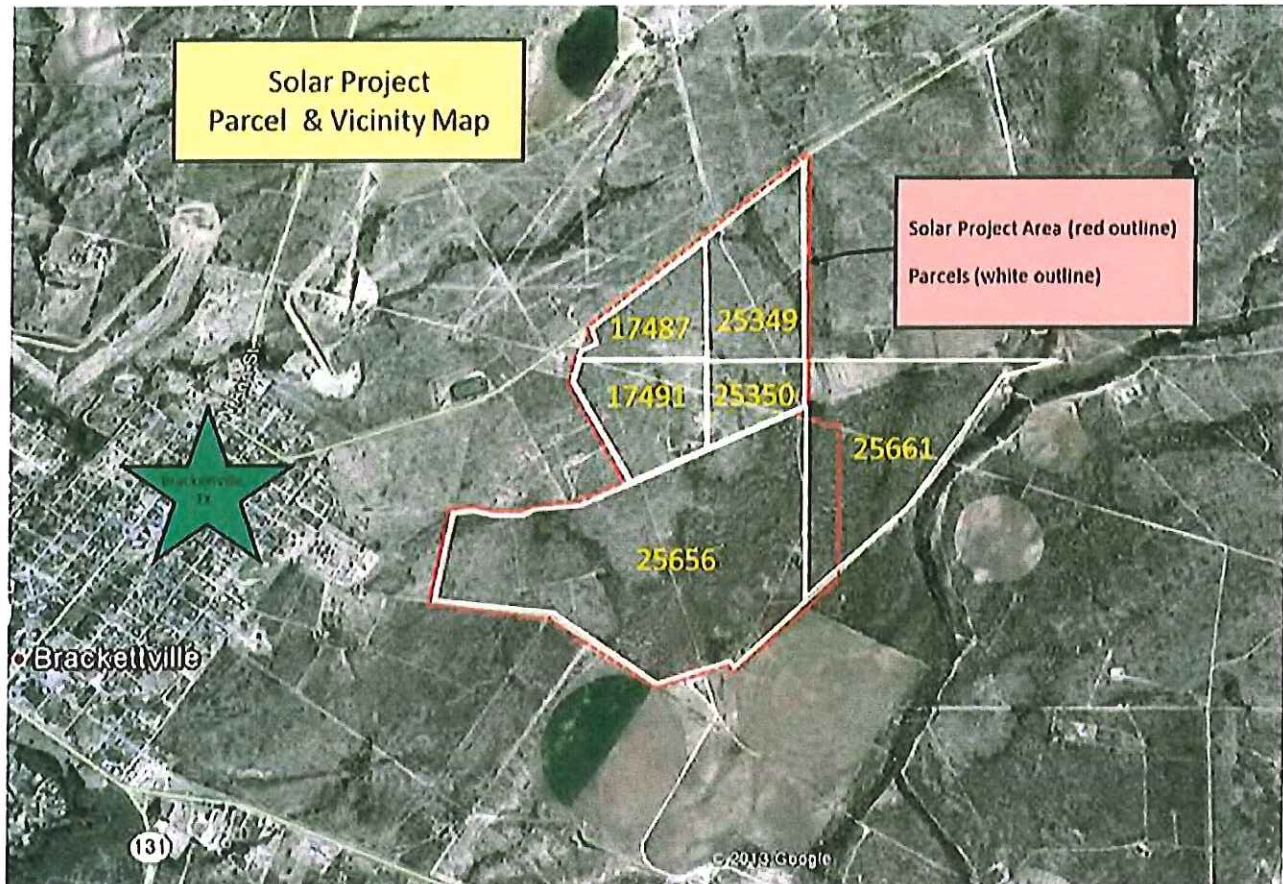
Location of New Buildings and New Improvements (Solar Facility) shown below.



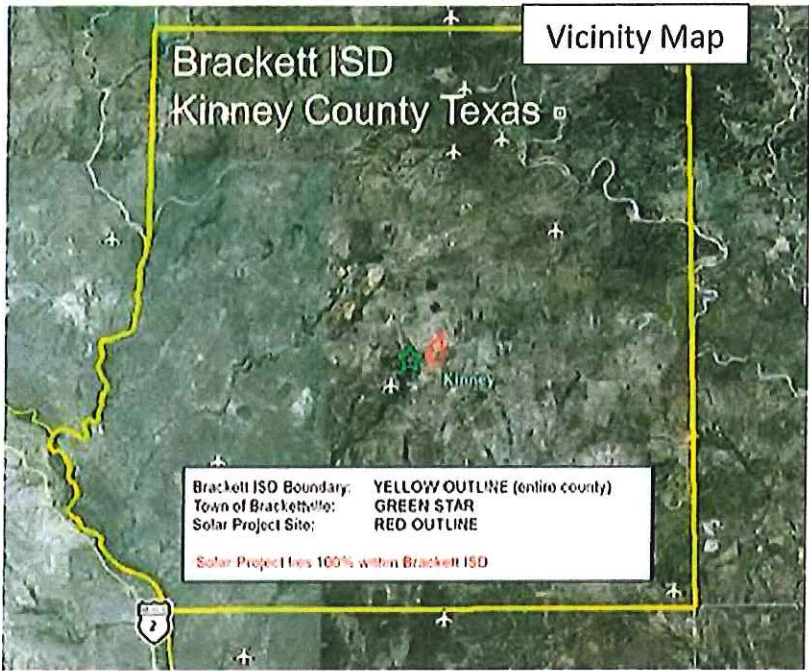
ATTACHMENT 8: Description of Qualified Property.

The Qualified Property shall include parcels 17487, 17491, 25350, 25349, 25656 and a portion of 25661 (please see map below).

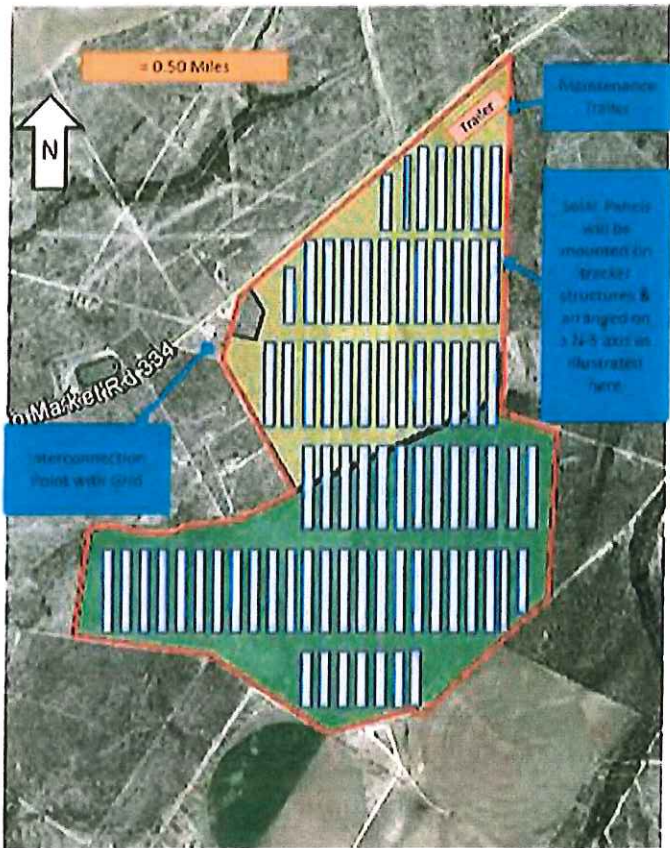
A portion of the land on which the project is located will be purchased and owned by the project company (parcel 25656 and a portion of 25661). A portion of the land will be rented (includes parcels 17487, 17491, 25350, 25349) from the landowner, secured by a long term lease.



ATTACHMENT 9: Map of Qualified Property showing location of new buildings & improvements



Location of New Buildings & Improvements on the Project Site (image below)



ATTACHMENT 10: Description of the Land

Parcels included in the project.

Parcel #	Solar Project will own or lease?	Considered Qualified Property?	Land Valuation	Improvements	Acres	\$/Acre
17487	Lease	No	\$61,471	\$4504**	45.5	\$1,351
17491	Lease	No	\$118,136	0	87.5	\$1,350
25349	Lease	No	\$133,638	0	98.99	\$1,350
25350	Lease	No	\$68,985	0	51.1	\$1,350
25656	Own	Yes	\$173,705	0	128.67	\$1,350
25661*	Own	Yes	\$285,296	0	211.33	\$1,350

Source: From Kinney County tax records

*Only using approx. 40 acres of this parcel

**The Barn & Steel Leanto are valued at \$4504 but will be removed prior to solar array construction

LEGAL DESCRIPTIONS OF Owned Parcels 25656 and a portion of 25661 (i.e. land that will be Qualified Property):

Legal description shown in ATTACHMENT 10.1

KOCH & KOCH LAND SURVEYORS, INC.
P.O. BOX 246 707 FM 1796 D'HANIS, TEXAS 78850
Office: 830-363-7331 Fax: 830-363-7441
E-Mail: kochkoch@swtexas.net

350.000 ACRE TRACT

THE STATE OF TEXAS)

COUNTY OF KINNEY)

Field Notes of a perimeter/boundary survey of a 350.000 acre tract of
land, made for Energy Renewal Partners, LLC and
Rancho Rasante Real, L.L.C.

Said 350.000 acre tract of land lying and being situated in Kinney
County, Texas; about 1.8 miles N 80° E of (and partially in) the City
of Brackettville, the County Seat; and containing acreages in the
various original Surveys, as follows:

Sur. No.	Original Grantee	Block	Abst. No.	Acres
57	John Jones		828	23.174
90	I. & G.N. R.R. Co.	6	428	132.664
91	I. & G.N. R.R. Co.	6	430	21.538
437-1/2	P.I.M. & A. Co.		768	41.527
936-1/2	C. A. Windus		1621	<u>131.097</u>
Total Acres				350.000

Said 350.000 acre tract being in most part the west portion of a
2147.63 acre tract, as conveyed to Rancho Rasante Real, L.L.C.
(Rancho Rasante), by D.M.C. Partners, Ltd., by Warranty Deed dated
December 29, 2004, and recorded in Vol. A-150, Pages 345-350, of the
Official Public Records of said County. Said 350.000 acre tract
being bounded on the northeast and east by the remainder of said
Rancho Rasante 2147.63 acre tract; on the southeast and south, from
east to west, by the following: 1.) the Jerry L. House 1269.92 acre
tract, as recorded in Vol. 196, Pages 568-573, of the Official Public
Records of said County, 2.) the Maverick County Land & Cattle Co.,
L.L.C. (Maverick Co.) 474.42 acre tract, as recorded in Vol. 193,
Pages 392-397, of the Official Public Records of said County, 3.) the
Barbara Fritter Lomax 45.31 acre tract, as recorded in Vol. A-91,
Pages 606-608, of the Deed Records of said County, and 4.) the
Barbara Fritter Lomax Property, as recorded in Vol. 179, Pages 354-
357, of the Official Public Records of said County [no description of
record found]; on the west by the Ronnie D. Hobbs, et ux. 100 acre
tract, as recorded in Vol. A-126, Pages 466-471, of the Official
Public Records of said County; and on the north, from west to east,

Cont. Page 2 of 5, Rancho Rasante Real, L.L.C. -- 350.000 Acre Tract.

by the following: 1.) the Lewis R. Melton, et ux. 25.000 acre tract, as recorded in Vol. 161, Pages 314-319, of the Official Public Records of said County, 2.) the Steven R. LaMascus, et ux. 25.000 acre tract, as recorded in Vol. A-146, Pages 139-143, of the Official Public Records of said County, and 3.) the Joe B. Robinette, et ux. 282.265 acre tract (this date surveyed -- the major portion of a 133.042 acre tract [Vol. A-140, Pages 331-340, Official Public Records], and all of a 150.091 acre tract [Vol. 162, Pages 2-5, Official Public Records]). Said 350.000 acre tract containing 41.527 acres (in said Sur. No. 437-1/2) lying within the city limits of the City of Brackettville, and being more fully described by metes and bounds, as follows:

BEGINNING (in said Sur. No. 437-1/2) at a 1/2" Steel Pin found at a Steel "T" Post in fence, 1.3 ft. west of a 2-7/8" Steel Pipe 2-way high-fence corner post; in the east side of said Hobbs 100 acre tract; at the west terminal of a Boundary Line Agreement (Vol. A-139, Pages 262-282, Official Public Records); for the S.W. corner of said Melton 25.000 acre tract, the W.N.W. corner of said Rancho Rasante 2147.63 acre tract, and the N.W. corner of this tract; said 1/2" Steel Pin being distant 3033.50 ft. N 15° 40' 24" W of the westernmost South corner of said Sur. No. 936-1/2, the S.E. corner of said Sur. No. 437-1/2, the East corner of Sur. No. 283, Pedro Medino, in the northwest line of Sur. No. 237, George Weeks;

THENCE leaving the east side of said Hobbs 100 acre tract; and with fence (unless noted); with the south sides of said Melton 25.000 acre tract, said LaMascus 25.000 acre tract, and said Robinette 282.265 acre tract (until noted), respectively; with the meanders of said Boundary Line Agreement, until noted; along the lower north side of said Rancho Rasante 2147.63 acre tract (until noted), and the north and northeast sides of this tract, with the center of 2-7/8" Steel Pipe fence posts found at corners (unless noted), as follows:

N 84° 51' 32" E 397.21 ft.;

S 73° 20' 34" E 233.25 ft.;

S 89° 36' 39" E 489.81 ft.;

N 64° 40' 23" E, at 137.77 ft. cross the east line of said Sur. No. 437-1/2, the lower west line of said Sur. No. 936-1/2; same being an east boundary line of the Brackettville City Limits, and thence leaving said City; total 178.29 ft.;

N 82° 06' 52" E 524.72 ft. to a 5/8" Steel Pin found in fence, at the S.E. corner of said Melton 25.000 acre tract, the S.S.W. corner of said LaMascus 25.000 acre tract, for corner;

N 82° 06' 52" E 144.97 ft.;

N 65° 19' 29" E, at 686.22 ft. cross the northeast line of

said Sur. No. 936-1/2, the southwest line of said Sur. No. 90; total 843.61 ft. to a 5/8" Steel Pin found at the S.E. corner of said LaMascus 25.000 acre tract, the S.W. corner of said Robinette 282.265 acre tract, for corner;

N 65° 19' 29" E, at 181.5 ft. pass under electric transmission lines bearing S 20° 15' 21" E across this described tract; total 333.62 ft.;

N 65° 48' 20" E 1004.41 ft. to a 5/8" Steel Pin found in fence, at the S.E. corner of said Robinette 133.042 acre tract, the S.W. corner of said Robinette 150.091 acre tract;

N 65° 48' 21" E 1356.86 ft. to a 5/8" Steel Pin set in fence, under a gate, under the center of a single-pole high-voltage electric transmission line, at the N.N.E./North corner of this tract, for corner; and

THENCE S 74° 43' 51" E, unfenced, leaving the south side of said Robinette 282.265 acre tract, the lower north side of said Rancho Rasante 2147.63 acre tract, and said Boundary Line Agreement; and entering said 2147.63 acre tract, with the center of said single-pole high-voltage electric transmission line; at 302.61 ft. cross the east line of said Sur. No. 90, the west line of said Sur. No. 91; total 652.30 ft. to a 5/8" Steel Pin set under said single-pole high-voltage electric transmission line; for the E.N.E. corner of this tract;

THENCE leaving said electric transmission line, and with the east side of this tract, S 00° 00' 04" W, unfenced, 2582.08 ft. to a 5/8" Steel Pin set in fence, in the northwest side of said House 1269.92 acre tract, a southeast side of said Rancho Rasante 2147.63 acre tract; for the E.S.E. corner of this tract;

THENCE with the northwest and north sides of said House 1269.92 acre tract, said Maverick Co. 474.42 acre tract, said Lomax 45.31 acre tract, and said Lomax Property, respectively; along the southeast and south sides of said Rancho Rasante 2147.63 acre tract, and the southeast and south sides of this tract; unfenced, along but not necessarily with existing fence (unless noted), as follows:

S 47° 44' 50" W, with fence, at 455.70 ft. re-cross said last-mentioned survey line; total 477.20 ft. to the center of a 2-7/8" Steel Pipe 2-way fence corner post, at the West/S.W. corner of said House 1269.92 acre tract, a North corner of said Maverick 474.42 acre tract, for corner;

S 47° 25' 49" W, at 689.35 ft. re-cross the southwest line of said Sur. No. 90, the northeast line of said Sur. No. 936-1/2; at 1253.94 ft. cross the easternmost southwest line of said Sur. No.

936-1/2, the northeast line of said Sur. No. 57; total 1389.28 ft. to a 5/8" Steel Pin set 1.05 ft. S 39° 16' E of a 2-7/8" Steel Pipe 2-way high-fence corner post, for corner;

N 30° 56' 38" W, generally with fence, 170.50 ft. to a 5/8" Steel Pin found at a 2-7/8" Steel Pipe 2-way fence corner post, for corner;

S 74° 58' 00" W, with fence, 73.83 ft. to a 5/8" Steel Pin found at a 2-7/8" Steel Pipe 2-way fence corner post, for corner;

S 12° 32' 51" E, generally with fence, 43.12 ft. to a 5/8" Steel Pin found against the north side of a cattle panel fence, 1.7 ft. south of a 2-7/8" Steel Pipe 2-way fence corner post, for corner;

S 73° 16' 23" W, at 306.4 ft. re-pass under said electric transmission lines bearing S 20° 15' 21" E; total 1060.43 ft. to a 5/8" Steel Pin set 1.95 ft. S 20° 56' W of a 2-7/8" Steel Pipe 2-way high-fence corner post, for corner;

S 33° 03' 15" W 17.74 ft. to a 5/8" Steel Pin set 3.40 ft. S 02° 04' E of a 2-7/8" Steel Pipe 3-way high-fence corner post, in the southwest line of said Sur. No. 57, the northeast line of Sur. No. 237, George Weeks, for corner;

N 57° 36' 38" W, with said survey line (until noted), at 502.82 ft. pass the West corner of said Sur. No. 57, a South corner of said Sur. No. 936-1/2, and thence with the middle southwest line of said Sur. No. 936-1/2 (until noted); total 1214.68 ft. to a 1/2" Steel Pin found at an old 7" creosoted fence post, at the north terminal of a low fence, 3.85 ft. S 70° 03' W of a 2-7/8" Steel Pipe 3-way fence corner post; at the westernmost North corner of said Maverick Co. 474.42 acre tract, the East corner of said Lomax 45.31 acre tract, for corner;

N 57° 47' 41" W 677.03 ft. to a 1/2" Steel Pin found at an old 3-way cedar fence corner post, 13.65 ft. S 36° 14' E of a 2-7/8" Steel Pipe 2-way fence corner post; at the North corner of said Sur. No. 237, the westernmost south re-entrant corner of said Sur. No. 936-1/2; same being the North corner of said Lomax 45.31 acre tract, the N.E. corner of said Lomax Property, for corner; and

THENCE N 82° 36' 04" W, crossing the westernmost south tip of said Sur. No. 936-1/2; at 631.53 ft. re-cross the lower west line of said Sur. No. 936-1/2, the east line of said Sur. No. 437-1/2, same being said east boundary line of said Brackettville City Limits, and thence re-entering said City; total 1836.75 ft. to a 1/2" Steel Pin found in concrete, at a 2-3/8" Steel Pipe 2-way fence corner post, 4.06 ft. S 38° 21' W of a 2-7/8" Steel Pipe 2-way high-fence corner post; in the north side of said Lomax Property; at the S.E. corner of said Hobbs 100 acre tract; for the W.S.W. corner of said Rancho Rasante 2147.63 acre tract, and the W.S.W. corner of this tract;

Cont. Page 5 of 5, Rancho Rasante Real, L.L.C. -- 350.000 Acre Tract.

THENCE leaving the north side of said Lomax Property; and with the east side of said Hobbs 100 acre tract; along the westernmost and lower west side of said Rancho Rasante 2147.63 acre tract; and the westernmost west side of this tract, N 07° 28' 54" E, with low fence along the west side of a high fence, 1420.97 ft. to the place of BEGINNING:

NOTE: Bearings noted herein are true geodetic bearings based on Global Navigation Satellite System (GNSS) observations (WGS '84 Datum).

Surveyed: May 13 - 20, 2013.

Field Crew Personnel: Spencer J. Burrell
Michael J. Koch

THE STATE OF TEXAS)
COUNTY OF MEDINA)

I, Hilmar A. Koch, a Registered Professional Land Surveyor of the State of Texas, do hereby state that the foregoing Field Notes description and accompanying plat correctly represent an actual survey made under my supervision, on the ground, on the date given.

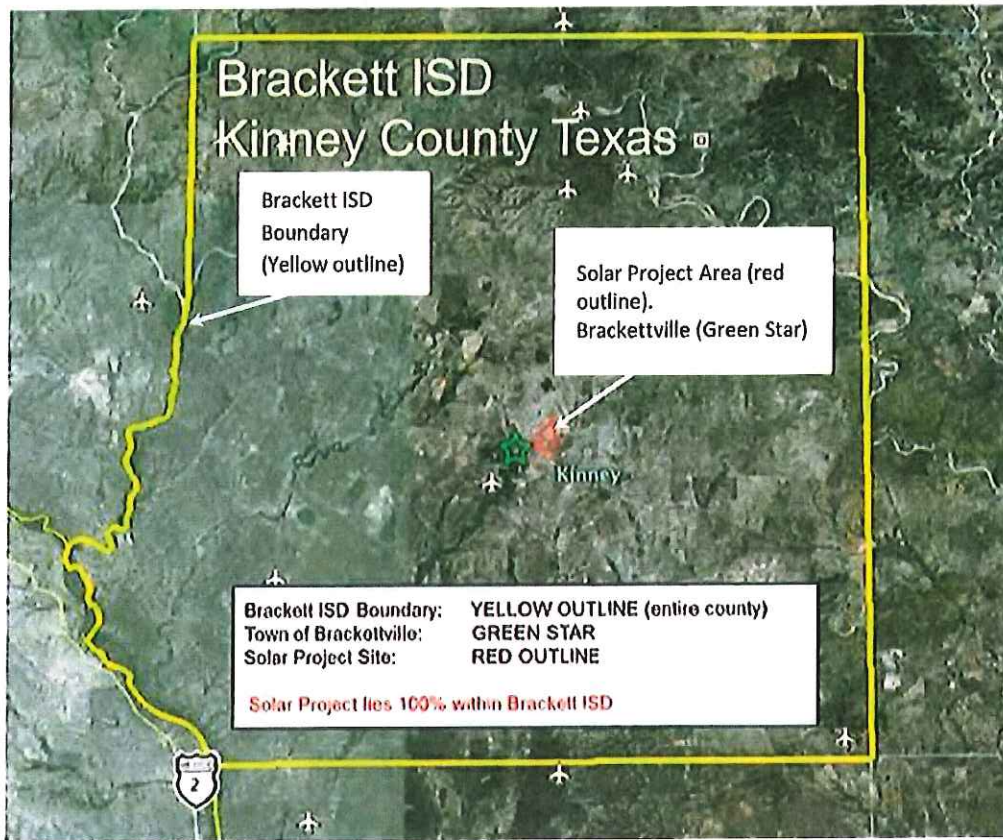


Hilmar A. Koch

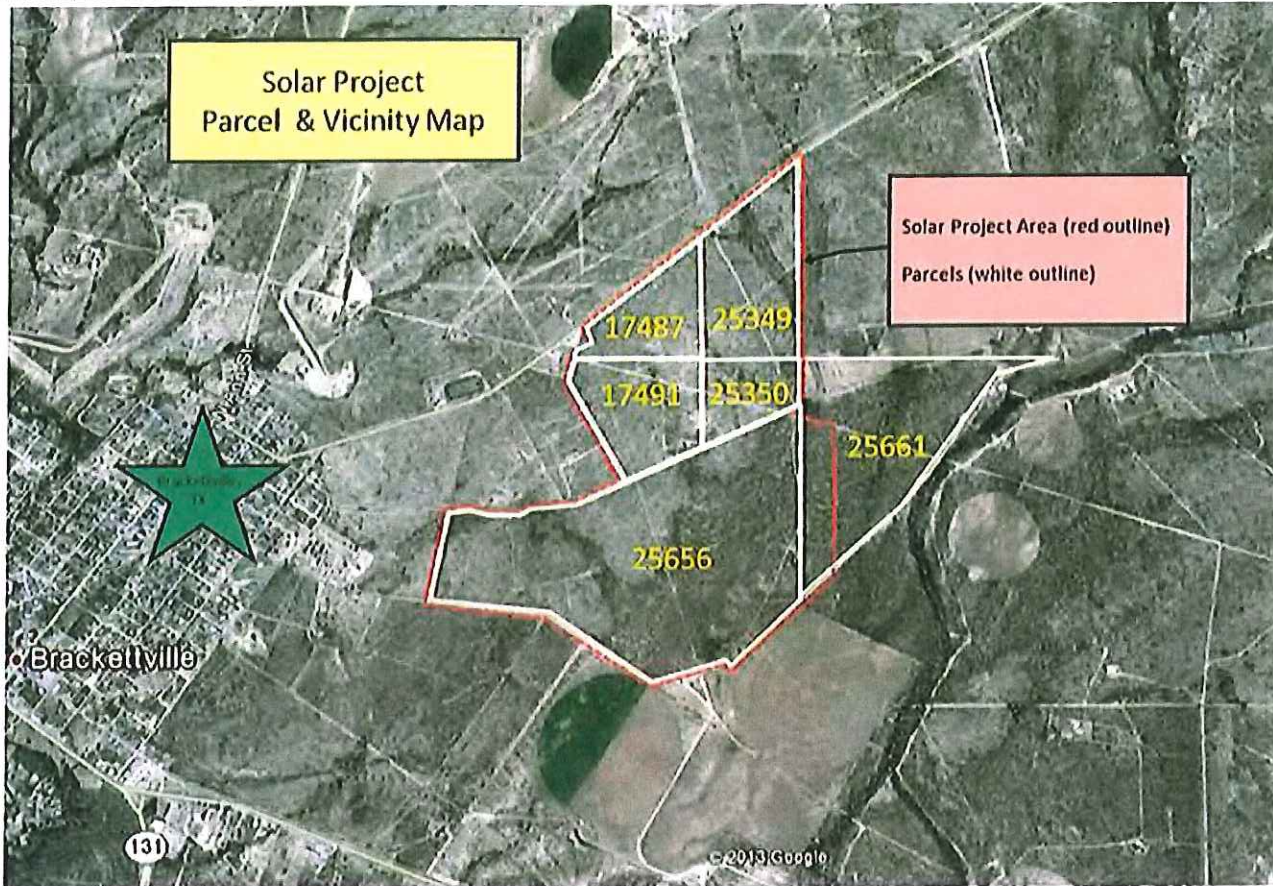
Registered Professional
Land Surveyor No. 2082

ATTACHMENT 11: Land Location & Vicinity Map

The solar project is located entirely within Brackett ISD and Kinney County as depicted on the map immediately below.



ATTACHMENT 11 (continued): Parcel Map. The reinvestment zone includes parcels 17487, 17491, 25350, 25349, 25656 and a portion of 25661.



Land Boundaries & Reinvestment Zone Boundaries (detailed legal desc in Att 23)

Beginning at the North point of the area designated as the reinvestment zone at a point on the southern right of way of Ranch to Market Highway 334 at bearings of Lat 29.3337 deg, Long -100.381 deg,

Thence: Directly South approximately 4395 feet along Eastern boundary of parcel 25349 to a point at Lat 29.3216, Long -100.3810,

Thence: S 65° W for a distance of approximately 309 feet to a point at Lat 29.3212 Long -100.3819,

Thence: S 74° E for a distance of approximately 1075 feet to a point at Lat 29.3204 Long -100.3788,

Thence: S 2°W for a distance of approximately 2250 feet to a point at Lat 29.3145 Long -100.3791

Thence: S 46.9° W for a distance of approximately 2276 feet to a point at Lat 29.310 Long -100.384,

Thence: N 33° W for a distance of approximately 164 feet to a point at Lat 29.311 Long -100.3846,

Thence: S 74.6° W for a distance of approximately 79 feet, Thence: S 1° E for a distance of approximately 33 feet,

Thence: S 73° W for a distance of approximately 1071 feet to a point at Lat 29.3096 Long -100.388,

Thence: N 52° W for a distance of approximately 1864 feet to a point at Lat 29.3124 Long -100.3929,

Thence: N 82.5° W for a distance of approximately 1839 feet to a point at Lat 29.313 Long -100.3987,

Thence: N 7.4° E for a distance of approximately 1388 feet to a point at Lat 29.316 Long -100.398,

Thence: N 84°E for a distance of approximately 348 feet, Thence: S 77°E for a distance of approximately 338 feet,

Thence: S 88.5°E for a distance of approximately 411 feet, Thence: N 64°E for a distance of approximately 218 feet,

Thence: N 83°E for a distance of approximately 218 feet to a point at Lat 29.3171 Long -100.392,

Thence: N 65°E for a distance of approximately 850 feet to a point at Lat 29.3182 Long -100.3896,

Thence: N 30°W for a distance of approximately 1977 feet to a point at Lat 29.3228 Long -100.3927,

Thence: N 13.5°E for a distance of approximately 340 feet to a point at Lat 29.3237 Long -100.3924,

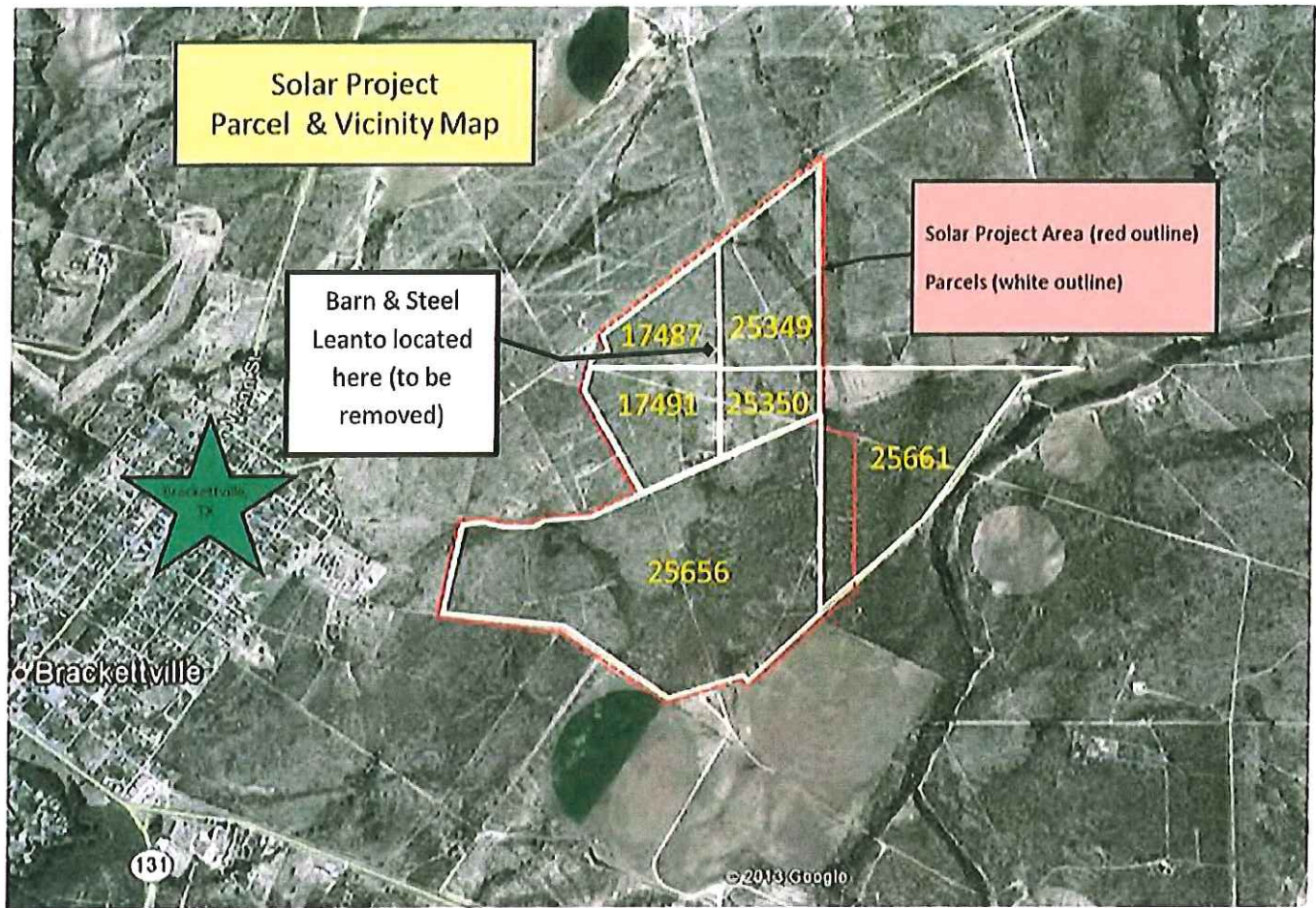
Thence: N 56.7°E for a distance of approximately 390 feet to a point at Lat 29.3243 Long -100.3915,

Thence: N 34°W for a distance of approximately 346 feet to a point at Lat 29.3251 Long -100.3920,

Thence: N 48°E for a distance of approximately 4725 feet to the starting point.

ATTACHMENT 12: Description of All Existing Improvements

The only improvements on any of the land associated with the project is a Barn & Steel Leanto on parcel 17487. This barn & steel leanto will be removed from the property prior to construction of the solar project. The Barn & Steel Leanto are valued at \$4504 on the most current tax records for Kinney County.



ATTACHMENT 13: Request for Waiver of Job Creation Requirement



Solar Prime

Robert Reichenberger
CEO
(808) 875-1167
robert@solar-prime.com

June 3, 2013

Mr. Taylor Stephenson
Superintendent
Brackett ISD
400 Ann Street
Brackettville, TX 78832

Re: Chapter 313 Job Waiver Request for Solar Project

Dear Mr. Stephenson:

This letter is to request a waiver of the requirement to create 10 full time jobs as part of the Appraised Value Limitation application for the Solar Prime LLC solar project immediately northeast of Brackettville, TX. 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 exceeds the industry standard for the number of employees reasonably necessary for the operation of the facility of the property owner submitting the application.

Solar Prime LLC requests that the Brackett ISD Board of Trustees make such a finding and waive the job creation requirement for ten (10) permanent jobs. According to industry data and based upon the size and scope of this project, Solar Prime expects to permanently employ one (1) highly skilled maintenance technician for this facility. Based upon our experience, this number of permanent employees is sufficient to maintain the facility during the expected 25 year operational phase.

Respectfully,

Robert Reichenberger
Solar Prime LLC

ATTACHMENT 14 – Calculation for Wage Requirements

Employment and Wage Calculations

All Industries Wages

Year	Quarter	County	Ownership	Industry	Avg. Weekly Wages
2012	1 st	Kinney	Private	All Industries	\$ 460
2012	2 nd	Kinney	Private	All Industries	\$ 485
2012	3 rd	Kinney	Private	All Industries	\$ 580
2012	4 th	Kinney	Private	All Industries	\$ 757
				(Avg.)	\$ 570.50
					110%
					<u>\$ 627.55</u>

County Manufacturing Wages

No Manufacturing Wage in Kinney County

Regional Manufacturing Wages

Middle Rio Grande Council of Governments Annual Wage

\$28,382

110%

\$31,220.20 110% of Regional Annual Wage

\$ 600.39 110% of Regional Weekly Wage

*Note: All data was taken from the Texas Workforce Commission TRACER database.

ATTACHMENT 15: Description of Benefits

Standard BENEFITS including Medical, Dental, 401K, and paid vacation will be provided to qualifying jobholders. At least 80% of the Health Insurance premium will be paid by the Company.

ATTACHMENT 16: Economic Impact

Economic impact study will be completed by the state.

Attachment 17:

Schedule A (Rev. May 2010): Investment

Applicant Name Solar Prime LLC		Form 50-296							
ISD Name Brackett ISD									
PROPERTY INVESTMENT AMOUNTS									
(Estimated investment in each year. Do not put cumulative totals.)									
	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	Column A: Tangible Personal Property Investment (original cost) placed in service during this year	Column B: Building or permanent nonmovable 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)	
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)		pre-filing.....	\$0	\$0	\$0	\$0	\$0	
	Investment made after filing complete application with district, but before final board approval of application (eligible to become qualified property)	filing-Oct 2013.....	\$0	\$0	\$0	\$350,000	\$350,000	
	Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period (qualified investment and eligible to become qualified property)	Oct 2013-Dec 2013	\$41,815,500	\$80,000	\$41,895,500	\$459,000	\$42,354,500	
	Complete tax years of qualifying time period	1	2014-15	2014	\$20,917,750	\$0	\$20,917,750	\$705,882	\$21,623,632
Tax Credit Period (with 50% cap on credit)	Value Limitation Period	2	2015-16	2015	\$0	\$0	\$0	\$705,882	\$705,882
		3	2016-17	2016	\$0	\$0	\$0	\$705,882	\$705,882
		4	2017-18	2017	\$0	\$0	\$0	\$705,882	\$705,882
		5	2018-19	2018	\$0	\$0	\$0	\$705,882	\$705,882
		6	2019-20	2019	\$0	\$0	\$0	\$705,882	\$705,882
		7	2020-21	2020	\$0	\$0	\$0	\$705,882	\$705,882
		8	2021-22	2021	\$0	\$0	\$0	\$705,882	\$705,882
		9	2022-23	2022	\$0	\$0	\$0	\$705,882	\$705,882
		10	2023-24	2023	\$0	\$0	\$0	\$705,882	\$705,882
		Credit Settle-Up Period	Continue to Maintain Viable Presence	11	2024-25	2024	\$0	\$0	\$0
12	2025-26			2025	\$0	\$0	\$0	\$705,882	\$705,882
13	2026-27			2026	\$0	\$0	\$0	\$705,882	\$705,882
14	2027-28			2027	\$0	\$0	\$0	\$705,882	\$705,882
Post-Settle-Up Period	Post-Settle-Up Period	15	2028-29	2028	\$0	\$0	\$0	\$705,882	\$705,882

Qualifying Time Period usually begins with the first board approval of the application and extends generally for the following two complete tax years. 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 fill in the tax year that the investment is made. Do not put cumulative totals.

Column B: The total dollar amount of planned investment each year in buildings or nonmovable components of buildings that is part of original agreement but scheduled for probable replacement during limitation period. For the years outside the qualifying time period, this number should simply represent the dollar value of other investment that may not be qualified investment but that may affect economic impact and total value of the facility. Dollar value of other investment that may not be qualified investment but that may affect economic impact and total value 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, invest 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

DATE

6/6/13

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

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 to replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not entered those amounts for future years.

6/6/13

DATE _____

Schedule C-Application: Employment Information

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

enter those amounts for future years.

Robert F. Schenck

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE _____

Schedule D: (Rev. May 2010): Other Tax Information

*For planning, construction and operation of the facility.

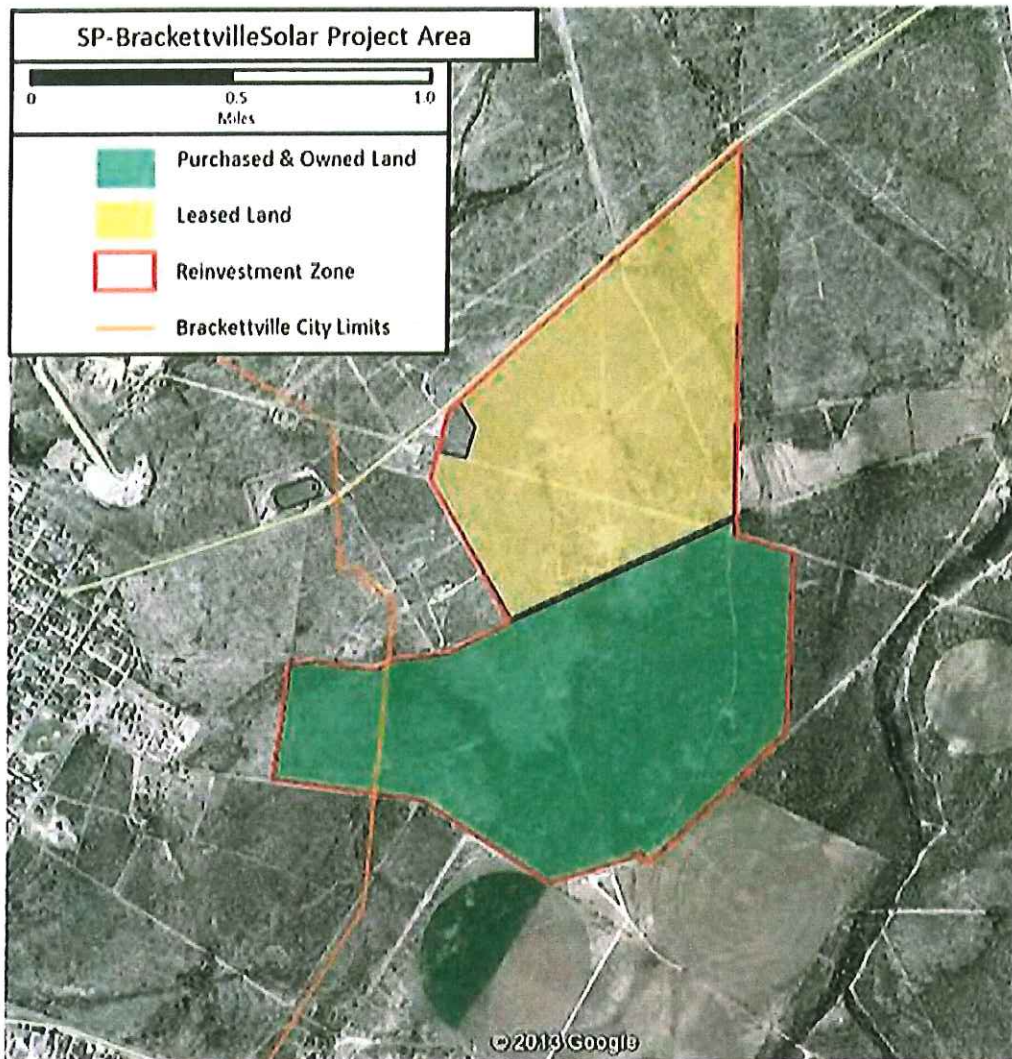
SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

6/6/13

ATTACHMENT 21: Map of Reinvestment Zone

The area comprising the reinvestment zone is outlined in RED below.

The re-investment zone is 100% within Brackett ISD, Kinney County Texas, and the Kinney County Groundwater Conservation District. The westernmost 40 acres of the area is located within the Brackettville city limits.



ATTACHMENT 22

Resolution Establishing Reinvestment Zone

To be inserted after Brackett ISD creates.

ATTACHMENT 23:

Legal description of reinvestment zone.

(Attachments 23.1 and 23.2 provide the legal description of the reinvestment zone)

KOCH & KOCH LAND SURVEYORS, INC.
P.O. BOX 246 707 FM 1796 D'HANIS, TEXAS 78850
Office: 830-363-7331 Fax: 830-363-7441
E-Mail: kochkoch@swtexas.net

350.000 ACRE TRACT

THE STATE OF TEXAS)

COUNTY OF KINNEY)

Field Notes of a perimeter/boundary survey of a 350.000 acre tract of
land, made for Energy Renewal Partners, LLC and
Rancho Rasante Real, L.L.C.

Said 350.000 acre tract of land lying and being situated in Kinney
County, Texas; about 1.8 miles N 80° E of (and partially in) the City
of Brackettville, the County Seat; and containing acreages in the
various original Surveys, as follows:

Sur. No.	Original Grantee	Block	Abst. No.	Acres
57	John Jones		828	23.174
90	I. & G.N. R.R. Co.	6	428	132.664
91	I. & G.N. R.R. Co.	6	430	21.538
437-1/2	P.I.M. & A. Co.		768	41.527
936-1/2	C. A. Windus		1621	<u>131.097</u>
Total Acres				350.000

Said 350.000 acre tract being in most part the west portion of a
2147.63 acre tract, as conveyed to Rancho Rasante Real, L.L.C.
(Rancho Rasante), by D.M.C. Partners, Ltd., by Warranty Deed dated
December 29, 2004, and recorded in Vol. A-150, Pages 345-350, of the
Official Public Records of said County. Said 350.000 acre tract
being bounded on the northeast and east by the remainder of said
Rancho Rasante 2147.63 acre tract; on the southeast and south, from
east to west, by the following: 1.) the Jerry L. House 1269.92 acre
tract, as recorded in Vol. 196, Pages 568-573, of the Official Public
Records of said County, 2.) the Maverick County Land & Cattle Co.,
L.L.C. (Maverick Co.) 474.42 acre tract, as recorded in Vol. 193,
Pages 392-397, of the Official Public Records of said County, 3.) the
Barbara Fritter Lomax 45.31 acre tract, as recorded in Vol. A-91,
Pages 606-608, of the Deed Records of said County, and 4.) the
Barbara Fritter Lomax Property, as recorded in Vol. 179, Pages 354-
357, of the Official Public Records of said County [no description of
record found]; on the west by the Ronnie D. Hobbs, et ux. 100 acre
tract, as recorded in Vol. A-126, Pages 466-471, of the Official
Public Records of said County; and on the north, from west to east,

Cont. Page 2 of 5, Rancho Rasante Real, L.L.C. -- 350.000 Acre Tract.

by the following: 1.) the Lewis R. Melton, et ux. 25.000 acre tract, as recorded in Vol. 161, Pages 314-319, of the Official Public Records of said County, 2.) the Steven R. LaMascus, et ux. 25.000 acre tract, as recorded in Vol. A-146, Pages 139-143, of the Official Public Records of said County, and 3.) the Joe B. Robinette, et ux. 282.265 acre tract (this date surveyed -- the major portion of a 133.042 acre tract [Vol. A-140, Pages 331-340, Official Public Records], and all of a 150.091 acre tract [Vol. 162, Pages 2-5, Official Public Records]). Said 350.000 acre tract containing 41.527 acres (in said Sur. No. 437-1/2) lying within the city limits of the City of Brackettville, and being more fully described by metes and bounds, as follows:

BEGINNING (in said Sur. No. 437-1/2) at a 1/2" Steel Pin found at a Steel "T" Post in fence, 1.3 ft. west of a 2-7/8" Steel Pipe 2-way high-fence corner post; in the east side of said Hobbs 100 acre tract; at the west terminal of a Boundary Line Agreement (Vol. A-139, Pages 262-282, Official Public Records); for the S.W. corner of said Melton 25.000 acre tract, the W.N.W. corner of said Rancho Rasante 2147.63 acre tract, and the N.W. corner of this tract; said 1/2" Steel Pin being distant 3033.50 ft. N 15° 40' 24" W of the westernmost South corner of said Sur. No. 936-1/2, the S.E. corner of said Sur. No. 437-1/2, the East corner of Sur. No. 283, Pedro Medino, in the northwest line of Sur. No. 237, George Weeks;

THENCE leaving the east side of said Hobbs 100 acre tract; and with fence (unless noted); with the south sides of said Melton 25.000 acre tract, said LaMascus 25.000 acre tract, and said Robinette 282.265 acre tract (until noted), respectively; with the meanders of said Boundary Line Agreement, until noted; along the lower north side of said Rancho Rasante 2147.63 acre tract (until noted), and the north and northeast sides of this tract, with the center of 2-7/8" Steel Pipe fence posts found at corners (unless noted), as follows:

N 84° 51' 32" E 397.21 ft.;

S 73° 20' 34" E 233.25 ft.;

S 89° 36' 39" E 489.81 ft.;

N 64° 40' 23" E, at 137.77 ft. cross the east line of said Sur. No. 437-1/2, the lower west line of said Sur. No. 936-1/2; same being an east boundary line of the Brackettville City Limits, and thence leaving said City; total 178.29 ft.;

N 82° 06' 52" E 524.72 ft. to a 5/8" Steel Pin found in fence, at the S.E. corner of said Melton 25.000 acre tract, the S.S.W. corner of said LaMascus 25.000 acre tract, for corner;

N 82° 06' 52" E 144.97 ft.;

N 65° 19' 29" E, at 686.22 ft. cross the northeast line of

Cont. Page 3 of 5, Rancho Rasante Real, L.L.C. -- 350.000 Acre Tract.

said Sur. No. 936-1/2, the southwest line of said Sur. No. 90; total 843.61 ft. to a 5/8" Steel Pin found at the S.E. corner of said LaMascus 25.000 acre tract, the S.W. corner of said Robinette 282.265 acre tract, for corner;

N 65° 19' 29" E, at 181.5 ft. pass under electric transmission lines bearing S 20° 15' 21" E across this described tract; total 333.62 ft.;

N 65° 48' 20" E 1004.41 ft. to a 5/8" Steel Pin found in fence, at the S.E. corner of said Robinette 133.042 acre tract, the S.W. corner of said Robinette 150.091 acre tract;

N 65° 48' 21" E 1356.86 ft. to a 5/8" Steel Pin set in fence, under a gate, under the center of a single-pole high-voltage electric transmission line, at the N.N.E./North corner of this tract, for corner; and

THENCE S 74° 43' 51" E, unfenced, leaving the south side of said Robinette 282.265 acre tract, the lower north side of said Rancho Rasante 2147.63 acre tract, and said Boundary Line Agreement; and entering said 2147.63 acre tract, with the center of said single-pole high-voltage electric transmission line; at 302.61 ft. cross the east line of said Sur. No. 90, the west line of said Sur. No. 91; total 652.30 ft. to a 5/8" Steel Pin set under said single-pole high-voltage electric transmission line; for the E.N.E. corner of this tract;

THENCE leaving said electric transmission line, and with the east side of this tract, S 00° 00' 04" W, unfenced, 2582.08 ft. to a 5/8" Steel Pin set in fence, in the northwest side of said House 1269.92 acre tract, a southeast side of said Rancho Rasante 2147.63 acre tract; for the E.S.E. corner of this tract;

THENCE with the northwest and north sides of said House 1269.92 acre tract, said Maverick Co. 474.42 acre tract, said Lomax 45.31 acre tract, and said Lomax Property, respectively; along the southeast and south sides of said Rancho Rasante 2147.63 acre tract, and the southeast and south sides of this tract; unfenced, along but not necessarily with existing fence (unless noted), as follows:

S 47° 44' 50" W, with fence, at 455.70 ft. re-cross said last-mentioned survey line; total 477.20 ft. to the center of a 2-7/8" Steel Pipe 2-way fence corner post, at the West/S.W. corner of said House 1269.92 acre tract, a North corner of said Maverick 474.42 acre tract, for corner;

S 47° 25' 49" W, at 689.35 ft. re-cross the southwest line of said Sur. No. 90, the northeast line of said Sur. No. 936-1/2; at 1253.94 ft. cross the easternmost southwest line of said Sur. No.

Cont. Page 4 of 5, Rancho Rasante Real, L.L.C. -- 350.000 Acre Tract.

936-1/2, the northeast line of said Sur. No. 57; total 1389.28 ft. to a 5/8" Steel Pin set 1.05 ft. S 39° 16' E of a 2-7/8" Steel Pipe 2-way high-fence corner post, for corner;

N 30° 56' 38" W, generally with fence, 170.50 ft. to a 5/8" Steel Pin found at a 2-7/8" Steel Pipe 2-way fence corner post, for corner;

S 74° 58' 00" W, with fence, 73.83 ft. to a 5/8" Steel Pin found at a 2-7/8" Steel Pipe 2-way fence corner post, for corner;

S 12° 32' 51" E, generally with fence, 43.12 ft. to a 5/8" Steel Pin found against the north side of a cattle panel fence, 1.7 ft. south of a 2-7/8" Steel Pipe 2-way fence corner post, for corner;

S 73° 16' 23" W, at 306.4 ft. re-pass under said electric transmission lines bearing S 20° 15' 21" E; total 1060.43 ft. to a 5/8" Steel Pin set 1.95 ft. S 20° 56' W of a 2-7/8" Steel Pipe 2-way high-fence corner post, for corner;

S 33° 03' 15" W 17.74 ft. to a 5/8" Steel Pin set 3.40 ft. S 02° 04' E of a 2-7/8" Steel Pipe 3-way high-fence corner post, in the southwest line of said Sur. No. 57, the northeast line of Sur. No. 237, George Weeks, for corner;

N 57° 36' 38" W, with said survey line (until noted), at 502.82 ft. pass the West corner of said Sur. No. 57, a South corner of said Sur. No. 936-1/2, and thence with the middle southwest line of said Sur. No. 936-1/2 (until noted); total 1214.68 ft. to a 1/2" Steel Pin found at an old 7" creosoted fence post, at the north terminal of a low fence, 3.85 ft. S 70° 03' W of a 2-7/8" Steel Pipe 3-way fence corner post; at the westernmost North corner of said Maverick Co. 474.42 acre tract, the East corner of said Lomax 45.31 acre tract, for corner;

N 57° 47' 41" W 677.03 ft. to a 1/2" Steel Pin found at an old 3-way cedar fence corner post, 13.65 ft. S 36° 14' E of a 2-7/8" Steel Pipe 2-way fence corner post; at the North corner of said Sur. No. 237, the westernmost south re-entrant corner of said Sur. No. 936-1/2; same being the North corner of said Lomax 45.31 acre tract, the N.E. corner of said Lomax Property, for corner; and

THENCE N 82° 36' 04" W, crossing the westernmost south tip of said Sur. No. 936-1/2; at 631.53 ft. re-cross the lower west line of said Sur. No. 936-1/2, the east line of said Sur. No. 437-1/2, same being said east boundary line of said Brackettville City Limits, and thence re-entering said City; total 1836.75 ft. to a 1/2" Steel Pin found in concrete, at a 2-3/8" Steel Pipe 2-way fence corner post, 4.06 ft. S 38° 21' W of a 2-7/8" Steel Pipe 2-way high-fence corner post; in the north side of said Lomax Property; at the S.E. corner of said Hobbs 100 acre tract; for the W.S.W. corner of said Rancho Rasante 2147.63 acre tract, and the W.S.W. corner of this tract;

Cont. Page 5 of 5, Rancho Rasante Real, L.L.C. -- 350.000 Acre Tract.

THENCE leaving the north side of said Lomax Property; and with the east side of said Hobbs 100 acre tract; along the westernmost and lower west side of said Rancho Rasante 2147.63 acre tract; and the westernmost west side of this tract, N 07° 28' 54" E, with low fence along the west side of a high fence, 1420.97 ft. to the place of BEGINNING:

NOTE: Bearings noted herein are true geodetic bearings based on Global Navigation Satellite System (GNSS) observations (WGS '84 Datum).

Surveyed: May 13 - 20, 2013.

Field Crew Personnel: Spencer J. Burrell
Michael J. Koch

THE STATE OF TEXAS)
COUNTY OF MEDINA)

I, Hilmar A. Koch, a Registered Professional Land Surveyor of the State of Texas, do hereby state that the foregoing Field Notes description and accompanying plat correctly represent an actual survey made under my supervision, on the ground, on the date given.



Hilmar A. Koch

Registered Professional
Land Surveyor No. 2082

KOCH & KOCH LAND SURVEYORS, INC.
P.O. BOX 246 707 FM 1796 D'HANIS, TEXAS 78850
Office: 830-363-7331 Fax: 830-363-7441
E-Mail: kochkoch@swtexas.net

FOR LEASE TO OCI ALAMO 4
282.265 ACRE TRACT

THE STATE OF TEXAS)
COUNTY OF KINNEY)

Field Notes of a perimeter/boundary survey of a 282.265 acre tract of
land, made for Energy Renewal Partners, LLC;
Joe B. Robinette; and Olivia J. Robinette.

Said 282.265 acre tract of land lying and being situated on and southeast of Ranch Road Hwy. No. 334, in Kinney County, Texas; about 1.8 miles N 80° E of the City of Brackettville, the County Seat; and containing 144.016 acres lying within Sur. No. 89, I. & G.N. R.R. Co., Original Grantee, Block 6, Abst. No. 427, and 138.249 acres lying within Sur. No. 90, I. & G.N. R.R. Co., Original Grantee, Block 6, Abst. No. 428. Said 282.265 acre tract being the major portion of a 133.042 acre tract, as conveyed to Joe Robinette, et ux., by Evans U-Bar Ranch, Ltd., by Special Warranty Deed dated January 17, 2003, and recorded in Vol. A-140, Pages 331-340, of the Official Public Records of said County, and all of a 150.091 acre tract, as conveyed to Joe B. Robinette, et ux., by Ramon Gutierrez, et ux., by Warranty Deed dated 2006 (no date), and recorded in Vol. A-162, Pages 2-5, of the Official Public Records of said County. Said 282.265 acre tract being bounded on the northwest by the southeast R.O.W. line of said Ranch Road Hwy. No. 334 (100.0 ft. wide R.O.W.); on the east by the Rancho Rasante Real, L.L.C. (Rancho Rasante) 2147.63 acre tract, as recorded in Vol. A-150, Pages 345-350, of the Official Public Records of said County; on the south, from east to west, by the said Rancho Rasante Real, L.L.C. 2147.63 acre tract, and a 350.000 acre tract (this date surveyed -- west portion of said Rancho Rasante 2147.63 acre tract); and on the west, from south to north, by the following: 1.) the Steven R. LaMascus, et ux. 25.000 acre tract, as recorded in Vol. A-146, Pages 139-143, of the Official Public Records of said County, 2.) the Central Power & Light Company (AEP) 1.874 acre tract, as recorded in Vol. A-68, Pages 482-485, of the Deed Records of said County, 3.) the Central Power & Light Company (AEP) 3 acre tract, as recorded in Vol. A-40, Pages 245-246, of the Deed Records of said County, and 4.) the Rio Grande Electric Cooperative, Inc. (Rio Grande Electric) 0.874 acre tract, as recorded in Vol. 200, Pages 539-542, of the Official Public Records of said County. Said 282.265 acre tract being more fully described by metes and bounds, as follows:

BEGINNING at the center of a 2-7/8" Steel Pipe 3-way fence

Cont. Page 2 of 4, Robinette -- 282.265 Acre Tract.

corner post, found in the southeast R.O.W. line of said Ranch Road Hwy. No. 334; in the east line of said Sur. No. 89, the west line of Sur. No. 92, I. & G.N. R.R. Co. Block 6; at the north terminal of a Boundary Line Agreement (Vol. A-139, Pages 262-282, Official Public Records); for the N.N.W. corner of said Rancho Rasante 2147.63 acre tract, the N.E. corner of said Robinette 150.091 acre tract, and the N.E. corner of this tract; said 2-7/8" Steel Pipe fence corner post being distant 3343.73 ft. N 00° 07' 42" E (generally with fence and said survey line) of the common corner of the following four original Surveys, viz: the S.E. corner of said Sur. No. 89, the S.W. corner of said Sur. No. 92, the N.W. corner of Sur. No. 91, and the N.E. corner of said Sur. No. 90, all of said I. & G.N. R.R. Co. Block 6;

THENCE leaving the southeast R.O.W. line of said Ranch Road Hwy. No. 334; and with fence and the meanders of said Boundary Line Agreement, until noted; with the west line of said Sur. No. 92, the east line of said Sur. No. 89 (until noted); along the upper west side of said Rancho Rasante 2147.63 acre tract, the east side of said Robinette 150.091 acre tract, and the east side of this tract, S 00° 06' 58" W 3253.73 ft. to the center of a 2-7/8" Steel Pipe fence post, for corner, and S 00° 34' 11" W, at 90.00 ft. pass the above-mentioned common survey corner; and thence with the west line of said Sur. No. 91, the east line of said Sur. No. 90; total 1158.81 ft. to the center of a 2-7/8" Steel Pipe 3-way fence corner post, at the northwest re-entrant corner of said Rancho Rasante 2147.63 acre tract; for the S.E. corner of said Robinette 150.091 acre tract, and the S.E. corner of this tract;

THENCE leaving said survey line; and with high fence; with the lower north side of said Rancho Rasante 2147.63 acre tract and the north side of said 350.000 acre tract; along the south side of this tract, as follows:

S 65° 48' 21" W, entering said Sur. No. 90, with the south side of said Robinette 150.091 acre tract; at 320.04 ft. pass a 5/8" Steel Pin set under a gate, under the center of a single-pole high-voltage electric transmission line (bearing N 74° 40' 12" W across this described tract), at the N.N.E./North corner of said 350.000 acre tract; total 1676.90 ft. to a 5/8" Steel Pin found in fence, at the S.W. corner of said Robinette 150.091 acre tract, the S.E. corner of said Robinette 133.042 acre tract;

S 65° 48' 20" W, now and continuing with the south side of said Robinette 133.042 acre tract, 1004.41 ft. to the center of a 2-7/8" Steel Pipe fence corner post, for corner; and

THENCE S 65° 19' 29" W, at 152.1 ft. pass under electric transmission lines bearing N 20° 16' 26" W into this described tract;

Cont. Page 3 of 4, Robinette -- 282.265 Acre Tract.

total 333.62 ft. to a 5/8" Steel Pin found at a 2-7/8" Steel Pipe 3-way fence corner post; in the lower north side of said Rancho Rasante 2147.63 acre tract, the north side of said 350.000 acre tract; at the S.E. corner of said LaMascus 25.000 acre tract; for the S.W. corner of said Robinette 133.042 acre tract, and the S.W. corner of this tract;

THENCE leaving the lower north side of said Rancho Rasante 2147.63 acre tract, the north side of said 350.000 acre tract, and said Boundary Line Agreement; and with fence (unless noted); with the east sides of said LaMascus 25.000 acre tract, said C.P. & L. (AEP) 1.874 acre tract, and said C.P. & L. (AEP) 3 acre tract, and the southeast and northeast sides of said Rio Grande Electric 0.874 acre tract, respectively; along the west side of said Robinette 133.042 acre tract (until noted), and the west side of this tract, as follows:

N 30° 14' 54" W 1973.17 ft. to a 1/2" Steel Pin found at a 3-way fence corner post, at a N.E. corner of said LaMascus 25.000 acre tract, the S.E. corner of said C.P. & L. (AEP) 1.874 acre tract, for corner;

N 15° 16' 32" E, leaving said 25.000 acre tract; at 336.1 ft. re-pass under said single-pole high-voltage electric transmission lines; at 424.56 ft. pass a 3-way fence corner, from which a temporary fence bears N 50° E into this described tract; total 431.56 ft. to a capped (ACES) 1/2" Steel Pin found in fence, in the east side of said C.P. & L. (AEP) 3 acre tract, at the South corner of said Rio Grande Electric 0.874 acre tract, for corner;

N 50° 03' 05" E, leaving fence, the east side of said C.P. & L. (AEP) 3 acre tract, and the west side of said Robinette 133.042 acre tract; and unfenced, along the northwest side of said temporary fence; passing under electric transmission lines bearing S 85° 43' 29" E into this described tract; at 289.81 ft. cross the north line of said Sur. No. 90, the south line of said Sur. No. 89; total 328.48 ft. to a capped (ACES) 1/2" Steel Pin found 7.86 ft. N 86° 27' W of the center of a 2-3/8" Steel Pipe 2-way fence corner post; at the East corner of said Rio Grande Electric 0.874 acre tract, for corner; and

THENCE N 38° 02' 20" W, unfenced, along the southwest side of said temporary fence, 231.92 ft. to a 1/2" Steel Pin found in fence; in the southeast R.O.W. line of said Ranch Road Hwy. No. 334; at the North corner of the Rio Grande Electric Cooperative, Inc. 0.886 acre tract (Vol. A-56, Pages 863-865, Deed Records); for the N.N.W. corner of said Robinette 133.042 acre tract, and the N.N.W. corner of this tract; said 1/2" Steel Pin being distant 1.84 ft. S 72° 46' W of the center of a 2-3/8" Steel Pipe fence post, at the north terminal of

Cont. Page 4 of 4, Robinette -- 282.265 Acre Tract.

said temporary fence; with said 1/2" Steel Pin also being distant 3.66 ft. N 48° 05' E of the center of a 3" chain-link fence post, at the east terminal of a chain-link fence, at the "record" North corner of said Rio Grande Electric 0.874 acre tract;

THENCE with the southeast R.O.W. line of said Ranch Road Hwy. No. 334, and the northwest side of this tract, along but not necessarily with fence, as follows:

N 48° 25' 38" E, with the northwest side of said Robinette 133.042 acre tract (until noted), 177.91 ft. to a mutilated concrete Hwy. R.O.W. marker, found 1.1 ft. south of said fence, for corner;

N 48° 15' 11" E 2301.78 ft. to a capped 1/2" Steel Pin found at a 2-7/8" Steel Pipe west "H-brace" fence post, at the N.E. corner of said Robinette 133.042 acre tract, the N.W. corner of said Robinette 150.091 acre tract, for corner; and

THENCE N 48° 39' 00" E, now with the northwest side of said Robinette 150.091 acre tract; at 312.1 ft. pass the center of a recessed pipe entrance to this described tract; total 2248.61 ft. to the place of BEGINNING:

NOTE: Bearings noted herein are true geodetic bearings based on Global Navigation Satellite System (GNSS) observations (WGS '84 Datum).

Surveyed: May 13 - 20, 2013.

Field Crew Personnel: Spencer J. Burrell
Michael J. Koch

THE STATE OF TEXAS)
COUNTY OF MEDINA)

I, Hilmar A. Koch, a Registered Professional Land Surveyor of the State of Texas, do hereby state that the foregoing Field Notes description and accompanying plat correctly represent an actual survey made under my supervision, on the ground, on the date given.



Hilmar A. Koch

Registered Professional
Land Surveyor No. 2082

ATTACHMENT 24: Guidelines & Criteria for Reinvestment Zone

To Be Provided after Application