



AUDIE SCIUMBATO
Licensed in Texas and New Mexico
Phone: 806.364.2626
Fax: 806.364.9368
www.uwlaw.com
Audie.Sciumbato@uwlaw.com

ADDRESS:
145 W. 3rd Street
Hereford, Texas
MAILING ADDRESS:
P.O. Box 1655
Hereford, TX 79045

September 27, 2013

John Villareal
Economic Development and Analysis Division
Texas Comptroller of Public Accounts
111 E. 17th St.
Austin, TX 78774

Via Email and Federal Express

Re: Ch. 313 Application #330 from Miami Wind I, LLC to Canadian ISD
Amendment No. 002 to Application

Dear John,

Enclosed please find amended and supplemental pages for the Chapter 313 Application submitted by Miami Wind I, LLC to Canadian ISD (the "Miami Wind Application"). Specifically, we are enclosing:

- Attachment 21 – revised Map of Hemphill Reinvestment Zone #1;
- Attachment 22 - Resolution Designating Hemphill Reinvestment Zone #1; and,
- Attachment 23 – revised Map of Hemphill Reinvestment Zone #1.

A CD containing these documents is also enclosed. This Amendment, dated September 27, 2013 and numbered 002, is the second Amendment to the Miami Wind Application. Please let me know if you require any additional information.

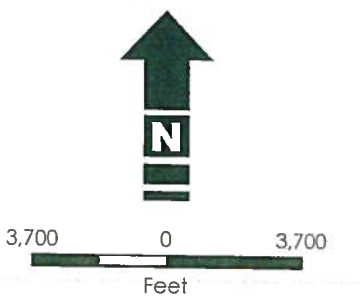
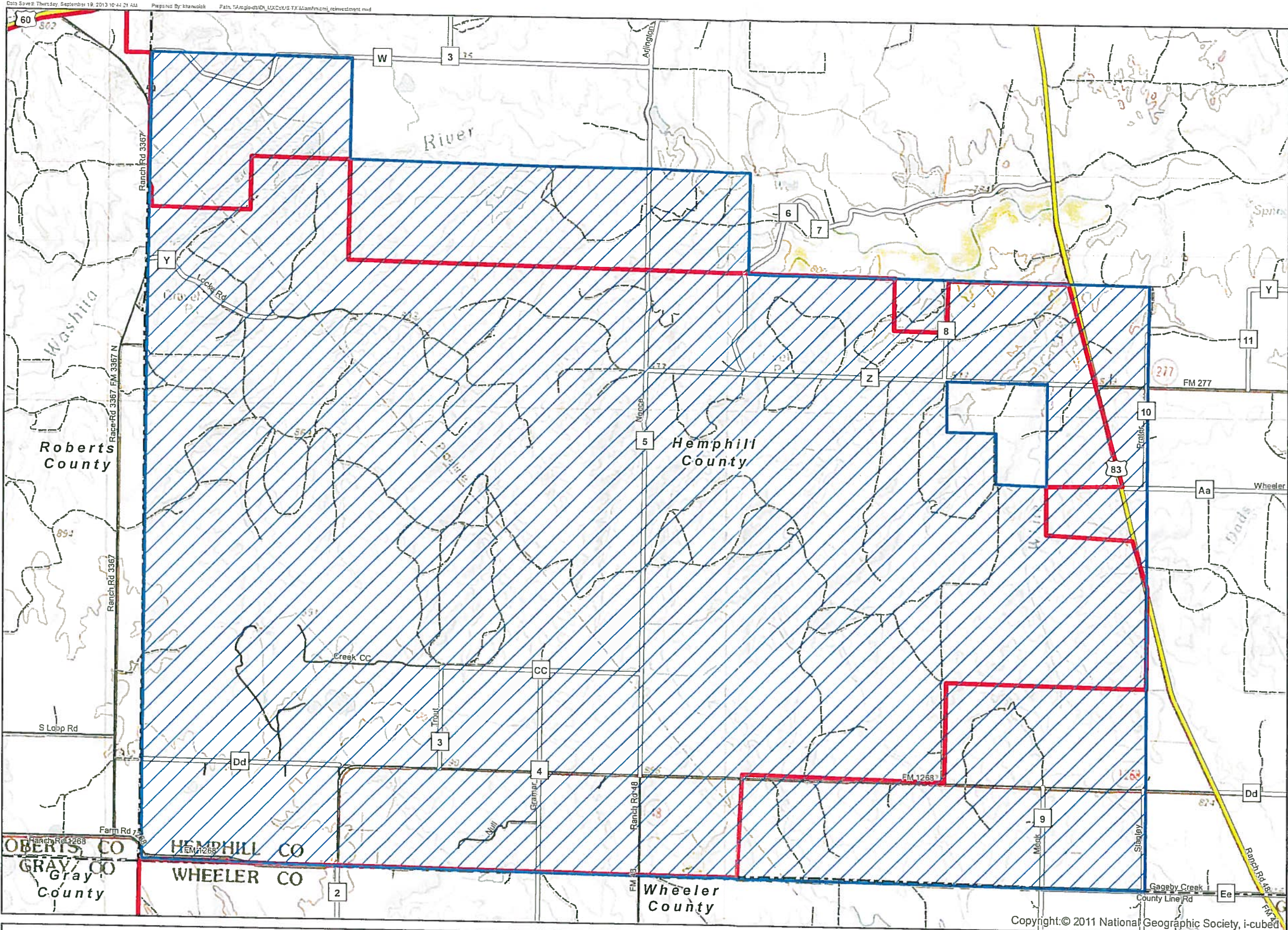
Thank you,

A handwritten signature in black ink, appearing to read "Audie Sciumbato", with a stylized flourish at the end.

Audie Sciumbato, PhD

AS/ph
GQUTHWFA0D1K25
Encl.
cc: Evan Horn, Ryan, LLC

via email Evan.Horn@ryan.com



- Legend**
- Reinvestment Zone
 - Project Boundary
 - County Boundary
 - Road Classification
 - US/State Route
 - Local Road
 - Dirt/Unpaved Road

Hemphill County Reinvestment Zone

Miami Wind Energy Project, Roberts-Hemphill-Gray County, Texas

Rev. 03
September 19, 2013

Invenergy
One South Wacker Drive Suite 1900
Chicago, Illinois 60606
(312) 224-1400

**RESOLUTION OF THE COMMISSIONERS COURT
OF HEMPHILL COUNTY, TEXAS
DESIGNATING HEMPHILL REINVESTMENT ZONE #1**

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

WHEREAS, the Commissioners Court of Hemphill County, Texas desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a reinvestment zone as authorized by the Property Redevelopment and Tax Abatement Act, as amended (Texas Property Tax Code § 312.001, *et seq.*), and the Guidelines and Criteria of the Commissioners Court of Hemphill County for Granting a Tax Abatement in Reinvestment Zone Created in Hemphill County, Texas (the “Guidelines”); and

WHEREAS, on September 9, 2013, a hearing before the Commissioners Court of Hemphill County, Texas was held, such date being at least seven (7) days after the date of publication of the notice of such public hearing in the local newspaper of general circulation in Hemphill County and the delivery of written notice to the respective presiding officers of each taxing entity that includes within its boundaries real property that is to be included in the proposed reinvestment zone; and

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

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

BE IT RESOLVED BY THE COMMISSIONERS COURT OF HEMPHILL COUNTY, TEXAS:

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

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

- (a) That the public hearing on adoption of the reinvestment zone has been properly called, held and conducted and that notice of such hearing has been published as required by law and mailed to the respective presiding officers of the governing

bodies of all taxing units overlapping the territory inside the proposed reinvestment zone; and

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

SECTION 3. That pursuant to the Property Redevelopment and Tax Abatement Act, as amended, and the Guidelines, Hemphill County Commissioner's Court hereby creates Hemphill Reinvestment Zone #1, a reinvestment zone for commercial-industrial tax abatement encompassing only the area described in Exhibit "A" and depicted in Exhibit "B", and such reinvestment zone is hereby designated and shall hereafter be referred to as Hemphill Reinvestment Zone #1.

SECTION 4. That Hemphill Reinvestment Zone #1 shall take effect on September 9, 2013, and shall remain designated as a commercial-industrial reinvestment zone for a period of five (5) years from such date of designation, and may be renewed for an additional five (5) year period thereafter.

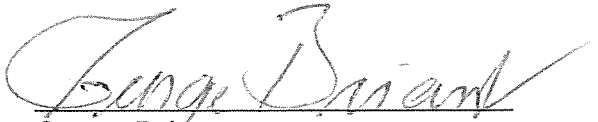
SECTION 5. That if any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

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

officer of any affected taxing entity as prescribed by the Property Redevelopment and Tax Abatement Act.

PASSED, APPROVED AND ADOPTED on this the 9th day of September, 2013.

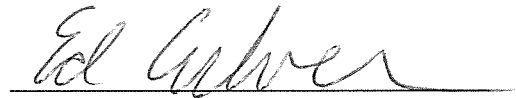
Hemphill County Commissioners Court



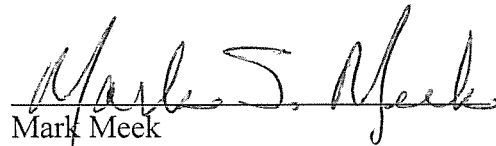
George Briant
Hemphill County Judge



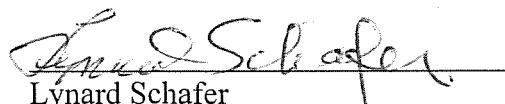
Coleman Bartlett
Precinct 1 Commissioner



Ed Culver
Precinct 2 Commissioner

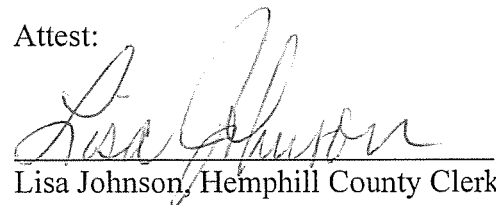


Mark Meek
Precinct 3 Commissioner



Lynard Schafer
Precinct 4 Commissioner

Attest:



Lisa Johnson, Hemphill County Clerk

EXHIBIT A
LEGAL DESCRIPTION OF
HEMPHILL REINVESTMENT ZONE #1

Hemphill Reinvestment Zone #1 is comprised of the following legal description. In the event of discrepancy between this Exhibit "A" and the attached map on Exhibit "B", Exhibit "B" shall control.

LEGAL DESCRIPTION: BEING ALL OF AND ANY PORTIONS OF THE FOLLOWING SECTIONS OF LAND LYING IN AND BEING SITUATED OUT OF HEMPHILL COUNTY, TEXAS AND CONTAINING APPROXIMATELY 43,700 ACRES OF LAND, MORE OR LESS; SAID SECTIONS OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

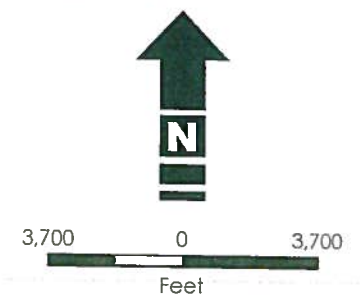
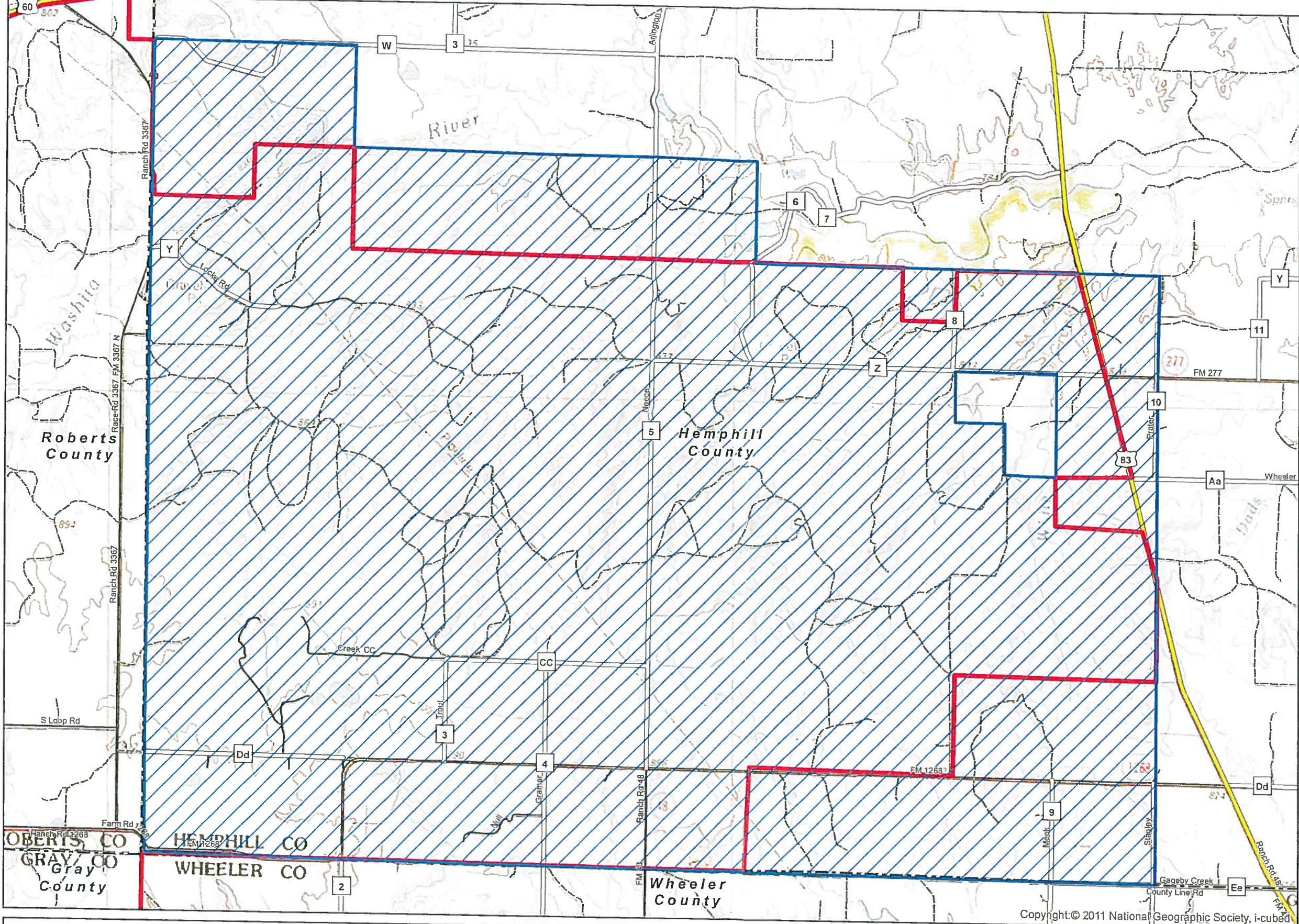
- Section 59, Block A-2, Abstract 115, H&GN RR Co. Survey
- Section 60, Block A-2, Abstract 941, H&GN RR Co. Survey
- Section 58, Block A-2, Abstract 940, H&GN RR Co. Survey
- Section 57, Block A-2, Abstract 114, H&GN RR Co. Survey
- Section 56, Block A-2, Abstract 939, H&GN RR Co. Survey
- Section 55, Block A-2, Abstract 113, H&GN RR Co. Survey
- Section 54, Block A-2, Abstract 836, H&GN RR Co. Survey
- Section 53, Block A-2, Abstract 112, H&GN RR Co. Survey
- Section 48, Block A-2, Abstract 1140, H&GN RR Co. Survey
- Section 47, Block A-2, Abstract 109, H&GN RR Co. Survey
- Section 46, Block A-2, Abstract 1332 & Abstract 1134, H&GN RR Co. Survey
- Section 45, Block A-2, Abstract 108, H&GN RR Co. Survey
- Section 44, Block A-2, Abstract 967, H&GN RR Co. Survey
- Section 43, Block A-2, Abstract 107, H&GN RR Co. Survey
- Section 42, Block A-2, Abstract 966, H&GN RR Co. Survey
- Section 41, Block A-2, Abstract 106, H&GN RR Co. Survey
- Section 40, Block A-2, Abstract 1123, H&GN RR Co. Survey
- Section 39, Block A-2, Abstract 105, H&GN RR Co. Survey
- Section 38, Block A-2, Abstract 1057, H&GN RR Co. Survey
- Section 37, Block A-2, Abstract 104, H&GN RR Co. Survey
- Section 36, Block A-2, Abstract 1124, H&GN RR Co. Survey
- Section 35, Block A-2, Abstract 103, H&GN RR Co. Survey
- Section 34, Block A-2, Abstract 1184, H&GN RR Co. Survey
- Section 33, Block A-2, Abstract 102, H&GN RR Co. Survey
- Section 32, Block A-2, Abstract 1135, H&GN RR Co. Survey
- Section 31, Block A-2, Abstract 101, H&GN RR Co. Survey

- SW/4 of Section 30, Block A-2, Abstract 1288, H&GN RR Co. Survey
- Section 29, Block A-2, Abstract 100, H&GN RR Co. Survey
- Section 235, Block C, Abstract 603, G&M&MB&A Survey
- Section 234, Block C, Abstract 622, G&M&MB&A Survey
- Section 233, Block C, Abstract 621, G&M&MB&A Survey
- Section 232, Block C, Abstract 620, G&M&MB&A Survey
- Section 231, Block C, Abstract 602, G&M&MB&A Survey
- Section 28, Block A-2, Abstract 1289 & Abstract 1178, H&GN RR Co. Survey
- Section 27, Block A-2, Abstract 99, H&GN RR Co. Survey
- Section 26, Block A-2, Abstract 1042, H&GN RR Co. Survey
- Section 25, Block A-2, Abstract 98, H&GN RR Co. Survey
- Section 24, Block A-2, Abstract 887, H&GN RR Co. Survey
- Section 23, Block A-2, Abstract 97, H&GN RR Co. Survey
- Section 22, Block A-2, Abstract 886, H&GN RR Co. Survey
- Section 21, Block A-2, Abstract 96, H&GN RR Co. Survey
- Section 20, Block A-2, Abstract 1114, H&GN RR Co. Survey
- Section 19, Block A-2, Abstract 95, H&GN RR Co. Survey
- Section 240, Block C, Abstract 608, G&M&MB&A Survey
- Section 239, Block C, Abstract 607, G&M&MB&A Survey
- Section 238, Block C, Abstract 606, G&M&MB&A Survey
- Section 237, Block C, Abstract 605, G&M&MB&A Survey
- Section 236, Block C, Abstract 604, G&M&MB&A Survey
- Section 69, Block M-1, Abstract 151, H&GN RR Co. Survey
- Section 76, Block M-1, Abstract 1132, H&GN RR Co. Survey
- Section 77, Block M-1, Abstract 153, H&GN RR Co. Survey
- Section 84, Block M-1, Abstract 1076A, H&GN RR Co. Survey
- Section 85, Block M-1, Abstract 15, H&GN RR Co. Survey
- Section 18, Block A-2, Abstract 1041, H&GN RR Co. Survey
- Section 17, Block A-2, Abstract 94, H&GN RR Co. Survey
- Section 16, Block A-2, Abstract 1272 & Abstract 885, H&GN RR Co. Survey
- Section 15, Block A-2, Abstract 93, H&GN RR Co. Survey
- Section 14, Block A-2, Abstract 1243, H&GN RR Co. Survey
- Section 13, Block A-2, Abstract 92, H&GN RR Co. Survey
- Section 12, Block A-2, Abstract 1299, Abstract 1356 & Abstract 1009, H&GN RR Co. Survey
- Section 11, Block A-2, Abstract 91, H&GN RR Co. Survey
- Section 10, Block A-2, Abstract 1115, Abstract 1274 & Abstract 1284, H&GN RR Co. Survey

- Section 9, Block A-2, Abstract 90, H&GN RR Co. Survey
- Section 86, Block M-1, Abstract 1077, H&GN RR Co. Survey
- Section 83, Block M-1, Abstract 154, H&GN RR Co. Survey
- Section 78, Block M-1, Abstract 901, H&GN RR Co. Survey
- Section 75, Block M-1, Abstract 152, H&GN RR Co. Survey
- Section 70, Block M-1, Abstract 902, H&GN RR Co. Survey

EXHIBIT "B"
MAP OF
HEMPHILL REINVESTMENT ZONE #1

(See attached map dated September 19, 2013)



- Legend**
- Reinvestment Zone
 - Project Boundary
 - County Boundary
 - Road Classification**
 - US/State Route
 - Local Road
 - Dirt/Unpaved Road

Hemphill County Reinvestment Zone

Miami Wind Energy Project, Roberts-Hemphill-Gray County, Texas

Rev. 03
September 19, 2013

Invenergy
One South Wacker Drive Suite 1900
Chicago, Illinois 60606
(312) 224-1400

EXHIBIT A
LEGAL DESCRIPTION OF
HEMPHILL REINVESTMENT ZONE #1

Hemphill Reinvestment Zone #1 is comprised of the following legal description. In the event of discrepancy between this Exhibit "A" and the attached map on Exhibit "B", Exhibit "B" shall control.

LEGAL DESCRIPTION: BEING ALL OF AND ANY PORTIONS OF THE FOLLOWING SECTIONS OF LAND LYING IN AND BEING SITUATED OUT OF HEMPHILL COUNTY, TEXAS AND CONTAINING APPROXIMATELY 43,700 ACRES OF LAND, MORE OR LESS; SAID SECTIONS OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- Section 59, Block A-2, Abstract 115, H&GN RR Co. Survey
- Section 60, Block A-2, Abstract 941, H&GN RR Co. Survey
- Section 58, Block A-2, Abstract 940, H&GN RR Co. Survey
- Section 57, Block A-2, Abstract 114, H&GN RR Co. Survey
- Section 56, Block A-2, Abstract 939, H&GN RR Co. Survey
- Section 55, Block A-2, Abstract 113, H&GN RR Co. Survey
- Section 54, Block A-2, Abstract 836, H&GN RR Co. Survey
- Section 53, Block A-2, Abstract 112, H&GN RR Co. Survey
- Section 48, Block A-2, Abstract 1140, H&GN RR Co. Survey
- Section 47, Block A-2, Abstract 109, H&GN RR Co. Survey
- Section 46, Block A-2, Abstract 1332 & Abstract 1134, H&GN RR Co. Survey
- Section 45, Block A-2, Abstract 108, H&GN RR Co. Survey
- Section 44, Block A-2, Abstract 967, H&GN RR Co. Survey
- Section 43, Block A-2, Abstract 107, H&GN RR Co. Survey
- Section 42, Block A-2, Abstract 966, H&GN RR Co. Survey
- Section 41, Block A-2, Abstract 106, H&GN RR Co. Survey
- Section 40, Block A-2, Abstract 1123, H&GN RR Co. Survey
- Section 39, Block A-2, Abstract 105, H&GN RR Co. Survey
- Section 38, Block A-2, Abstract 1057, H&GN RR Co. Survey
- Section 37, Block A-2, Abstract 104, H&GN RR Co. Survey
- Section 36, Block A-2, Abstract 1124, H&GN RR Co. Survey
- Section 35, Block A-2, Abstract 103, H&GN RR Co. Survey
- Section 34, Block A-2, Abstract 1184, H&GN RR Co. Survey
- Section 33, Block A-2, Abstract 102, H&GN RR Co. Survey
- Section 32, Block A-2, Abstract 1135, H&GN RR Co. Survey
- Section 31, Block A-2, Abstract 101, H&GN RR Co. Survey

- SW/4 of Section 30, Block A-2, Abstract 1288, H&GN RR Co. Survey
- Section 29, Block A-2, Abstract 100, H&GN RR Co. Survey
- Section 235, Block C, Abstract 603, G&M&MB&A Survey
- Section 234, Block C, Abstract 622, G&M&MB&A Survey
- Section 233, Block C, Abstract 621, G&M&MB&A Survey
- Section 232, Block C, Abstract 620, G&M&MB&A Survey
- Section 231, Block C, Abstract 602, G&M&MB&A Survey
- Section 28, Block A-2, Abstract 1289 & Abstract 1178, H&GN RR Co. Survey
- Section 27, Block A-2, Abstract 99, H&GN RR Co. Survey
- Section 26, Block A-2, Abstract 1042, H&GN RR Co. Survey
- Section 25, Block A-2, Abstract 98, H&GN RR Co. Survey
- Section 24, Block A-2, Abstract 887, H&GN RR Co. Survey
- Section 23, Block A-2, Abstract 97, H&GN RR Co. Survey
- Section 22, Block A-2, Abstract 886, H&GN RR Co. Survey
- Section 21, Block A-2, Abstract 96, H&GN RR Co. Survey
- Section 20, Block A-2, Abstract 1114, H&GN RR Co. Survey
- Section 19, Block A-2, Abstract 95, H&GN RR Co. Survey
- Section 240, Block C, Abstract 608, G&M&MB&A Survey
- Section 239, Block C, Abstract 607, G&M&MB&A Survey
- Section 238, Block C, Abstract 606, G&M&MB&A Survey
- Section 237, Block C, Abstract 605, G&M&MB&A Survey
- Section 236, Block C, Abstract 604, G&M&MB&A Survey
- Section 69, Block M-1, Abstract 151, H&GN RR Co. Survey
- Section 76, Block M-1, Abstract 1132, H&GN RR Co. Survey
- Section 77, Block M-1, Abstract 153, H&GN RR Co. Survey
- Section 84, Block M-1, Abstract 1076A, H&GN RR Co. Survey
- Section 85, Block M-1, Abstract 15, H&GN RR Co. Survey
- Section 18, Block A-2, Abstract 1041, H&GN RR Co. Survey
- Section 17, Block A-2, Abstract 94, H&GN RR Co. Survey
- Section 16, Block A-2, Abstract 1272 & Abstract 885, H&GN RR Co. Survey
- Section 15, Block A-2, Abstract 93, H&GN RR Co. Survey
- Section 14, Block A-2, Abstract 1243, H&GN RR Co. Survey
- Section 13, Block A-2, Abstract 92, H&GN RR Co. Survey
- Section 12, Block A-2, Abstract 1299, Abstract 1356 & Abstract 1009, H&GN RR Co. Survey
- Section 11, Block A-2, Abstract 91, H&GN RR Co. Survey
- Section 10, Block A-2, Abstract 1115, Abstract 1274 & Abstract 1284, H&GN RR Co. Survey

- Section 9, Block A-2, Abstract 90, H&GN RR Co. Survey
- Section 86, Block M-1, Abstract 1077, H&GN RR Co. Survey
- Section 83, Block M-1, Abstract 154, H&GN RR Co. Survey
- Section 78, Block M-1, Abstract 901, H&GN RR Co. Survey
- Section 75, Block M-1, Abstract 152, H&GN RR Co. Survey
- Section 70, Block M-1, Abstract 902, H&GN RR Co. Survey