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TEXAS BOARD OF LEGAL SPECIALIZATION

JUSTIN DEMERATH

November 20, 2013

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

RE: Application to the Corpus Christi Independent School District from voestalpine
Texas LLC

(First Qualifying Year 2015)

To the Local Government Assistance & Economic Analysis Division:

By copy of this letter transmitting the application for review to the Comptroller's Office, the Corpus Christi Independent School District is notifying voestalpine Texas LLC of its intent to consider the application for appraised value limitation on qualified property. The Applicant submitted an Application to the school district on November 11, 2013. The Board voted to accept the application on November 11, 2013. The application has been determined complete as of November 20, 2013. Please prepare the economic impact report.

Please note, there are no existing improvements related to this project. 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.

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.

Letter to Local Government Assistance & Economic Analysis Division

November 20, 2013

Page 2 of 2

In accordance with 34 Tex. Admin Code §9.1054, a copy of the application will be submitted to the Nueces County Appraisal District.

A hard copy and an electronic copy of the application will be hand delivered to your office today. Please feel free to contact me with questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin O'Hanlon". The signature is stylized with several loops and a long horizontal stroke at the end.

Kevin O'Hanlon
School District Consultant

Cc: Nueces County Appraisal District

voestalpine Texas LLC



Application for Appraised Value Limitation on Qualified Property

(Tax Code, Chapter 313, Subchapter B or C)

Form 50-296
(Revised July 2013)

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 website. 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 website to find out more about the program at www.texasahead.org/tax_programs/chapter313/. 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 11-11-13
First Name Dr. D. Scott	Last Name Elliff	
Title Superintendent		
School District Name Corpus Christi ISD		
Street Address 801 Leopard Street		
Mailing Address 801 Leopard Street		
City Corpus Christi	State TX	ZIP 78403-0110
Phone Number 361-695-7405	Fax Number 361-886-9109	
Mobile Number (optional)	Email Address scott.elliff@ccisd.org	

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

Will consultant be primary contact? Yes No



SCHOOL DISTRICT INFORMATION – CERTIFICATION OF APPLICATION (CONTINUED)

Authorized School District Consultant (If Applicable)

First Name Philip D.	Last Name Fraissinet	
Title Partner		
Firm Name Thompson & Horton LLP		
Street Address 3200 Southwest Freeway, Suite 2000		
Mailing Address 3200 Southwest Freeway, Suite 2000		
City Houston	State TX	ZIP 77027
Phone Number 713-554-6743	Fax Number 713-583-9668	
Mobile Number (Optional)	Email Address pfraissinet@thompsonhorton.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 11-18-13
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Has the district determined this application complete? Yes No

If yes, date determined complete. 11-18-13

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 Erich		Last Name Pizzera	
Title Chief Technical Officer			
Organization voestalpine Texas LLC			
Street Address 800 N. Shoreline Drive, Suite 1600 South Tower			
Mailing Address 800 N. Shoreline Drive, Suite 1600 South Tower			
City Corpus Christi		State TX	ZIP 78401
Phone Number (361) 452-0746		Fax Number (361) 452-0840	
Mobile Number (optional)		Business Email Address Erich.Pizzera@voestalpine.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 Gottfried		Last Name Simhofer	
Title Treasurer			
Organization voestalpine Texas LLC			
Street Address 800 N. Shoreline Drive, Suite 1600 South Tower			
Mailing Address 800 N. Shoreline Drive, Suite 1600 South Tower			
City Corpus Christi		State TX	ZIP 78401
Phone Number (361) 452-0746		Fax Number (361) 452-0840	
Mobile Number (optional)		Email Address Gottfried.Simhofer@voestalpine.com	

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

Will consultant be primary contact? Yes No

Mr. Pizzera and Mr. Simhofer are both Authorized Business Representatives of voestalpine Texas, LLC per internal policy of the company.



APPLICANT INFORMATION – CERTIFICATION OF APPLICATION (CONTINUED)

Authorized Company Consultant (If Applicable)

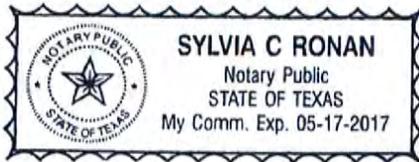
First Name D. Dale	Last Name Cummings	
Title Partner		
Firm Name Cummings Westlake LLC		
Street Address 12837 Louetta Road, Suite 201		
Mailing Address 12837 Louetta Road, Suite 201		
City Cypress	State TX	ZIP 77429
Phone Number 713-266-4456	Fax Number 713-266-2333	
Business Email Address dcummings@cwlp.net		

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)) <i>E. Pizzera</i> E. PIZZERA (CTO)	<i>[Signature]</i> G. SIMHOFFER (HEAD OF FINANCE)	Date 7th Nov. 2013
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GIVEN under my hand and seal of office this 7th day of November, 2013



(Notary Seal)

[Signature]
Notary Public, State of TEXAS

My commission expires 5/17/2017

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 voestalpine Texas LLC	
Texas Taxpayer I.D. Number of Entity Subject to Tax Code, Chapter 171 (11 digits) 32050641839	
NAICS Code 331110	
Is the applicant a party to any other Chapter 313 agreements? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, please list name of school district and year of agreement. Chapter 313 application is pending with Gregory-Portland ISD but has not been executed as of November 11, 2013	

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.)



ELIGIBILITY UNDER TAX CODE CHAPTER 313.024

Are you an entity to which Tax Code, Chapter 171 applies? [X] 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 [X] Yes [] No
(2) research and development [] Yes [X] No
(3) a clean coal project... [] Yes [X] No
(4) an advanced clean energy project... [] Yes [X] No
(5) renewable energy electric generation [] Yes [X] No
(6) electric power generation using integrated gasification combined cycle technology [] Yes [X] No
(7) nuclear electric power generation [] Yes [X] 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 [X] No

Are you requesting that any of the land be classified as qualified investment? [] Yes [X] No

Will any of the proposed qualified investment be leased under a capitalized lease? [] Yes [X] No

Will any of the proposed qualified investment be leased under an operating lease? [] Yes [X] No

Are you including property that is owned by a person other than the applicant? [] Yes [X] 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 [X] No

PROJECT DESCRIPTION

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)

See Attachment 4

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

See Attachment 4A

PROJECT CHARACTERISTICS (CHECK ALL THAT APPLY)

- [X] New Jobs [X] Construct New Facility [X] New Business / Start-up [] Expand Existing Facility
[] Relocation from Out-of-State [] Expansion [X] Purchase Machinery & Equipment
[] Consolidation [] Relocation within Texas

PROJECTED TIMELINE

Begin Construction Q1 to Q2 2014 Begin Hiring New Employees 2015 - 2016

Construction Complete Q1 2016 Fully Operational Q1 to Q2 2016

Purchase Machinery & Equipment 2014 - 2016

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)? [X] 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? Q1 to Q2 2016

ECONOMIC INCENTIVES

Identify state programs the project will apply for:

State Source	Amount
Not applicable	
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.)

Chapter 380 agreement has been signed with the City of Corpus Christi. Please see Schedule D.

THE PROPERTY

Identify county or counties in which the proposed project will be located Nueces* * See Attachment 5

Central Appraisal District (CAD) that will be responsible for appraising the property Nueces

Will 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: Nueces (100%) City: City of Corpus Christi (100%)
(Name and percent of project) (Name and percent of project)

Hospital District: Nueces County Hospital (100%) Water District: n/a
(Name and percent of project) (Name and percent of project)

Other (describe): Del Mar Junior College (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.

This application is for the dock facilities that are integral to, and used in connection with, the operation of the new voestalpine DRI plant. The dock facilities are in Corpus Christi ISD and are the subject of this application.

A separate Application for Appraised Value Limitation on Qualified Property has been filed with Gregory-Portland ISD. The application submitted to GPISD contains the investment and estimated market value of the main voestalpine DRI plant facilities and are not included in this application.

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 website at www.texasahead.org/tax_programs/chapter313/.

At the time of application, what is the estimated minimum qualified investment required for this school district? \$30,000,000

What is the amount of appraised value limitation for which you are applying? \$30,000,000

What is your total estimated *qualified* investment? \$66,000,000

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? April 15, 2014

What is the anticipated date of the beginning of the qualifying time period? April 15, 2014

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? \$66,000,000

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? N/A

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

Will the project be on leased land? Yes No

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. \$0 (See Attachment 12) 2013
(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)? None

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.

Not applicable

Total number of new jobs that will have been created when fully operational 10

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).**

What is the maximum number of qualifying jobs meeting all criteria of §313.021(3) you are committing to create? 8 by year end 2016

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 www.texasahead.org/tax_programs/chapter313/)

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 website. 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).

110% of the county average weekly wage for all jobs (all industries) in the county is	\$915
110% of the county average weekly wage for manufacturing jobs in the county is	\$1,473
110% of the county average weekly wage for manufacturing jobs in the region is	\$1,011

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?

\$52,565

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?

\$52,565

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.)

See Attachment 15

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.

All 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.

Schedule A: Investment (Revised January 2010)

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 The amount of new investment (original cost) placed in service during this year	Column B: Building or Permanent Nonremovable 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)					X		
	Investment made after filing complete application with district, but before final board approval of application (eligible to become qualified property)							
	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)							
Complete tax years of qualifying time period	1			SEE ATTACHMENT 17				
	2							
Tax Credit Period (with 50% cap on credit)	Value Limitation Period	3				X		
		4						
		5						
		6						
		7						
		8						
		9						
Credit Settle-Up Period	Continue to Maintain Viable Presence	10						
		11						
		12						
Post- Settle-up Period		13						
Post- Settle-up Period		14						
Post- Settle-up Period		15						

Qualifying Time Period usually begins with the final board approval of the application and extends generally for the following two complete tax years.

Column A: 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 list amount invested each year, not cumulative totals.

[For the years outside the qualifying time period, this number should simply represent the planned investment in tangible personal property].

Include estimates of investment for "replacement" property-property that is part of original agreement but scheduled for probable replacement during limitation period.

Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings that the applicant considers qualified investment under Tax Code §313.021(1)(E).

For the years outside the qualifying time period, this number should simply represent the planned investment in new buildings or nonremovable components of buildings.

Column D: Dollar value of other investment that may not be qualified investment but that may affect economic impact and total value – for planning, construction and operation of the facility.

The most significant example for many projects would be land. Other examples may be items such as professional services, etc.

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, insert 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



Schedule B: Estimated Market and Taxable Value (Revised January 2010)

Applicant Name _____

ISD Name _____

		Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Qualified Property			Reductions From Market Value	Estimated Taxable Value	
					Estimated Market Value of Land	Estimated Total Market Value of new buildings or other new improvements	Estimated Total Market Value of tangible personal property in the new building or "in or on the new improvement"	Exempted Value	Final taxable value for I&S - after all reductions	Final taxable value for M&O - after all reductions
		pre- year 1								
	Complete tax years of qualifying time period	1								
		2								
		3								
Tax Credit Period (with 50% cap on credit)	Value Limitation Period	4								
		5	SEE ATTACHMENT 18							
		6								
		7								
		8								
		9								
		10								
		11								
Credit Settle-Up period	Continue to Maintain Viable Presence	12								
		13								
Post- Settle-Up Period		14								
Post- Settle-Up Period		15								

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 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 _____

Schedule C: Application: Employment Information

Applicant Name _____

ISD Name _____

		Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Construction		New Jobs	Qualifying Jobs	
					Column A: Number of Construction FTE's or man- hours (specify)	Column B: Average annual wage rates for construction workers	Column C: Number of new jobs applicant commits to create (cumulative)	Column D: Average annual wage rate for all new jobs.	Column E: Number of quali- fying jobs appli- cant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)
		pre- year 1							
	Complete tax years of qualify- ing time period	1							
		2							
Tax Credit Period (with 50% cap on credit)	Value Limitation Period	3							
		4							
		5				SEE ATTACHMENT 19			
		6							
		7							
		8							
		9							
		10							
Credit Settle-Up period	Continue to Maintain Viable Presence	11							
		12							
		13							
Post- Settle-Up Period		14							
Post- Settle-Up Period		15							

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

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 _____



Schedule D: Other Tax Information (Revised January 2010)

Applicant Name _____

ISD Name _____

					Sales Tax Information		Franchise Tax	Other Property Tax Abatements Sought					
					Sales Taxable Expenditures		Franchise Tax	County	City	Hospital	Other		
		Year	School Year (YYYY)	Tax/Calendar Year (YYYY)	Column F: Estimate of total annual expenditures* subject to state sales tax	Column G: Estimate of total annual expenditures* made in Texas NOT subject to sales tax	Column H: Estimate of Franchise tax due from (or attributable to) the applicant	Fill in percentage exemption requested or granted in each year of the agreement	Fill in percentage exemption requested or granted in each year of the agreement	Fill in percentage exemption requested or granted in each year of the agreement	Fill in percentage exemption requested or granted in each year of the agreement		
The year preceding the first complete tax year of the qualifying time period (assuming no deferrals)													
		Complete tax years of qualifying time period	1										
			2										
Tax Credit Period (with 50% cap on credit)	Value Limitation Period	3											
		4											
		5											
		6											
		7											
		8											
		9											
		10											
		Credit Settle-Up period	Continue to Maintain Viable Presence	11									
				12									
13													
Post- Settle-Up Period		14											
Post- Settle-Up Period		15											

SEE ATTACHMENT 20

* For planning, construction and operation of the facility.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE _____

DATE _____

ATTACHMENT 1

See application

ATTACHMENT 2

Copy of wire transfer confirmation attached.

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

voestalpine Texas, LLC is not part of a combined group membership.

ATTACHMENT 4

voestalpine Texas LLC plans to construct marine dock facilities within Corpus Christi ISD that are an integral part of, and used in connection with, the adjacent direct reduced iron ("DRI") manufacturing plant that is planned to be constructed in Gregory-Portland ISD. The shoreline of Corpus Christi Bay is the boundary line between Corpus Christi ISD and Gregory-Portland ISD.

A separate Application for Appraised Value Limitation on Qualified Property has been filed with Gregory-Portland ISD. The application submitted to GPISD contains the investment and estimated market value of the DRI plant facility, which will produce hot briquetted iron ("HBI") with an estimated annual production of 2,000,000 metric tons, and are not included in this application.

Handling the in-bound and out-bound materials requires the construction of two marine docks. These docks are approximately 1,000 feet long and 200 feet wide and will be connected to the manufacturing plant by conveyors to move raw materials and finished goods. The high-performance docks will also include unloading cranes, ship loaders, and auxiliary support equipment necessary for dock functionality. The equipment is designed to handle 3.0 million metric tons of iron ore pellets and 2.0 million tonnes of HBI annually. The dock improvements cover an area of approximately 10.8 acres out of the 475.52 acre reinvestment zone. The anticipated location of the dock facilities is shown in Attachment 7.

ATTACHMENT 4A

The voestalpine Group is a steelmaking, processing, and technology group that operates worldwide and manufactures, processes, and develops high-quality steel products. With 500 production and sales companies in more than 50 countries on five continents, the Group has been listed on the Vienna Stock Exchange since 1995. With its top-quality flat steel products, the Group is one of the leading partners to the automotive and domestic-appliance industries in Europe and to the oil and gas industries worldwide. The voestalpine Group is also the world market leader in railway switch technology, special rails, tool steel, and special sections. It staffs roughly 46,500 employees worldwide.

u

8

As the project is an integral part of, and used in connection with, the adjacent direct reduced iron plant the final decision to locate the project within Corpus Christi is entirely dependent upon the ultimate site chose for the DRI plant. The taxing incentives that the company is able to negotiate in all taxing jurisdictions are significant motivating factors in the company's final site selection.

ATTACHMENT 5

The Project, for purposes of this application, is located in the following taxing jurisdictions:

- Nueces County (100%)
- Corpus Christi ISD (100%)
- Nueces County Hospital District (100%)
- Del Mar Junior College (100%)
- City of Corpus Christi (100%)

There is a boundary dispute between Nueces County and San Patricio County regarding the county boundary line in the area of the property leased by the company. This dispute is currently being litigated and no judicial resolution has been reached. The applicant is not a party to this litigation.

ATTACHMENT 6

voestalpine Texas LLC plans to construct marine dock facilities within Corpus Christi ISD that are an integral part of, and used in connection with, the adjacent direct reduced iron ("DRI") manufacturing plant that is planned to be constructed in Gregory-Portland ISD. The shoreline of Corpus Christi Bay is the boundary line between Corpus Christi ISD and Gregory-Portland ISD.

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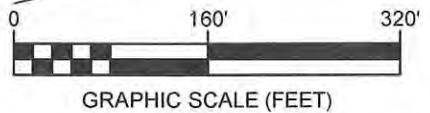
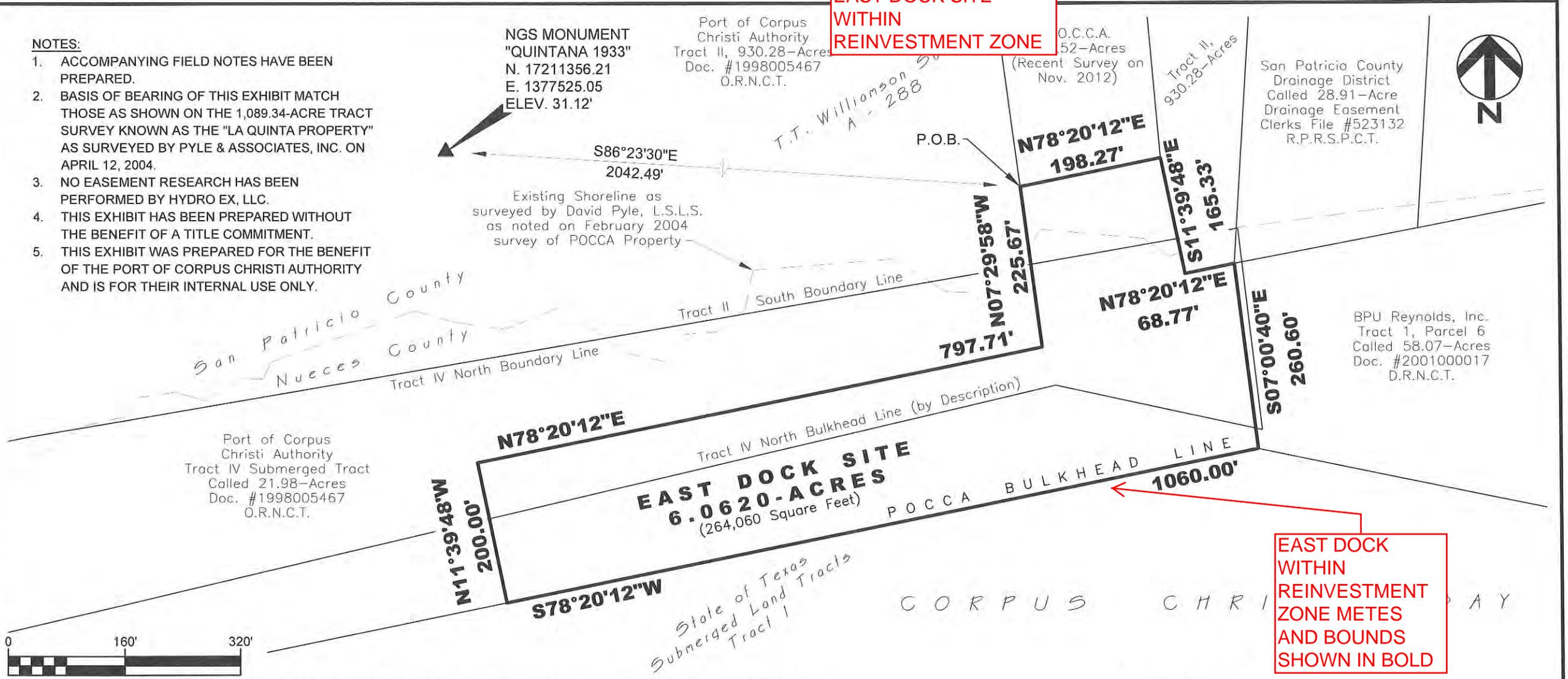
ATTACHMENT 7

Please see attached maps. The survey map shown is for the property in CCISD and is the subject of this application. These are docks and cranes adjacent to the main plant facility.

NOTES:

1. ACCOMPANYING FIELD NOTES HAVE BEEN PREPARED.
2. BASIS OF BEARING OF THIS EXHIBIT MATCH THOSE AS SHOWN ON THE 1,089.34-ACRE TRACT SURVEY KNOWN AS THE "LA QUINTA PROPERTY" AS SURVEYED BY PYLE & ASSOCIATES, INC. ON APRIL 12, 2004.
3. NO EASEMENT RESEARCH HAS BEEN PERFORMED BY HYDRO EX, LLC.
4. THIS EXHIBIT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
5. THIS EXHIBIT WAS PREPARED FOR THE BENEFIT OF THE PORT OF CORPUS CHRISTI AUTHORITY AND IS FOR THEIR INTERNAL USE ONLY.

**EAST DOCK SITE
WITHIN
REINVESTMENT ZONE**

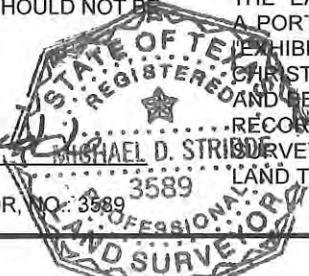


TBPLS REG. NO. 10193804
 802 N. Navigation Blvd., Suite 102
 Corpus Christi, TX 78408
 P: (361)452-1375 F: (361)452-1376
 Survey Date:
 Exhibit Prepared: February 11, 2013
 HX Job No: H13-0103
 © COPYRIGHT 2013 ALL RIGHTS RESERVED
 SHEET 1 OF 2

THIS EXHIBIT WAS PREPARED FOR THE PORT OF CORPUS CHRISTI AUTHORITY AND IS INTENDED TO GRAPHICALLY SHOW THE PROPOSED EAST DOCK SITE WITHIN THE UPLAND AND SUBMERGED LAND TRACT DESCRIBED IN DOCUMENT #1998005467, OFFICIAL RECORDS, NUECES COUNTY, TEXAS AND THE STATE OF TEXAS SUBMERGED LAND TRACTS, TRACT 1, IN NUECES COUNTY, TEXAS. THIS EXHIBIT WAS PREPARED FROM INFORMATION OF RECORD PROVIDED BY THE PORT OF CORPUS CHRISTI AUTHORITY AND DOES NOT REPRESENT A SURVEY MADE ON THE GROUND. THIS EXHIBIT SHOULD NOT BE USED IN THE CONVEYANCE OF PROPERTY.

2-11-13
 DATE:

Michael D. Stridde
 MICHAEL D. STRIDDE
 REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 3589



**EXHIBIT OF
EAST DOCK SITE**

SHOWING AN EXHIBIT OF A 6.0620-ACRE TRACT OF SUBMERGED LANDS HEREIN REFERRED TO AS THE "EAST DOCK SITE" BEING A PORTION OF A CALLED 930.28-ACRE TRACT KNOWN AS TRACT II AND A PORTION OF A CALLED 21.98-ACRE TRACT KNOWN AS TRACT IV - SUBMERGED TRACT, BOTH IN EXHIBIT A" OF A CALLED 1089.34-ACRE TRACT DESCRIBED IN A DEED TO THE PORT OF CORPUS CHRISTI AS RECORDED IN DOCUMENT #1998005467, OFFICIAL RECORDS, NUECES COUNTY, TEXAS AND BEING OUT OF A CALLED 2496.66-ACRE TRACT AS RECORDED IN VOLUME 458, PAGE 469, DEED RECORDS, SAN PATRICIO COUNTY, TEXAS ALSO BEING OUT OF A PORTION OF THE T.T. WILLIAMSON SURVEY, ABSTRACT 288, IN SAN PATRICIO COUNTY, TEXAS AND THE STATE OF TEXAS SUBMERGED LAND TRACTS, TRACT 1, IN NUECES COUNTY, TEXAS.

**EAST DOCK
WITHIN
REINVESTMENT
ZONE METES
AND BOUNDS
SHOWN IN BOLD**

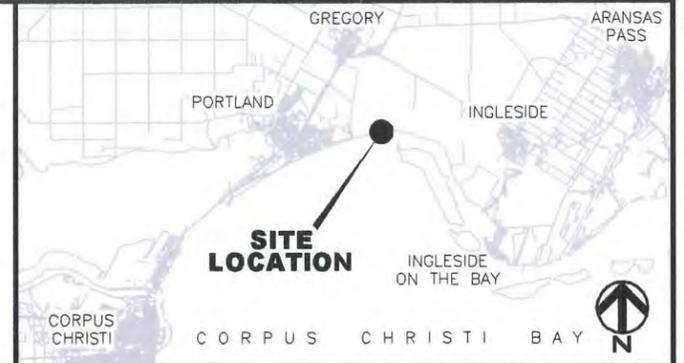
EXHIBIT B

WEST DOCK SITE WITHIN REINVESTMENT ZONE



POINT OF COMMENCEMENT
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 N. 17211356.21
 E. 1377525.05
 ELEV. 31.12'

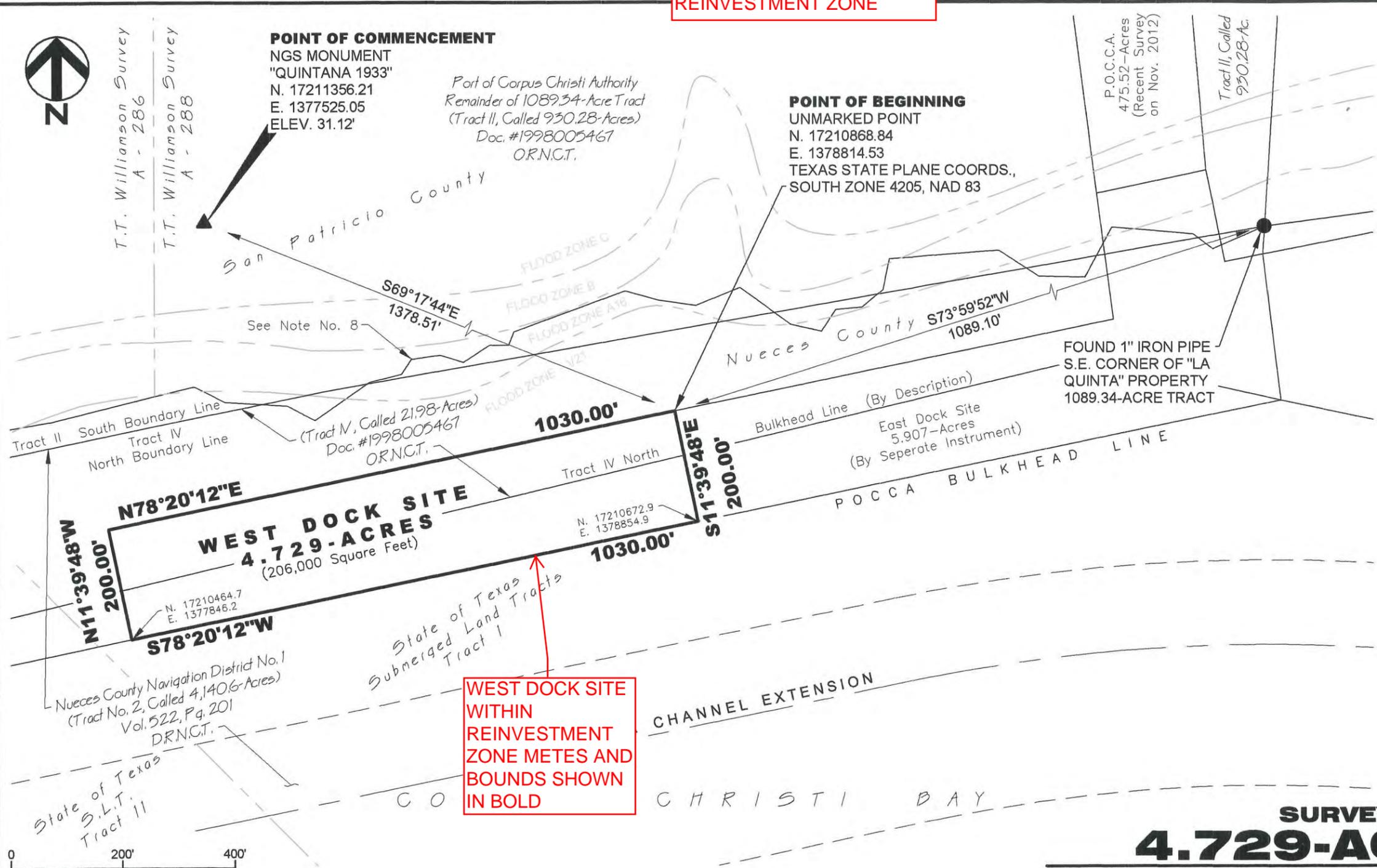
POINT OF BEGINNING
 UNMARKED POINT
 N. 17210868.84
 E. 1378814.53
 TEXAS STATE PLANE COORDS.,
 SOUTH ZONE 4205, NAD 83



VICINITY MAP N.T.S.

NOTES:

1. ACCOMPANYING FIELD NOTES HAVE BEEN PREPARED.
2. BASIS OF BEARING OF THIS SURVEY MATCH THOSE AS SHOWN ON THE 1,089.34-ACRE TRACT SURVEY KNOWN AS THE "LA QUINTA PROPERTY" AS SURVEYED BY PYLE & ASSOCIATES, INC. ON APRIL 12, 2004.
3. ALL BEARINGS, DISTANCES, AND COORDINATES SHOWN HEREON ARE GRID, BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH ZONE 4205, NAD 83.
4. ● FOUND 5/8" IRON ROD (OR AS NOTED)
5. ALL EASEMENT RESEARCH HAS BEEN PERFORMED BY STEWART TITLE GUARANTY COMPANY.
6. BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN FLOOD ZONE V21 (EL 15), AREAS OF 100-YEAR COASTAL FLOOD WITH VELOCITY (WAVE ACTION); BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED, ACCORDING TO THE FLOOD INSURANCE RATE MAP OF SAN PATRICIO COUNTY, TEXAS, PANEL NOS. 485506 0418 C AND 485560 0419 C, BOTH WITH EFFECTIVE DATES: MARCH 18, 1985.
7. THE LOCATION OF ABSTRACT LINES ARE SHOWN FROM INFORMATION OF RECORD PROVIDED BY THE TEXAS GENERAL LAND OFFICE WEBSITE; WWW.GLO.TEXAS.GOV
8. THE EXISTING SHORELINE SHOWN HEREON DEPICTS THE SHORELINE AS SURVEYED BY DAVID PYLE, L.S.L.S., AS NOTED ON FEBRUARY 2004 SURVEY OF THE POCCA "LA QUINTA" PROPERTY.
9. THIS SURVEY HAS BEEN PREPARED TO ACCOMPANY THE TITLE COMMITMENT ISSUED BY STEWART TITLE GUARANTY COMPANY, GF# 1335530028, EFFECTIVE DATE: MARCH 22, 2013. ALL PLOTTABLE, APPLICABLE SCHEDULE B ITEMS ARE SHOWN HEREON.



WEST DOCK SITE WITHIN REINVESTMENT ZONE METES AND BOUNDS SHOWN IN BOLD

SURVEY PLAT OF A 4.729-ACRE TRACT

SHOWING THE BOUNDARY OF A 4.729-ACRE TRACT OF LAND HEREIN REFERRED TO AS THE "WEST DOCK SITE" BEING A PORTION OF A CALLED 21.98-ACRE TRACT KNOWN AS TRACT IV - SUBMERGED TRACT, IN "EXHIBIT A" OF A CALLED 1089.34-ACRE TRACT DESCRIBED IN A DEED TO THE PORT OF CORPUS CHRISTI AS RECORDED IN DOCUMENT #1998005467, OFFICIAL RECORDS, NUECES COUNTY, TEXAS AND BEING A PORTION OF A CALLED 4140.6-ACRE TRACT OF SUBMERGED LAND CONVEYED BY THE STATE OF TEXAS TO NUECES COUNTY NAVIGATION DISTRICT NO. 1 BY PATENT 106 DATED AUGUST 9, 1951 AS RECORDED IN VOLUME 522, PAGE 201, DEED RECORDS, NUECES COUNTY, TEXAS ALSO BEING OUT OF THE STATE OF TEXAS SUBMERGED LAND TRACTS, TRACT 1, IN NUECES COUNTY, TEXAS.

I, MICHAEL D. STRIDDE, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THE FOREGOING MAP OF THE SUBMERGED LAND TRACT WAS PREPARED FROM A SURVEY MADE BY CALCULATION ONLY AND NOT ON THE GROUND UNDER MY DIRECTION AND THAT IT SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION 1 SURVEY, AS PUBLISHED IN THE MANUAL OF PRACTICE FOR LAND SURVEYING IN THE STATE OF TEXAS.

5-8-2013

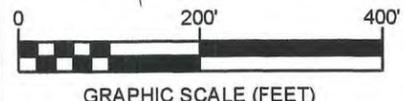
Michael D. Stridde
 MICHAEL D. STRIDDE
 REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 3589



NO.	DATE	REVISION
1	5/8/13	ADJUSTED BULKHEAD LINE



PORT OF CORPUS CHRISTI AUTHORITY	
BOUNDARY OF MORE OR LESS 4.729-ACRES OUT OF THE PORT'S LA QUINTA PROPERTY "WEST DOCK SITE"	
SCALE: AS NOTED	DATE: 4/23/2013
DWN. BY: HYDRO EX	POCCA LA QUINTA PROPERTY
	DWG. NO. 1 OF 1



TBPLS REG. NO. 10193804
 802 N. Navigation Blvd., Suite 102
 Corpus Christi, TX 78408
 P: (361)452-1375 F: (361)452-1376
 Survey Date: April 17, 2013
 Survey Prepared: April 23, 2013
 Revision No. 1: May 8, 2013
 HX Job No: H13-0129
 © COPYRIGHT 2013 ALL RIGHTS RESERVED
 SHEET 1 OF 1



Vicinity Map

Printed: Oct 23, 2013

- city_streets
- state_hwy
- us_hwy
- - - railroads
- ▭ red_boundaries
- ▭ abstracts
- ▭ lots
- ▭ blocks
- ▭ subdivisions
- ▭ parcels
- ▭ food
- ▭ clubs
- ▭ airports
- ▭ parks
- ▭ city_boundaries



ATTACHMENT 8

voestalpine Texas LLC plans to construct marine dock facilities within Corpus Christi ISD that are an integral part of, and used in connection with, the adjacent direct reduced iron ("DRI") manufacturing plant that is planned to be constructed in Gregory-Portland ISD. The shoreline of Corpus Christi Bay is the boundary line between Corpus Christi ISD and Gregory-Portland ISD.

A separate Application for Appraised Value Limitation on Qualified Property has been filed with Gregory-Portland ISD. The application submitted to GPISD contains the investment and estimated market value of the DRI plant facility, which will produce hot briquetted iron ("HBI") with an estimated annual production of 2,000,000 metric tons, and are not included in this application.

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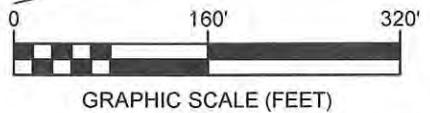
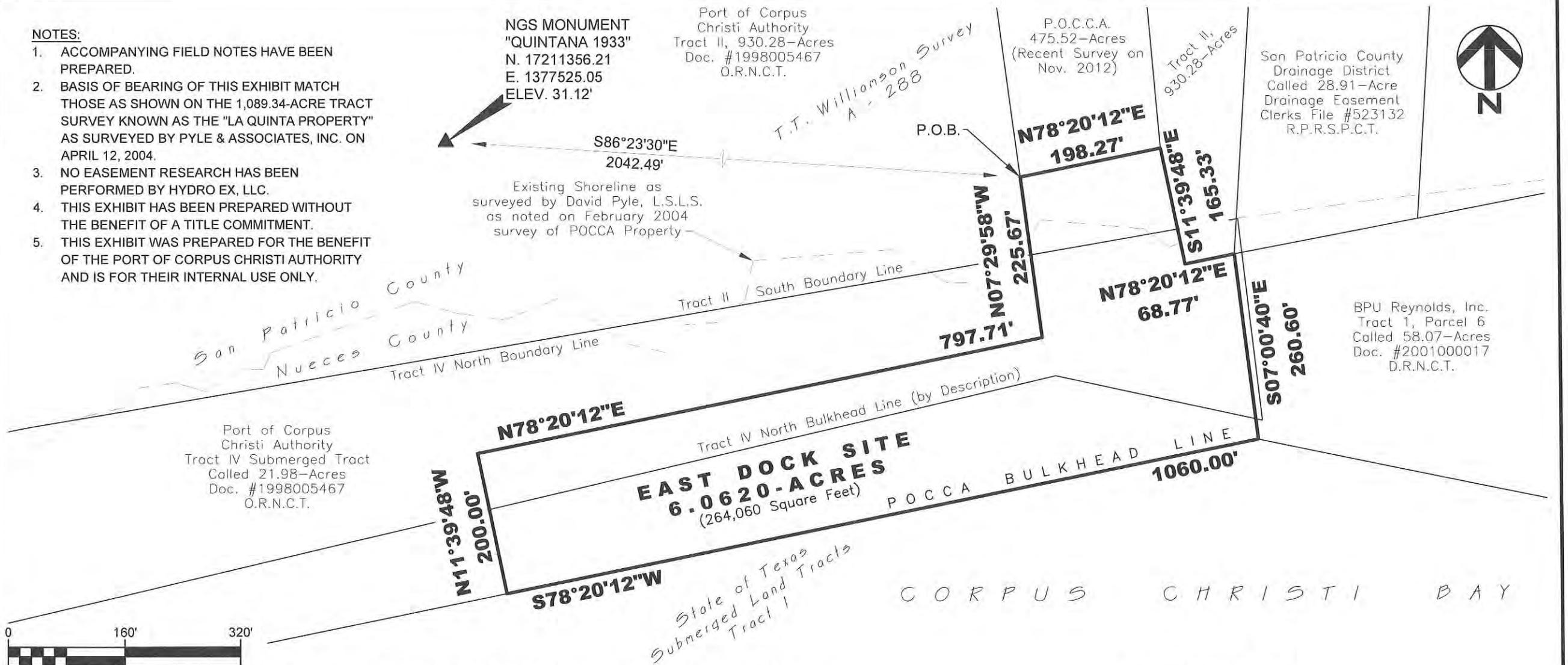
ATTACHMENT 9

Please see attached maps. The survey map shown is for the property in CCISD and is the subject of this application. These are docks and cranes adjacent to the main plant facility.

The main plant facility is in Gregory-Portland ISD and a separate application has been filed for this property.

NOTES:

1. ACCOMPANYING FIELD NOTES HAVE BEEN PREPARED.
2. BASIS OF BEARING OF THIS EXHIBIT MATCH THOSE AS SHOWN ON THE 1,089.34-ACRE TRACT SURVEY KNOWN AS THE "LA QUINTA PROPERTY" AS SURVEYED BY PYLE & ASSOCIATES, INC. ON APRIL 12, 2004.
3. NO EASEMENT RESEARCH HAS BEEN PERFORMED BY HYDRO EX, LLC.
4. THIS EXHIBIT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
5. THIS EXHIBIT WAS PREPARED FOR THE BENEFIT OF THE PORT OF CORPUS CHRISTI AUTHORITY AND IS FOR THEIR INTERNAL USE ONLY.



THIS EXHIBIT WAS PREPARED FOR THE PORT OF CORPUS CHRISTI AUTHORITY AND IS INTENDED TO GRAPHICALLY SHOW THE PROPOSED EAST DOCK SITE WITHIN THE UPLAND AND SUBMERGED LAND TRACT DESCRIBED IN DOCUMENT #1998005467, OFFICIAL RECORDS, NUECES COUNTY, TEXAS AND THE STATE OF TEXAS SUBMERGED LAND TRACTS, TRACT 1, IN NUECES COUNTY, TEXAS. THIS EXHIBIT WAS PREPARED FROM INFORMATION OF RECORD PROVIDED BY THE PORT OF CORPUS CHRISTI AUTHORITY AND DOES NOT REPRESENT A SURVEY MADE ON THE GROUND. THIS EXHIBIT SHOULD NOT BE USED IN THE CONVEYANCE OF PROPERTY.

EXHIBIT OF EAST DOCK SITE

SHOWING AN EXHIBIT OF A 6.0620-ACRE TRACT OF SUBMERGED LANDS HEREIN REFERRED TO AS THE "EAST DOCK SITE" BEING A PORTION OF A CALLED 930.28-ACRE TRACT KNOWN AS TRACT II AND A PORTION OF A CALLED 21.98-ACRE TRACT KNOWN AS TRACT IV - SUBMERGED TRACT, BOTH IN EXHIBIT A" OF A CALLED 1089.34-ACRE TRACT DESCRIBED IN A DEED TO THE PORT OF CORPUS CHRISTI AS RECORDED IN DOCUMENT #1998005467, OFFICIAL RECORDS, NUECES COUNTY, TEXAS AND BEING OUT OF A CALLED 2496.66-ACRE TRACT AS RECORDED IN VOLUME 458, PAGE 469, DEED RECORDS, SAN PATRICIO COUNTY, TEXAS ALSO BEING OUT OF A PORTION OF THE T.T. WILLIAMSON SURVEY, ABSTRACT 288, IN SAN PATRICIO COUNTY, TEXAS AND THE STATE OF TEXAS SUBMERGED LAND TRACTS, TRACT 1, IN NUECES COUNTY, TEXAS.

HydroEx

TBPLS REG. NO. 10193804
 802 N. Navigation Blvd., Suite 102
 Corpus Christi, TX 78408
 P: (361)452-1375 F: (361)452-1376
 Survey Date:
 Exhibit Prepared: February 11, 2013
 HX Job No: H13-0103
 © COPYRIGHT 2013 ALL RIGHTS RESERVED
 SHEET 1 OF 2

2-11-13
 DATE:

Michael D. Stridde
 MICHAEL D. STRIDDE
 REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 3589

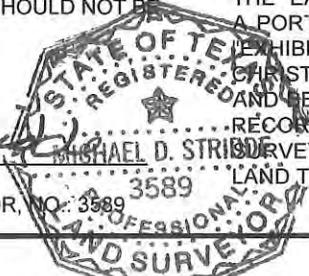


EXHIBIT B



T.T. Williamson Survey
A - 286
T.T. Williamson Survey
A - 288

POINT OF COMMENCEMENT

NGS MONUMENT
"QUINTANA 1933"
N. 17211356.21
E. 1377525.05
ELEV. 31.12'

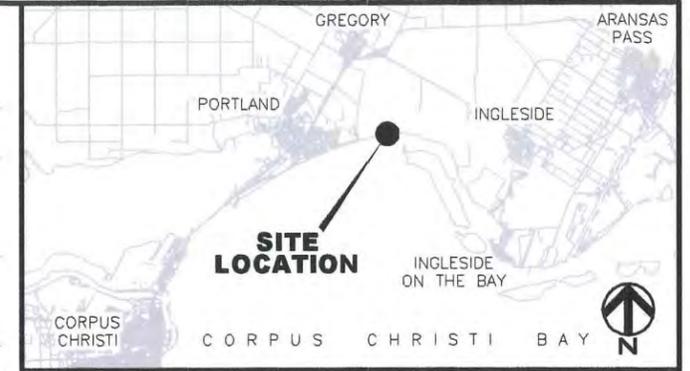
Part of Corpus Christi Authority
Remainder of 1089.34-Acre Tract
(Tract II, Called 930.28-Acres)
Doc. #1998005467
ORNCT.

POINT OF BEGINNING

UNMARKED POINT
N. 17210868.84
E. 1378814.53
TEXAS STATE PLANE COORDS.,
SOUTH ZONE 4205, NAD 83

P.O.C.A.
475.52-Acres
(Recent Survey
on Nov. 2012)

Tract II, Called
930.28-Ac.

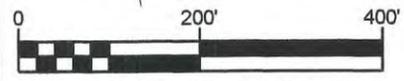
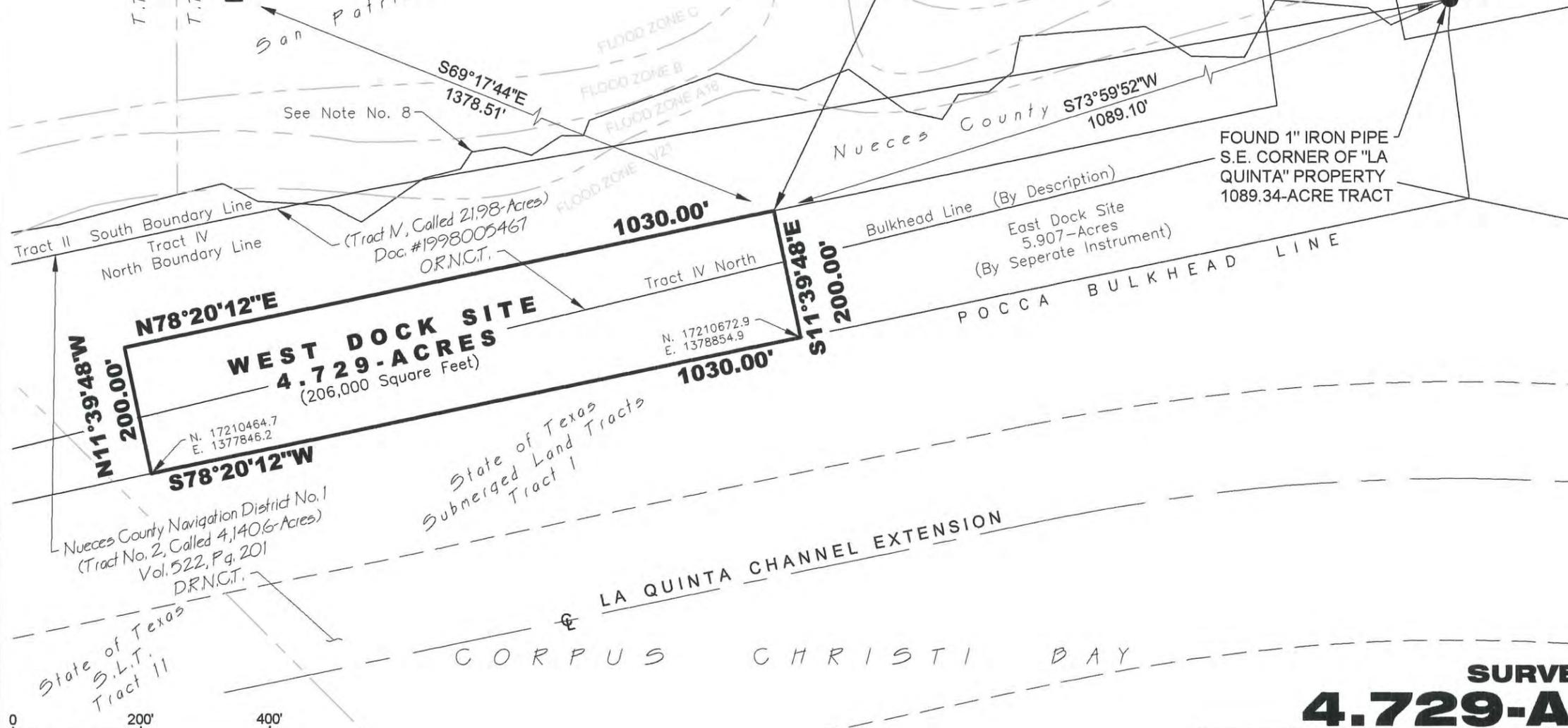


SITE LOCATION

VICINITY MAP N.T.S.

NOTES:

1. ACCOMPANYING FIELD NOTES HAVE BEEN PREPARED.
2. BASIS OF BEARING OF THIS SURVEY MATCH THOSE AS SHOWN ON THE 1,089.34-ACRE TRACT SURVEY KNOWN AS THE "LA QUINTA PROPERTY" AS SURVEYED BY PYLE & ASSOCIATES, INC. ON APRIL 12, 2004.
3. ALL BEARINGS, DISTANCES, AND COORDINATES SHOWN HEREON ARE GRID, BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH ZONE 4205, NAD 83.
4. ● FOUND 5/8" IRON ROD (OR AS NOTED)
5. ALL EASEMENT RESEARCH HAS BEEN PERFORMED BY STEWART TITLE GUARANTY COMPANY.
6. BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN FLOOD ZONE V21 (EL 15), AREAS OF 100-YEAR COASTAL FLOOD WITH VELOCITY (WAVE ACTION); BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED, ACCORDING TO THE FLOOD INSURANCE RATE MAP OF SAN PATRICIO COUNTY, TEXAS, PANEL NOS. 485506 0418 C AND 485560 0419 C, BOTH WITH EFFECTIVE DATES: MARCH 18, 1985.
7. THE LOCATION OF ABSTRACT LINES ARE SHOWN FROM INFORMATION OF RECORD PROVIDED BY THE TEXAS GENERAL LAND OFFICE WEBSITE; WWW.GLO.TEXAS.GOV
8. THE EXISTING SHORELINE SHOWN HEREON DEPICTS THE SHORELINE AS SURVEYED BY DAVID PYLE, L.S.L.S., AS NOTED ON FEBRUARY 2004 SURVEY OF THE POCCA "LA QUINTA" PROPERTY.
9. THIS SURVEY HAS BEEN PREPARED TO ACCOMPANY THE TITLE COMMITMENT ISSUED BY STEWART TITLE GUARANTY COMPANY, GF# 1335530028, EFFECTIVE DATE: MARCH 22, 2013. ALL PLOTTABLE, APPLICABLE SCHEDULE B ITEMS ARE SHOWN HEREON.



GRAPHIC SCALE (FEET)



TBPLS REG. NO. 10193804
802 N. Navigation Blvd., Suite 102
Corpus Christi, TX 78408
P: (361)452-1375 F: (361)452-1376
Survey Date: April 17, 2013
Survey Prepared: April 23, 2013
Revision No. 1: May 8, 2013
HX Job No: H13-0129
© COPYRIGHT 2013 ALL RIGHTS RESERVED
SHEET 1 OF 1

I, MICHAEL D. STRIDDE, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THE FOREGOING MAP OF THE SUBMERGED LAND TRACT WAS PREPARED FROM A SURVEY MADE BY CALCULATION ONLY AND NOT ON THE GROUND UNDER MY DIRECTION AND THAT IT SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION 1 SURVEY, AS PUBLISHED IN THE MANUAL OF PRACTICE FOR LAND SURVEYING IN THE STATE OF TEXAS.

5-8-2013

DATE:

Michael D. Stridde

MICHAEL D. STRIDDE
REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 3589



**SURVEY PLAT OF A
4.729-ACRE TRACT**

SHOWING THE BOUNDARY OF A 4.729-ACRE TRACT OF LAND HEREIN REFERRED TO AS THE "WEST DOCK SITE" BEING A PORTION OF A CALLED 21.98-ACRE TRACT KNOWN AS TRACT IV - SUBMERGED TRACT, IN "EXHIBIT A" OF A CALLED 1089.34-ACRE TRACT DESCRIBED IN A DEED TO THE PORT OF CORPUS CHRISTI AS RECORDED IN DOCUMENT #1998005467, OFFICIAL RECORDS, NUECES COUNTY, TEXAS AND BEING A PORTION OF A CALLED 4140.6-ACRE TRACT OF SUBMERGED LAND CONVEYED BY THE STATE OF TEXAS TO NUECES COUNTY NAVIGATION DISTRICT NO. 1 BY PATENT 106 DATED AUGUST 9, 1951 AS RECORDED IN VOLUME 522, PAGE 201, DEED RECORDS, NUECES COUNTY, TEXAS ALSO BEING OUT OF THE STATE OF TEXAS SUBMERGED LAND TRACTS, TRACT 1, IN NUECES COUNTY, TEXAS.

NO.	DATE	REVISION
1	5/8/13	ADJUSTED BULKHEAD LINE



PORT OF CORPUS CHRISTI AUTHORITY	
BOUNDARY OF MORE OR LESS 4.729-ACRES OUT OF THE PORT'S LA QUINTA PROPERTY "WEST DOCK SITE"	
SCALE: AS NOTED	DATE: 4/23/2013
DWN. BY: HYDRO EX	POCCA LA QUINTA PROPERTY
	DWG. NO. 1 OF 1

Corpus Christi ISD Map





Vicinity Map

Printed: Oct 23, 2013



ATTACHMENT 10

The legal descriptions of the land associated with the East and West Dock Sites are attached. All of the land will be leased under a long-term lease from the Port of Corpus Christi Authority.

Note: Legal description of 475.52 acre plant site is not in Corpus Christi ISD and not the subject of this application

Exhibit A
Property Description
Voestalpine Reinvestment Zone

Metes and Bounds Legal Description of the 475.52-Acre Plant Site

FIELD NOTES to describe the boundary of a 475.52-acre tract of land out of a called 930.28-acre tract known as Tract II in "Exhibit A", said 930.28-acre tract being a portion of a called 1089.34-acre tract described in a deed to the Port of Corpus Christi Authority of Nueces County, Texas as recorded in Document No. 1998005467, Official Records, Nueces County, Texas and being out of a called 2496.66-acre tract as recorded in Volume 458, Page 469, Deed Records, San Patricio County, Texas also being out of portions of the T.T. Williamson Surveys, Abstract 286, Abstract 287, Abstract 288, and Abstract 289, and the J. Gerraghty Survey, Abstract 139, all being in San Patricio County, Texas, said 475.52-acre tract being more particularly described by metes and bounds as follows;

COMMENCING at a 1" iron pipe found on the north line of said 930.28-acre tract for the southwest corner of Tract III in "Exhibit A" of said 1089.34-acre tract and for an interior corner of said 1089.34-acre tract, said 1" iron pipe having Texas State Plane Coordinates of X= 1377726.63 and Y= 17220150.79, thence South 49°45'13" West a distance of 161.84 feet to a 5/8" iron rod with red plastic cap stamped "HYDRO EX SURVEYING" set for the **POINT OF BEGINNING**;

THENCE South 17°44'36" East, being 250 feet west and parallel to the east line of said 1089.34-acre tract, a distance of 5,516.07 feet to a 5/8" iron rod with said red plastic cap set for an exterior corner of the herein described tract;

THENCE South 52°16'42" West, a distance of 186.27 feet to a 5/8" iron rod with said red plastic cap set for an interior corner of the herein described tract;

THENCE South 17°44'44" East, being 425 feet west and parallel to the east line of said 1089.34-acre tract, a distance of 1,454.17 feet to a 5/8" iron rod with said red plastic cap set for an exterior corner of the herein described tract;

THENCE South 05°00'40" East, a distance of 2,033.63 feet to a 5/8" iron rod with said red plastic cap set for the southeast corner of the herein described tract;

THENCE South 78°20'12" West, a distance of 198.27 feet to a 5/8" iron rod with said red plastic cap set for an exterior corner of the herein described tract;

THENCE North 07°29'58" West, a distance of 1,748.16 feet to a 5/8" iron rod with said red plastic cap set for an interior corner of the herein described tract;

THENCE South 78°19'34" West, a distance of 2,910.34 feet to a 5/8" iron rod with said red plastic cap set for the southwest corner of the herein described tract;

THENCE North $01^{\circ}15'10''$ West, being approximately 470 feet east and parallel to the east toe of levee recognized as D.M.P.A. No. 14, a distance of 967.53 feet to a 5/8" iron rod with said red plastic cap set for an interior corner of the herein described tract;

THENCE South $73^{\circ}03'57''$ West, a distance of 181.77 feet to a 5/8" iron rod with said red plastic cap set for an exterior corner of the herein described tract;

THENCE North $01^{\circ}15'07''$ West, being approximately 295 feet east and parallel to the east toe of levee recognized as D.M.P.A. No. 14, a distance of 3,882.65 feet to a 5/8" iron rod with said red plastic cap set for a corner, the P.C. of curve for an interior corner of the herein described tract;

THENCE in a Northwesterly direction, with the arc of said circular curve to the left, whose Central Angle is $60^{\circ}42'34''$, whose Radius is 1,627.00 feet, and Arc Distance of 1,723.94 feet to a 5/8" iron rod with said red plastic cap set for a corner, the P.T. of said curve, for an exterior corner of the tract herein described;

THENCE North $09^{\circ}28'59''$ East, being 100 feet east and parallel to the west line of said 930.28-acre tract, a distance of 2,181.12 feet to a 5/8" iron rod with said red plastic cap set for the northwest corner of the herein described tract;

THENCE South $70^{\circ}28'50''$ East, being 140' south and parallel to the north line of said 930.28-acre tract, a distance of 2,016.12 feet to a 5/8" iron rod with said red plastic cap set for the northeast corner of the herein described tract and the **POINT OF BEGINNING**,

CONTAINING within these metes and bounds 475.52 acres (20,713,669 square feet) of land, more or less.

East Dock Metes and Bounds

6.0620-Acre Tract "EAST DOCK SITE"

FIELD NOTES to describe an exhibit of a 6.0620-acre tract of submerged lands herein referred to as the "East Dock Site" being a portion of a called 930.28-acre tract known as Tract II and a portion of a called 21.98-acre tract known as Tract IV - Submerged Tract, both in "Exhibit A" of a called 1089.34-acre tract described in a deed to the Port of Corpus Christi Authority of Nueces County, Texas as recorded in Document No. 1998005467, Official Records, Nueces County, Texas and being out of a called 2496.66 acre tract as recorded in Volume 458, Page 469, Deed Records, San Patricio County, Texas also being out of a portion of the T.T. Williamson Survey, Abstract 288, in San Patricio County, Texas and the State of Texas Submerged Land Tracts, Tract I, in Nueces County, Texas, said 6.0620-acre tract being more particularly described by metes and bounds as follows;

COMMENCING at a brass disk set in concrete known as a United States National Geodetic Survey monument marked "Quintana 1933", said monument having Texas State Plane Coordinates of X= 1377525.05 and Y= 17211356.21, thence South 86°23'30" East a distance of 2,042.49 feet to a 5/8" iron rod found for an exterior corner of a 475 .52 acre tract of land recently surveyed and monumented in November 2012 within the limits of said 1089.34 acre tract for an exterior corner of the 6.0620-acre tract herein described for the **POINT OF BEGINNING**;

THENCE North 78°20'12" East, along the south line of said 475.52-acre tract, a distance of 198.27 feet to a 5/8" iron rod found for an exterior corner of said 475.52-acre tract and for an exterior corner of the herein described tract;

THENCE South 11°39'48" East, a distance of 165.33 feet to a point for an interior corner of the herein described tract;

THENCE North 78°20'12" East, a distance of 68.77 feet to a point for the northwest corner of a called 58.07-acre tract of submerged lands known as Tract I, Parcel 6 described in a deed to BPU Reynolds, Inc. as recorded in Document No. 2001000017, Deed Records, Nueces County, Texas for the northeast corner of the herein described tract;

THENCE South 07°00'40" East, along the west line of said 58 .07-acre tract, a distance of 260.60 feet to a point for the southwest corner of said 58.07-acre tract, for a bend point in the P.O.C.C.A. North Bulkhead Line, and for the southeast corner of the herein described tract;

THENCE South 78°20'12" West, along said north bulkhead line, a distance of 1060.00 feet to a point for the southwest corner of the herein described tract; **THENCE** North 11°39'48" West, a distance of 200.00 feet to a point for the northwest corner of the herein described tract;

THENCE North 78°20'12" East, a distance of 797.71 feet to a point for an interior corner of the herein described tract;

THENCE North 07°29'58" West, a distance of 225.67 feet to a 5/8" iron rod found for an exterior corner of said 475.52-acre tract and for an exterior corner of the herein described tract and the **POINT OF BEGINNING, CONTAINING** within these metes and bounds 6.0620 acres (264,060 square feet) of land, more or less.

West Dock Metes and Bounds

4.7291-Acre Tract "WEST DOCK SITE"

FIELD NOTES to describe an exhibit of a 4.7291-acre tract of submerged lands herein referred to as the "West Dock Site" being a portion of a called 21.98-acre tract known as Tract IV - Submerged Tract, in "Exhibit A" of a called 1089.34-acre tract described in a deed to the Port of Corpus Christi Authority of Nueces County, Texas as recorded in

Document No. 1998005467, Official Records, Nueces County, Texas and being out of the State of Texas Submerged Land Tracts, Tract 1, in Nueces County, Texas, said 4.7291 acre tract being more particularly described by metes and bounds as follows;

COMMENCING at a brass disk set in concrete known as a United States National Geodetic Survey monument marked "Quintana 1933", said monument having Texas State Plane Coordinates of X= 1377525.05 and Y= 17211356.21, thence South 68°14'28" East a distance of 1,385.35 feet to a point for the northwest corner of a called 6.0620 acre tract referred to as the "East Dock Site", described by separate instrument, and for the northeast corner of the herein described tract for the POINT OF BEGINNING;

THENCE South 11 °39'48" East, along the common line of said 4.7291-acre tract and the 6.0620 acre tract, a distance of 200.00 feet to a point on the P.O.C.C.A. North Bulkhead Line for the southwest corner of said 6.0620-acre tract and for the southeast corner of the herein described tract;

THENCE South 78°20'12" West, along said north bulkhead line, a distance of 1030.00 feet to a point for the southwest corner of the herein described tract;

THENCE North 11 °39'48" West, a distance of 200.00 feet to a point for the northwest corner of the herein described tract;

THENCE North 78°20' 12" East, being 200 feet north and parallel to the north bulkhead line, a distance of 1030.00 feet to a point for the northwest corner of said 6.0620 acre tract and for the northeast corner of the herein described tract and the POINT OF BEGINNING, CONTAINING within

ATTACHMENT 11

Please see attached maps. The survey map shown is for the property in CCISD that is the subject of this application. These are docks and cranes adjacent to the main plant facility.

NOTES:

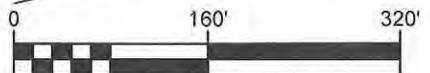
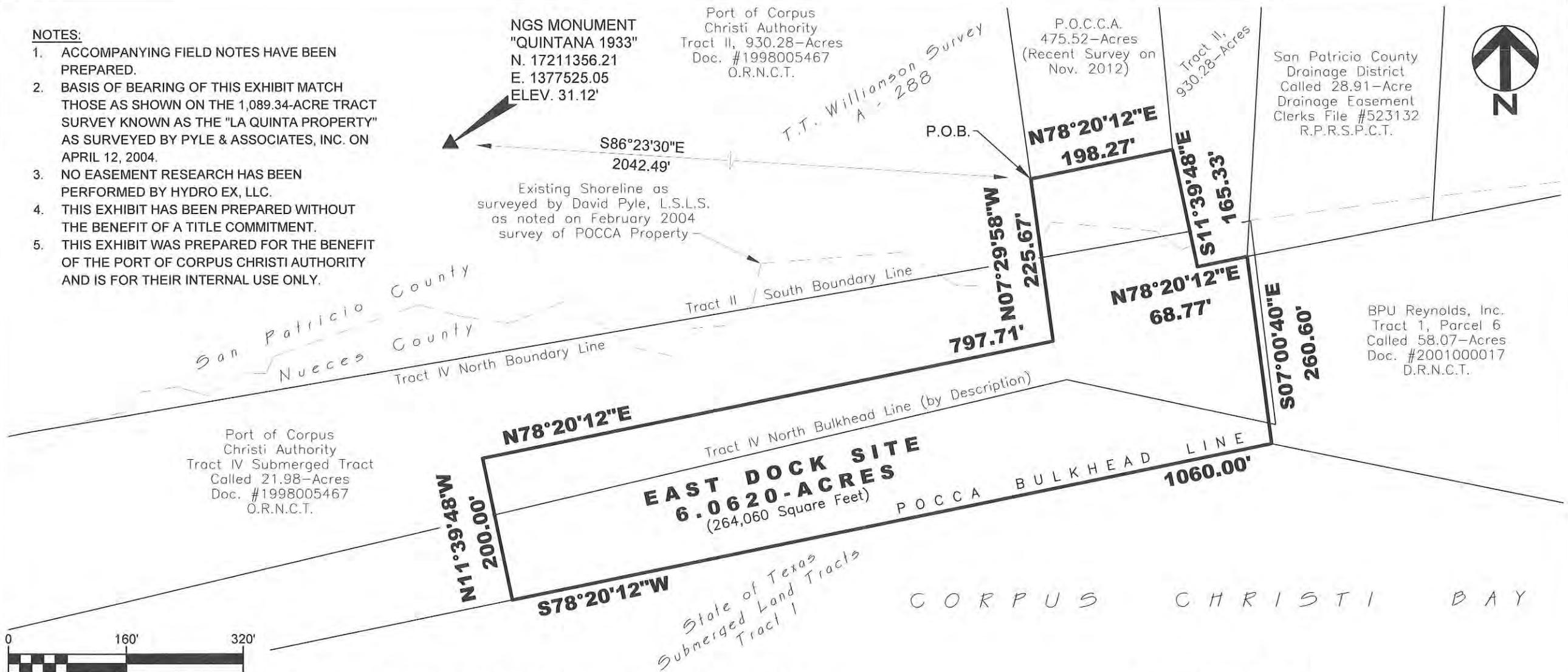
1. ACCOMPANYING FIELD NOTES HAVE BEEN PREPARED.
2. BASIS OF BEARING OF THIS EXHIBIT MATCH THOSE AS SHOWN ON THE 1,089.34-ACRE TRACT SURVEY KNOWN AS THE "LA QUINTA PROPERTY" AS SURVEYED BY PYLE & ASSOCIATES, INC. ON APRIL 12, 2004.
3. NO EASEMENT RESEARCH HAS BEEN PERFORMED BY HYDRO EX, LLC.
4. THIS EXHIBIT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
5. THIS EXHIBIT WAS PREPARED FOR THE BENEFIT OF THE PORT OF CORPUS CHRISTI AUTHORITY AND IS FOR THEIR INTERNAL USE ONLY.

NGS MONUMENT
"QUINTANA 1933"
N. 17211356.21
E. 1377525.05
ELEV. 31.12'

Port of Corpus Christi Authority
Tract II, 930.28-Acres
Doc. #1998005467
O.R.N.C.T.

P.O.C.C.A.
475.52-Acres
(Recent Survey on
Nov. 2012)

San Patricio County
Drainage District
Called 28.91-Acre
Drainage Easement
Clerks File #523132
R.P.R.S.P.C.T.



GRAPHIC SCALE (FEET)



TBPLS REG. NO. 10193804
802 N. Navigation Blvd., Suite 102
Corpus Christi, TX 78408
P: (361)452-1375 F: (361)452-1376
Survey Date:
Exhibit Prepared: February 11, 2013
HX Job No: H13-0103
© COPYRIGHT 2013 ALL RIGHTS RESERVED
SHEET 1 OF 2

THIS EXHIBIT WAS PREPARED FOR THE PORT OF CORPUS CHRISTI AUTHORITY AND IS INTENDED TO GRAPHICALLY SHOW THE PROPOSED EAST DOCK SITE WITHIN THE UPLAND AND SUBMERGED LAND TRACT DESCRIBED IN DOCUMENT #1998005467, OFFICIAL RECORDS, NUECES COUNTY, TEXAS AND THE STATE OF TEXAS SUBMERGED LAND TRACTS, TRACT 1, IN NUECES COUNTY, TEXAS. THIS EXHIBIT WAS PREPARED FROM INFORMATION OF RECORD PROVIDED BY THE PORT OF CORPUS CHRISTI AUTHORITY AND DOES NOT REPRESENT A SURVEY MADE ON THE GROUND. THIS EXHIBIT SHOULD NOT BE USED IN THE CONVEYANCE OF PROPERTY.

2-11-13

DATE:

Michael D. Stridde

MICHAEL D. STRIDDE
REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 3589

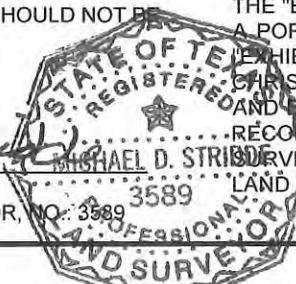


EXHIBIT OF EAST DOCK SITE

SHOWING AN EXHIBIT OF A 6.0620-ACRE TRACT OF SUBMERGED LANDS HEREIN REFERRED TO AS THE "EAST DOCK SITE" BEING A PORTION OF A CALLED 930.28-ACRE TRACT KNOWN AS TRACT II AND A PORTION OF A CALLED 21.98-ACRE TRACT KNOWN AS TRACT IV - SUBMERGED TRACT, BOTH IN EXHIBIT A" OF A CALLED 1089.34-ACRE TRACT DESCRIBED IN A DEED TO THE PORT OF CORPUS CHRISTI AS RECORDED IN DOCUMENT #1998005467, OFFICIAL RECORDS, NUECES COUNTY, TEXAS AND BEING OUT OF A CALLED 2496.66-ACRE TRACT AS RECORDED IN VOLUME 458, PAGE 469, DEED RECORDS, SAN PATRICIO COUNTY, TEXAS ALSO BEING OUT OF A PORTION OF THE T.T. WILLIAMSON SURVEY, ABSTRACT 288, IN SAN PATRICIO COUNTY, TEXAS AND THE STATE OF TEXAS SUBMERGED LAND TRACTS, TRACT 1, IN NUECES COUNTY, TEXAS.

EXHIBIT B



T.T. Williamson Survey
A - 286
T.T. Williamson Survey
A - 288

POINT OF COMMENCEMENT

NGS MONUMENT
"QUINTANA 1933"
N. 17211356.21
E. 1377525.05
ELEV. 31.12'

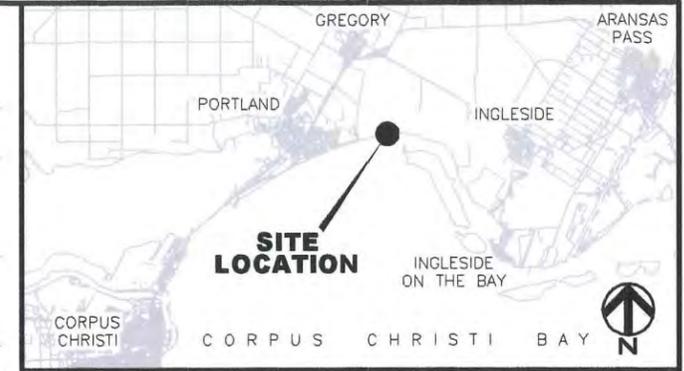
Part of Corpus Christi Authority
Remainder of 1089.34-Acre Tract
(Tract II, Called 930.28-Acres)
Doc. #1998005467
ORNCT.

POINT OF BEGINNING

UNMARKED POINT
N. 17210868.84
E. 1378814.53
TEXAS STATE PLANE COORDS.,
SOUTH ZONE 4205, NAD 83

P.O.C.A.
475.52-Acres
(Recent Survey
on Nov. 2012)

Tract II, Called
930.28-Ac.

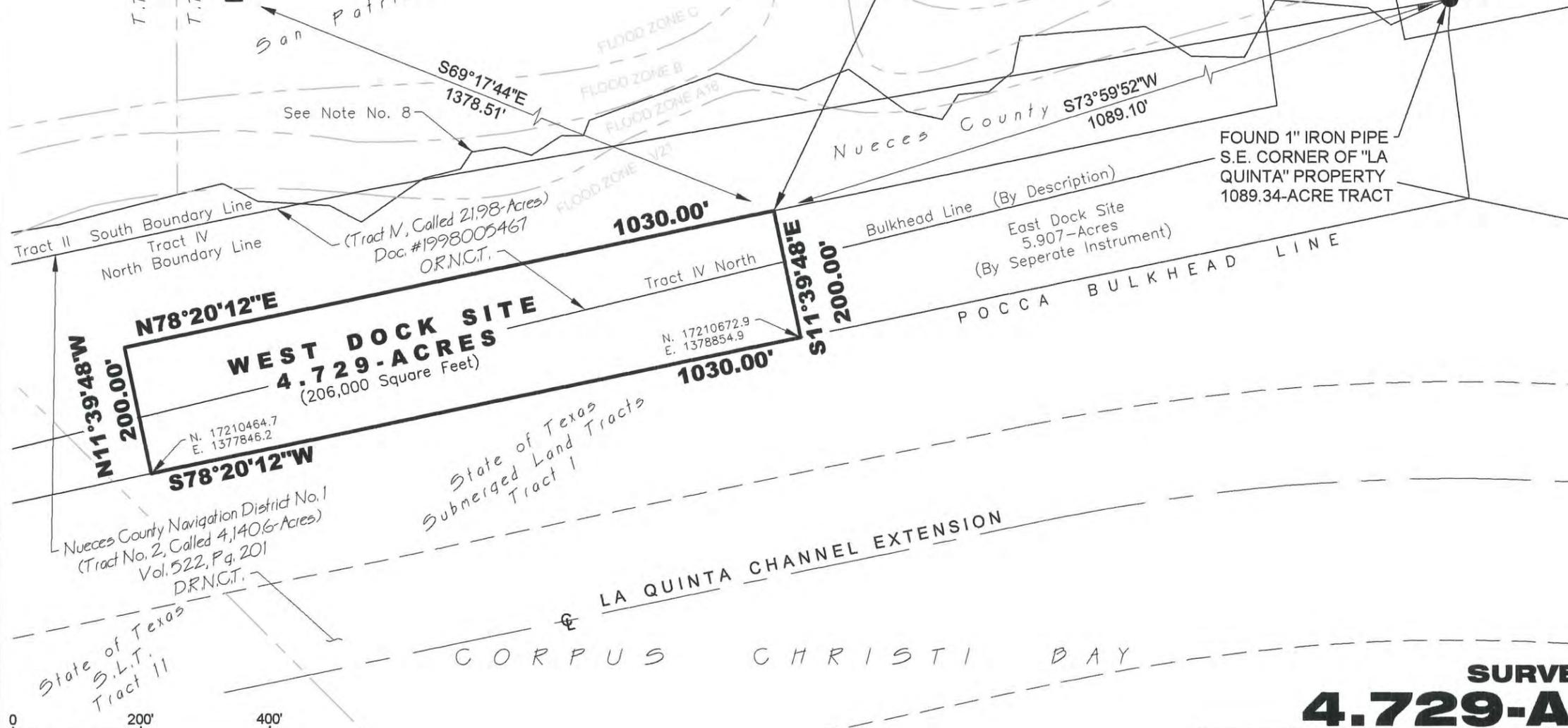


SITE LOCATION

VICINITY MAP N.T.S.

NOTES:

1. ACCOMPANYING FIELD NOTES HAVE BEEN PREPARED.
2. BASIS OF BEARING OF THIS SURVEY MATCH THOSE AS SHOWN ON THE 1,089.34-ACRE TRACT SURVEY KNOWN AS THE "LA QUINTA PROPERTY" AS SURVEYED BY PYLE & ASSOCIATES, INC. ON APRIL 12, 2004.
3. ALL BEARINGS, DISTANCES, AND COORDINATES SHOWN HEREON ARE GRID, BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH ZONE 4205, NAD 83.
4. ● FOUND 5/8" IRON ROD (OR AS NOTED)
5. ALL EASEMENT RESEARCH HAS BEEN PERFORMED BY STEWART TITLE GUARANTY COMPANY.
6. BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN FLOOD ZONE V21 (EL 15), AREAS OF 100-YEAR COASTAL FLOOD WITH VELOCITY (WAVE ACTION); BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED, ACCORDING TO THE FLOOD INSURANCE RATE MAP OF SAN PATRICIO COUNTY, TEXAS, PANEL NOS. 485506 0418 C AND 485560 0419 C, BOTH WITH EFFECTIVE DATES: MARCH 18, 1985.
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8. THE EXISTING SHORELINE SHOWN HEREON DEPICTS THE SHORELINE AS SURVEYED BY DAVID PYLE, L.S.L.S., AS NOTED ON FEBRUARY 2004 SURVEY OF THE POCCA "LA QUINTA" PROPERTY.
9. THIS SURVEY HAS BEEN PREPARED TO ACCOMPANY THE TITLE COMMITMENT ISSUED BY STEWART TITLE GUARANTY COMPANY, GF# 1335530028, EFFECTIVE DATE: MARCH 22, 2013. ALL PLOTTABLE, APPLICABLE SCHEDULE B ITEMS ARE SHOWN HEREON.



**SURVEY PLAT OF A
4.729-ACRE TRACT**

SHOWING THE BOUNDARY OF A 4.729-ACRE TRACT OF LAND HEREIN REFERRED TO AS THE "WEST DOCK SITE" BEING A PORTION OF A CALLED 21.98-ACRE TRACT KNOWN AS TRACT IV - SUBMERGED TRACT, IN "EXHIBIT A" OF A CALLED 1089.34-ACRE TRACT DESCRIBED IN A DEED TO THE PORT OF CORPUS CHRISTI AS RECORDED IN DOCUMENT #1998005467, OFFICIAL RECORDS, NUECES COUNTY, TEXAS AND BEING A PORTION OF A CALLED 4140.6-ACRE TRACT OF SUBMERGED LAND CONVEYED BY THE STATE OF TEXAS TO NUECES COUNTY NAVIGATION DISTRICT NO. 1 BY PATENT 106 DATED AUGUST 9, 1951 AS RECORDED IN VOLUME 522, PAGE 201, DEED RECORDS, NUECES COUNTY, TEXAS ALSO BEING OUT OF THE STATE OF TEXAS SUBMERGED LAND TRACTS, TRACT 1, IN NUECES COUNTY, TEXAS.

I, MICHAEL D. STRIDDE, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THE FOREGOING MAP OF THE SUBMERGED LAND TRACT WAS PREPARED FROM A SURVEY MADE BY CALCULATION ONLY AND NOT ON THE GROUND UNDER MY DIRECTION AND THAT IT SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION 1 SURVEY, AS PUBLISHED IN THE MANUAL OF PRACTICE FOR LAND SURVEYING IN THE STATE OF TEXAS.

5-8-2013
DATE:

Michael D. Stridde
MICHAEL D. STRIDDE
REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 3589



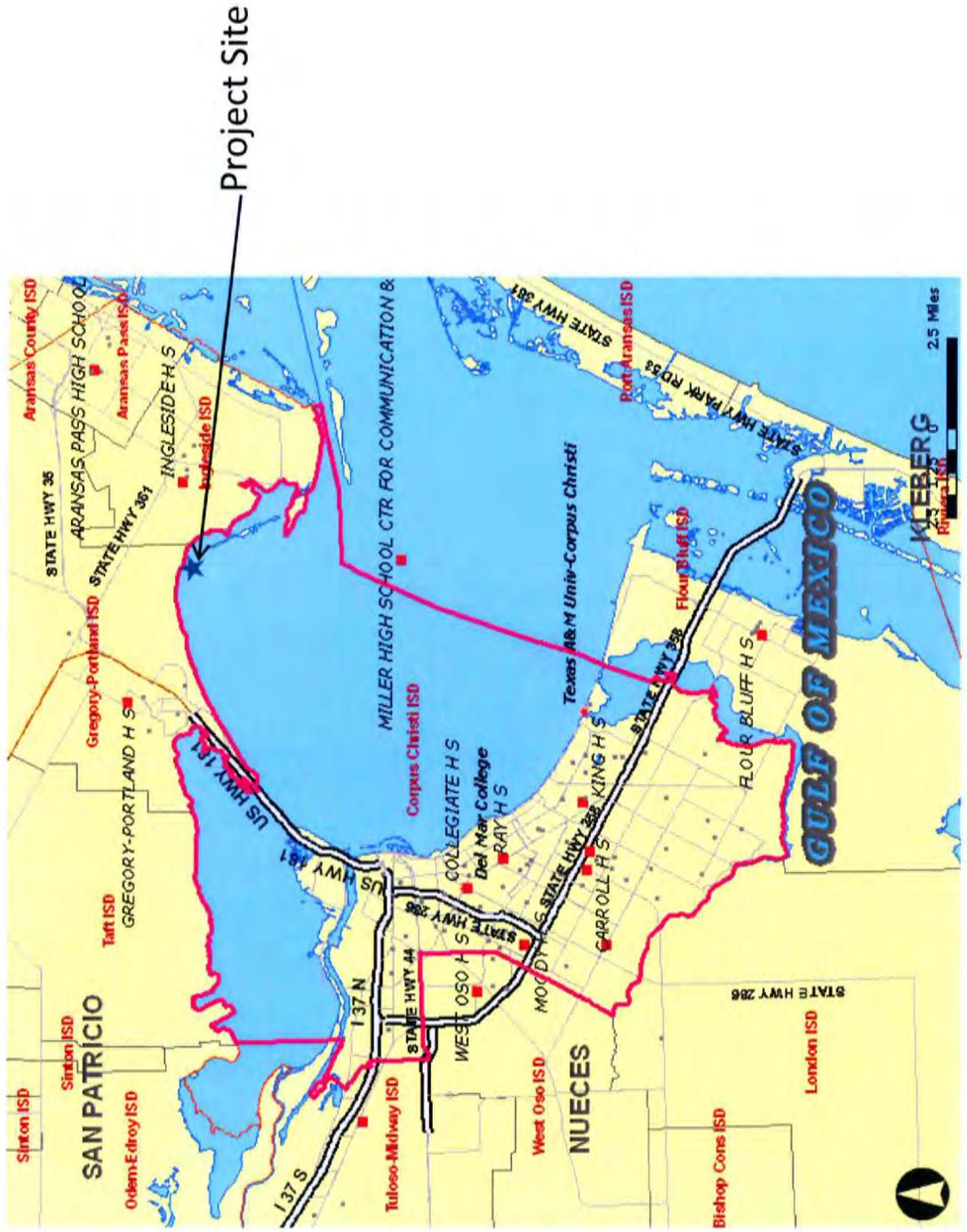
NO.	DATE	REVISION
1	5/8/13	ADJUSTED BULKHEAD LINE



PORT OF CORPUS CHRISTI AUTHORITY	
BOUNDARY OF MORE OR LESS 4.729-ACRES OUT OF THE PORT'S LA QUINTA PROPERTY "WEST DOCK SITE"	
SCALE: AS NOTED	DATE: 4/23/2013
DWN. BY: HYDRO EX	POCCA LA QUINTA PROPERTY
	DWG. NO. 1 OF 1

HydroEx
TBPLS REG. NO. 10193804
802 N. Navigation Blvd., Suite 102
Corpus Christi, TX 78408
P: (361)452-1375 F: (361)452-1376
Survey Date: April 17, 2013
Survey Prepared: April 23, 2013
Revision No. 1: May 8, 2013
HX Job No: H13-0129
© COPYRIGHT 2013 ALL RIGHTS RESERVED
SHEET 1 OF 1

Corpus Christi ISD Map





Vicinity Map

Printed: Oct 23, 2013

- city_streets
- state_hwy
- us_hwy
- railroads
- red_boundaries
- abstracts
- lots
- blocks
- subdivisions
- parcels
- clubs
- airports
- parks
- city_boundaries
- flood



ATTACHMENT 12

There are no existing improvements at the site as of January 1, 2013.

The reinvestment zone, which was created by the City of Corpus Christi on May 3, 2013 includes the following parcels of land that Voestalpine Texas, LLC is leasing from the Port of Corpus Christi.

Main site – 475.52 acres

East Dock Site – 6.062 acres

West Dock Site – 4.729 acres

Total acres - 486.311 acres

The most recent Nueces County Appraisal District property value for the land where the East and West Dock Sites are located is attached.

Parcel #	Description	Acres	Land Value	Improvement Value
200036906 (Nueces)	SUBMERGED LAND, 21.99 ACRES IN CC BAY STATE TRACTS 1 & 11	21.99	\$0	\$0

Nueces CAD

Property Search Results > 200036906 PORT OF CORPUS CHRISTI AUTH for Year 2013

Property

Account

Property ID: 200036906 Legal Description: SUBMERGED LAND 21.99 ACS IN CC BAY STATE T
 Geographic ID: 8483-0000-0055 Agent Code:
 Type: Real
 Property Use Code:
 Property Use Description:

Location

Address: SUBMERGED LAND Mapsco:
 CC BAY,, TX
 Neighborhood: SUBMERGED LAND Map ID: R-121K1
 Neighborhood CD: S8483

Owner

Name: PORT OF CORPUS CHRISTI AUTH Owner ID: 209052
 Mailing Address: P O BOX 1541 % Ownership: 100.0000000000%
 CORPUS CHRISTI, TX 78403
 Exemptions: EX-XV

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0

(=) Market Value:	=	\$0	
(-) Ag or Timber Use Value Reduction:	-	\$0	

(=) Appraised Value:	=	\$0	
(-) HS Cap:	-	\$0	

(=) Assessed Value:	=	\$0	

Taxing Jurisdiction

Owner: PORT OF CORPUS CHRISTI AUTH
 % Ownership: 100.0000000000%
 Total Value: \$0

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
C03	CITY OF CC	0.585264	\$0	\$0	\$0.00
CAD	APPRAISAL DISTRICT	0.000000	\$0	\$0	\$0.00
GNU	NUECES COUNTY	0.340999	\$0	\$0	\$0.00
HOSP	HOSPITAL DISTRICT	0.148077	\$0	\$0	\$0.00
JRC	DEL MAR JR COLL	0.250666	\$0	\$0	\$0.00
RFM	FARM TO MKT ROAD	0.004188	\$0	\$0	\$0.00
SE	CCISD	1.237350	\$0	\$0	\$0.00
Total Tax Rate:		2.566544			

Taxes w/Current Exemptions: \$0.00

ATTACHMENT 13

No waiver of the job creation requirement is requested.

ATTACHMENT 14

The calculation of the three possible wage requirements with TWC documentation is attached. voestalpine Texas, LLC has chosen to use \$52,565 as the wage rate for permanent jobs. This amount equals 110% of the current regional wage rate of \$47,786 ($\$47,786 \times 110\% = \$52,565$).

**VOESTALPINE TEXAS LLC
ATTACHMENT TO CHAPTER 313 APPLICATION**

**CORPUS CHRISTI ISD - NUECES COUNTY
CHAPTER 313 WAGE CALCULATION - ALL JOBS - ALL INDUSTRIES**

QUARTER	YEAR	AVG WEEKLY WAGES*	ANNUALIZED
THIRD	2012	\$ 799	\$ 41,548
FOURTH	2012	\$ 886	\$ 46,072
FIRST	2013	\$ 835	\$ 43,420
SECOND	2013	\$ 809	\$ 42,068
AVERAGE		\$ 832	\$ 43,277
X		110%	110%
		\$ 915	\$ 47,605

CHAPTER 313 WAGE CALCULATION - MANUFACTURING JOBS

QUARTER	YEAR	AVG WEEKLY WAGES*	ANNUALIZED
THIRD	2012	\$ 1,209	\$ 62,868
FOURTH	2012	\$ 1,431	\$ 74,412
FIRST	2013	\$ 1,443	\$ 75,036
SECOND	2013	\$ 1,272	\$ 66,144
AVERAGE		\$ 1,339	\$ 69,615
X		110%	110%
		\$ 1,473	\$ 76,577

CHAPTER 313 WAGE CALCULATION - REGIONAL WAGE RATE

QUARTER	YEAR	AVG WEEKLY WAGES*	ANNUALIZED
Coastal Bend	2012	\$ 919	\$ 47,786
X		110%	110%
		\$ 1,011	\$ 52,565

* SEE ATTACHED TWC DOCUMENTATION

Quarterly Employment and Wages (QCEW)

[Back](#)

Page 1 of 1 (40 results/page)

Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2012	1st Qtr	Nueces County	Total All	00	0	10	Total, All Industries	\$820
2013	1st Qtr	Nueces County	Total All	00	0	10	Total, All Industries	\$835
2012	2nd Qtr	Nueces County	Total All	00	0	10	Total, All Industries	\$804
2013	2nd Qtr	Nueces County	Total All	00	0	10	Total, All Industries	\$809
2012	3rd Qtr	Nueces County	Total All	00	0	10	Total, All Industries	\$799
2012	4th Qtr	Nueces County	Total All	00	0	10	Total, All Industries	\$886

Quarterly Employment and Wages (QCEW)

[Back](#)

Page 1 of 1 (40 results/page)

Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2012	1st Qtr	Nueces County	Total All	31	2	31-33	Manufacturing	\$1,382
2013	1st Qtr	Nueces County	Total All	31	2	31-33	Manufacturing	\$1,443
2012	2nd Qtr	Nueces County	Total All	31	2	31-33	Manufacturing	\$1,277
2013	2nd Qtr	Nueces County	Total All	31	2	31-33	Manufacturing	\$1,272
2012	3rd Qtr	Nueces County	Total All	31	2	31-33	Manufacturing	\$1,209
2012	4th Qtr	Nueces County	Total All	31	2	31-33	Manufacturing	\$1,431

**2012 Manufacturing Wages by Council of Government Region
Wages for All Occupations**

COG	Wages	
	Hourly	Annual
Texas	\$23.56	\$48,996
1. Panhandle Regional Planning Commission	\$20.12	\$41,850
2. South Plains Association of Governments	\$16.18	\$33,662
3. NORTEX Regional Planning Commission	\$17.83	\$37,076
4. North Central Texas Council of Governments	\$24.68	\$51,333
5. Ark-Tex Council of Governments	\$16.84	\$35,032
6. East Texas Council of Governments	\$19.61	\$40,797
7. West Central Texas Council of Governments	\$18.24	\$37,941
8. Rio Grande Council of Governments	\$16.17	\$33,631
9. Permian Basin Regional Planning Commission	\$21.93	\$45,624
10. Concho Valley Council of Governments	\$16.33	\$33,956
11. Heart of Texas Council of Governments	\$19.07	\$39,670
12. Capital Area Council of Governments	\$26.03	\$54,146
13. Brazos Valley Council of Governments	\$16.55	\$34,424
14. Deep East Texas Council of Governments	\$16.20	\$33,698
15. South East Texas Regional Planning Commission	\$29.38	\$61,118
16. Houston-Galveston Area Council	\$26.59	\$55,317
17. Golden Crescent Regional Planning Commission	\$21.03	\$43,742
18. Alamo Area Council of Governments	\$18.40	\$38,280
19. South Texas Development Council	\$13.54	\$28,170
20. Coastal Bend Council of Governments	\$22.97	\$47,786
21. Lower Rio Grande Valley Development Council	\$16.33	\$33,961
22. Texoma Council of Governments	\$22.57	\$46,949
23. Central Texas Council of Governments	\$17.16	\$35,689
24. Middle Rio Grande Development Council	\$18.93	\$39,380

110% x \$47,786 =
\$52,565

Source: Texas Occupational Employment and Wages

Data published: July 2013

Data published annually, next update will be July 31, 2014

Note: Data is not supported by the Bureau of Labor Statistics (BLS).

Wage data is produced from Texas OES data, and is not to be compared to BLS estimates.

Data intended for TAC 313 purposes only.

ATTACHMENT 15

Voest Alpine Texas, LLC plans to provide its employees with attractive benefit plans that may include, but are not limited to, the following:

- Medical Coverage (company pays 80% of employee only health insurance premiums)
- Dental Plan
- Paid Holidays
- Paid Vacation
- 401(k) Retirement Savings Plan

ATTACHMENT 16

The economic impact study will be performed by the Comptroller at a future date.

ATTACHMENT 17

Please see attached Schedule A

ATTACHMENT 18

Please see attached Schedule B

Schedule B (Rev. January 2013): Estimated Market And Taxable Value
 voestalpine Texas, LLC
 Corpus Christi ISD

Form 50-296

Applicant Name
 ISD Name

Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Qualified Property			Reductions from Market Value	Estimated Taxable Value	
			Estimated Market Value of Land	Estimated Total Market Value of new buildings or other new improvements	Estimated Total Market Value of tangible personal property in the new building or "in or on the new improvement"		Final taxable value for I&S - after all reductions	Final taxable value for M&O - after all reductions
pre-year 1	2014-2015	2014	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
1	2015-2016	2015	\$ -	\$ -	\$ 12,500,000	\$ 312,500	\$ 12,187,500	\$ 12,187,500
2	2016-2017	2016	\$ -	\$ -	\$ 42,900,000	\$ 1,073,000	\$ 41,827,000	\$ 41,827,000
3	2017-2018	2017	\$ -	\$ -	\$ 66,000,000	\$ 1,650,000	\$ 64,350,000	\$ 64,350,000
4	2018-2019	2018	\$ -	\$ -	\$ 64,350,000	\$ 1,609,000	\$ 62,741,000	\$ 62,741,000
5	2019-2020	2019	\$ -	\$ -	\$ 62,741,000	\$ 1,569,000	\$ 61,172,000	\$ 61,172,000
6	2020-2021	2020	\$ -	\$ -	\$ 61,172,000	\$ 1,529,000	\$ 59,643,000	\$ 59,643,000
7	2021-2022	2021	\$ -	\$ -	\$ 59,643,000	\$ 1,491,000	\$ 58,152,000	\$ 58,152,000
8	2022-2023	2022	\$ -	\$ -	\$ 58,152,000	\$ 1,454,000	\$ 56,698,000	\$ 56,698,000
9	2023-2024	2023	\$ -	\$ -	\$ 56,698,000	\$ 1,417,000	\$ 55,281,000	\$ 55,281,000
10	2024-2025	2024	\$ -	\$ -	\$ 55,281,000	\$ 1,382,000	\$ 53,899,000	\$ 53,899,000
11	2025-2026	2025	\$ -	\$ -	\$ 53,899,000	\$ 1,347,000	\$ 52,552,000	\$ 52,552,000
12	2026-2027	2026	\$ -	\$ -	\$ 52,552,000	\$ 1,314,000	\$ 51,238,000	\$ 51,238,000
13	2027-2028	2027	\$ -	\$ -	\$ 51,238,000	\$ 1,281,000	\$ 49,957,000	\$ 49,957,000
14	2028-2029	2028	\$ -	\$ -	\$ 49,957,000	\$ 1,249,000	\$ 48,708,000	\$ 48,708,000
15	2029-2030	2029	\$ -	\$ -	\$ 48,708,000	\$ 1,218,000	\$ 47,490,000	\$ 47,490,000

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 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.

E. Pizzera
 E. PIZZERA (CJO)
 07 Nov 2013

DATE

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE (HEAD OF FINANCE)

ATTACHMENT 19

Please see attached Schedule C

Schedule C- Application: Employment Information

Applicant Name
ISD Name

voestalpine Texas, LLC
Corpus Christi ISD

Form 50-296

	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Construction		New Jobs		Qualifying Jobs	
				Column A: Number of Construction FTE's or man- hours (specify)	Column B: Average annual wage rates for construction workers	Column C: Number of new jobs applicant commits to create (cumulative)	Column D: Average annual wage rate for all new jobs.	Column E: Number of qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Column F: Average annual wage of qualifying jobs
	pre-year 1	2014-2015	2014	25 FTEs	\$ 74,000	0	\$ -	0	\$ -
	1	2015-2016	2015	25 FTEs	\$ 74,000	0	\$ -	0	\$ -
	2	2016-2017	2016						
	3	2017-2018	2017			10	\$ 52,565	8	\$ 52,565
	4	2018-2019	2018			10	\$ 52,565	8	\$ 52,565
	5	2019-2020	2019			10	\$ 52,565	8	\$ 52,565
	6	2020-2021	2020			10	\$ 52,565	8	\$ 52,565
	7	2021-2022	2021			10	\$ 52,565	8	\$ 52,565
	8	2022-2023	2022			10	\$ 52,565	8	\$ 52,565
	9	2023-2024	2023			10	\$ 52,565	8	\$ 52,565
	10	2024-2025	2024			10	\$ 52,565	8	\$ 52,565
	11	2025-2026	2025			10	\$ 52,565	8	\$ 52,565
	12	2026-2027	2026			10	\$ 52,565	8	\$ 52,565
	13	2027-2028	2027			10	\$ 52,565	8	\$ 52,565
	14	2028-2029	2028			10	\$ 52,565	8	\$ 52,565
	15	2029-2030	2029			10	\$ 52,565	8	\$ 52,565
Tax Credit Period (with 50% cap on credit)		Complete tax years of qualifying time period							
		Value Limitation Period							
Credit Settle-Up Period		Continue to Maintain Viable Presence							
		Post- Settle-Up Period							
		Post- Settle-Up Period							

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

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.

E. PIZZERA (CFO)

[Signature]
E. PIZZERA (CFO)

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

[Signature]
(HEAD OF FINANCE)

07 Nov 2013
DATE

ATTACHMENT 20

Please see attached Schedule D

Schedule D: (Rev. January 2013): Other Tax Information

Form 50-296

Corpus Christi ISD

Other Property Tax Abatements Sought

Applicant Name

voestalpine Texas LLC

		Sales Tax Information				Franchise Tax				Other Property Tax Abatements Sought			
		Sales Taxable Expenditures		Franchise Tax	County	City	Hospital	Other (College)					
	Year	School Year (YYYY-YYYY)	Tax/Calendar Year YYYY	Column F: Estimate of total annual expenditures* subject to state sales tax	Column G: Estimate of total annual expenditures* made in Texas NOT subject to sales tax	Column H: Estimate of Franchise tax due from (or attributable to) the applicant	Fill in percentage exemption requested or granted in each year of the Agreement	Fill in percentage exemption requested or granted in each year of the Agreement	Fill in percentage exemption requested or granted in each year of the Agreement	Fill in percentage exemption requested or granted in each year of the Agreement	Fill in percentage exemption requested or granted in each year of the Agreement	Fill in percentage exemption requested or granted in each year of the Agreement	
The year preceding the first complete tax year of the qualifying time period (assuming no deferrals)		2014-2015	2014	\$ 5,000,000	20,000,000 \$	-							
		2015-2016	2015	\$ 8,200,000	32,800,000 \$	-							
Complete tax years of qualifying time period	1	2016-2017	2016	\$ 20,000	40,000 \$	-	100%	n/a	n/a	n/a	n/a	n/a	
	2	2017-2018	2017	\$ 20,000	40,000 \$	-	100%	n/a	n/a	n/a	n/a	n/a	
	3	2018-2019	2018	\$ 20,000	40,000 \$	-	100%	n/a	n/a	n/a	n/a	n/a	
	4	2019-2020	2019	\$ 20,000	40,000 \$	-	100%	n/a	n/a	n/a	n/a	n/a	
	5	2020-2021	2020	\$ 20,000	40,000 \$	-	100%	n/a	n/a	n/a	n/a	n/a	
	6	2021-2022	2021	\$ 20,000	40,000 \$	-	100%	n/a	n/a	n/a	n/a	n/a	
	7	2022-2023	2022	\$ 20,000	40,000 \$	-	100%	n/a	n/a	n/a	n/a	n/a	
	8	2023-2024	2023	\$ 20,000	40,000 \$	-	100%	n/a	n/a	n/a	n/a	n/a	
	9	2024-2025	2024	\$ 20,000	40,000 \$	-	100%	n/a	n/a	n/a	n/a	n/a	
	10	2025-2026	2025	\$ 20,000	40,000 \$	-	100%	n/a	n/a	n/a	n/a	n/a	
	11	2026-2027	2026	\$ 20,000	40,000 \$	-	100%	n/a	n/a	n/a	n/a	n/a	
	12	2027-2028	2027	\$ 20,000	40,000 \$	-	100%	n/a	n/a	n/a	n/a	n/a	
	13	2028-2029	2028	\$ 20,000	40,000 \$	-	100%	n/a	n/a	n/a	n/a	n/a	
	14	2029-2030	2029	\$ 20,000	40,000 \$	-	100%	n/a	n/a	n/a	n/a	n/a	

For planning construction and operation of the facility.

E. PIZZERA (SVP)

GUINAWALK (HEAD OF FINANCE)

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

07 Nov 2013
DATE

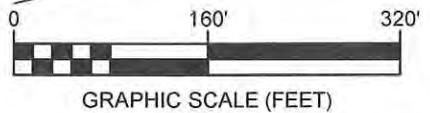
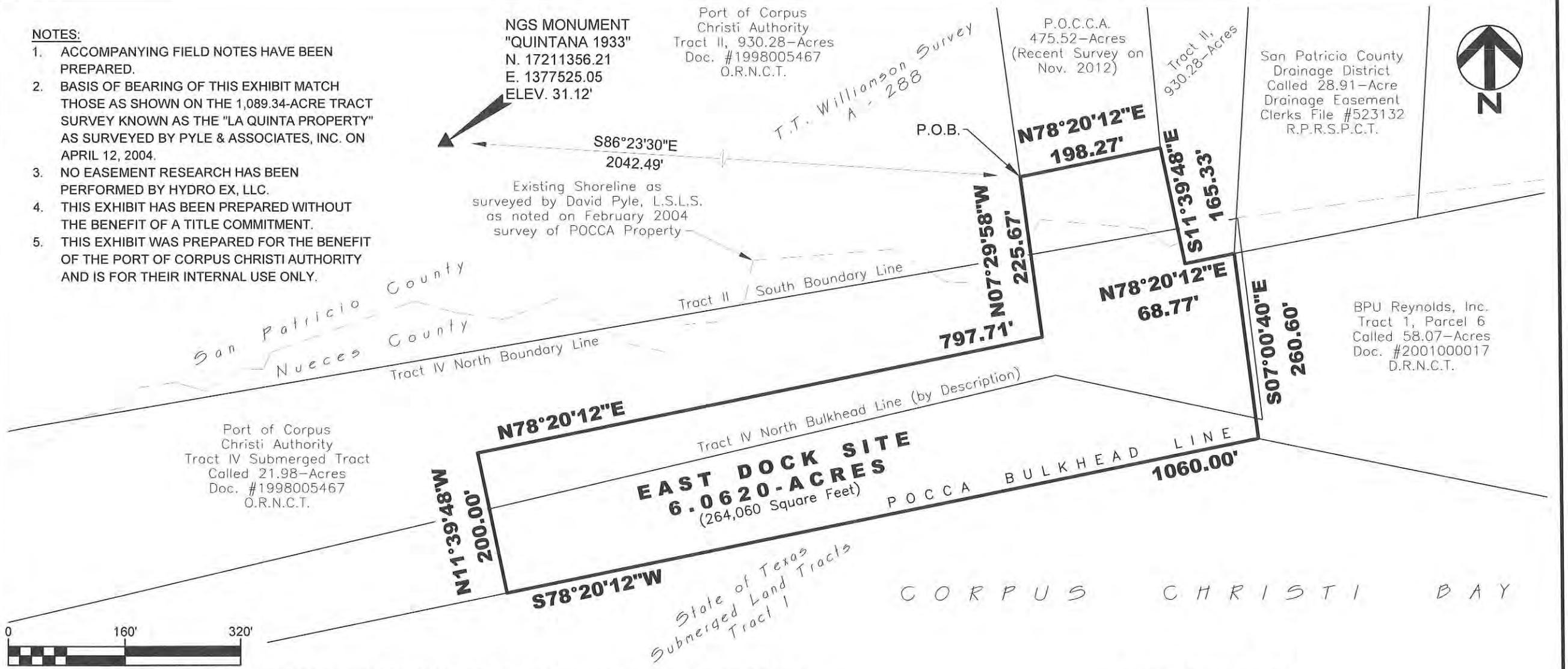
ATTACHMENT 21

Please see attached maps. The survey map shown is for the property in CCISD and is the subject of this application. These are docks and cranes adjacent to the main plant facility.

The main plant facility is in Gregory-Portland ISD and a separate application has been filed for this property.

NOTES:

1. ACCOMPANYING FIELD NOTES HAVE BEEN PREPARED.
2. BASIS OF BEARING OF THIS EXHIBIT MATCH THOSE AS SHOWN ON THE 1,089.34-ACRE TRACT SURVEY KNOWN AS THE "LA QUINTA PROPERTY" AS SURVEYED BY PYLE & ASSOCIATES, INC. ON APRIL 12, 2004.
3. NO EASEMENT RESEARCH HAS BEEN PERFORMED BY HYDRO EX, LLC.
4. THIS EXHIBIT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
5. THIS EXHIBIT WAS PREPARED FOR THE BENEFIT OF THE PORT OF CORPUS CHRISTI AUTHORITY AND IS FOR THEIR INTERNAL USE ONLY.



THIS EXHIBIT WAS PREPARED FOR THE PORT OF CORPUS CHRISTI AUTHORITY AND IS INTENDED TO GRAPHICALLY SHOW THE PROPOSED EAST DOCK SITE WITHIN THE UPLAND AND SUBMERGED LAND TRACT DESCRIBED IN DOCUMENT #1998005467, OFFICIAL RECORDS, NUECES COUNTY, TEXAS AND THE STATE OF TEXAS SUBMERGED LAND TRACTS, TRACT 1, IN NUECES COUNTY, TEXAS. THIS EXHIBIT WAS PREPARED FROM INFORMATION OF RECORD PROVIDED BY THE PORT OF CORPUS CHRISTI AUTHORITY AND DOES NOT REPRESENT A SURVEY MADE ON THE GROUND. THIS EXHIBIT SHOULD NOT BE USED IN THE CONVEYANCE OF PROPERTY.

EXHIBIT OF EAST DOCK SITE

SHOWING AN EXHIBIT OF A 6.0620-ACRE TRACT OF SUBMERGED LANDS HEREIN REFERRED TO AS THE "EAST DOCK SITE" BEING A PORTION OF A CALLED 930.28-ACRE TRACT KNOWN AS TRACT II AND A PORTION OF A CALLED 21.98-ACRE TRACT KNOWN AS TRACT IV - SUBMERGED TRACT, BOTH IN EXHIBIT A" OF A CALLED 1089.34-ACRE TRACT DESCRIBED IN A DEED TO THE PORT OF CORPUS CHRISTI AS RECORDED IN DOCUMENT #1998005467, OFFICIAL RECORDS, NUECES COUNTY, TEXAS AND BEING OUT OF A CALLED 2496.66-ACRE TRACT AS RECORDED IN VOLUME 458, PAGE 469, DEED RECORDS, SAN PATRICIO COUNTY, TEXAS ALSO BEING OUT OF A PORTION OF THE T.T. WILLIAMSON SURVEY, ABSTRACT 288, IN SAN PATRICIO COUNTY, TEXAS AND THE STATE OF TEXAS SUBMERGED LAND TRACTS, TRACT 1, IN NUECES COUNTY, TEXAS.



TBPLS REG. NO. 10193804
 802 N. Navigation Blvd., Suite 102
 Corpus Christi, TX 78408
 P: (361)452-1375 F: (361)452-1376
 Survey Date:
 Exhibit Prepared: February 11, 2013
 HX Job No: H13-0103
 © COPYRIGHT 2013 ALL RIGHTS RESERVED
 SHEET 1 OF 2

2-11-13
 DATE:

Michael D. Stridde
 MICHAEL D. STRIDDE
 REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 3589

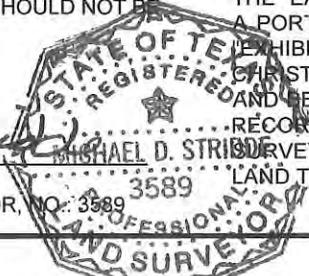


EXHIBIT B



T.T. Williamson Survey
A - 286
T.T. Williamson Survey
A - 288

POINT OF COMMENCEMENT

NGS MONUMENT
"QUINTANA 1933"
N. 17211356.21
E. 1377525.05
ELEV. 31.12'

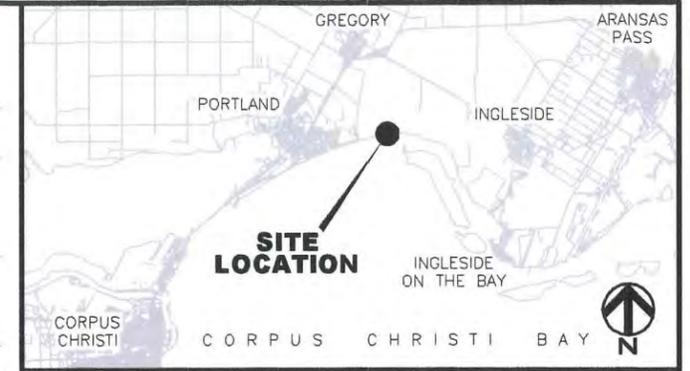
Part of Corpus Christi Authority
Remainder of 1089.34-Acre Tract
(Tract II, Called 930.28-Acres)
Doc. #1998005467
ORNCT.

POINT OF BEGINNING

UNMARKED POINT
N. 17210868.84
E. 1378814.53
TEXAS STATE PLANE COORDS.,
SOUTH ZONE 4205, NAD 83

P.O.C.A.
475.52-Acres
(Recent Survey
on Nov. 2012)

Tract II, Called
930.28-Ac.

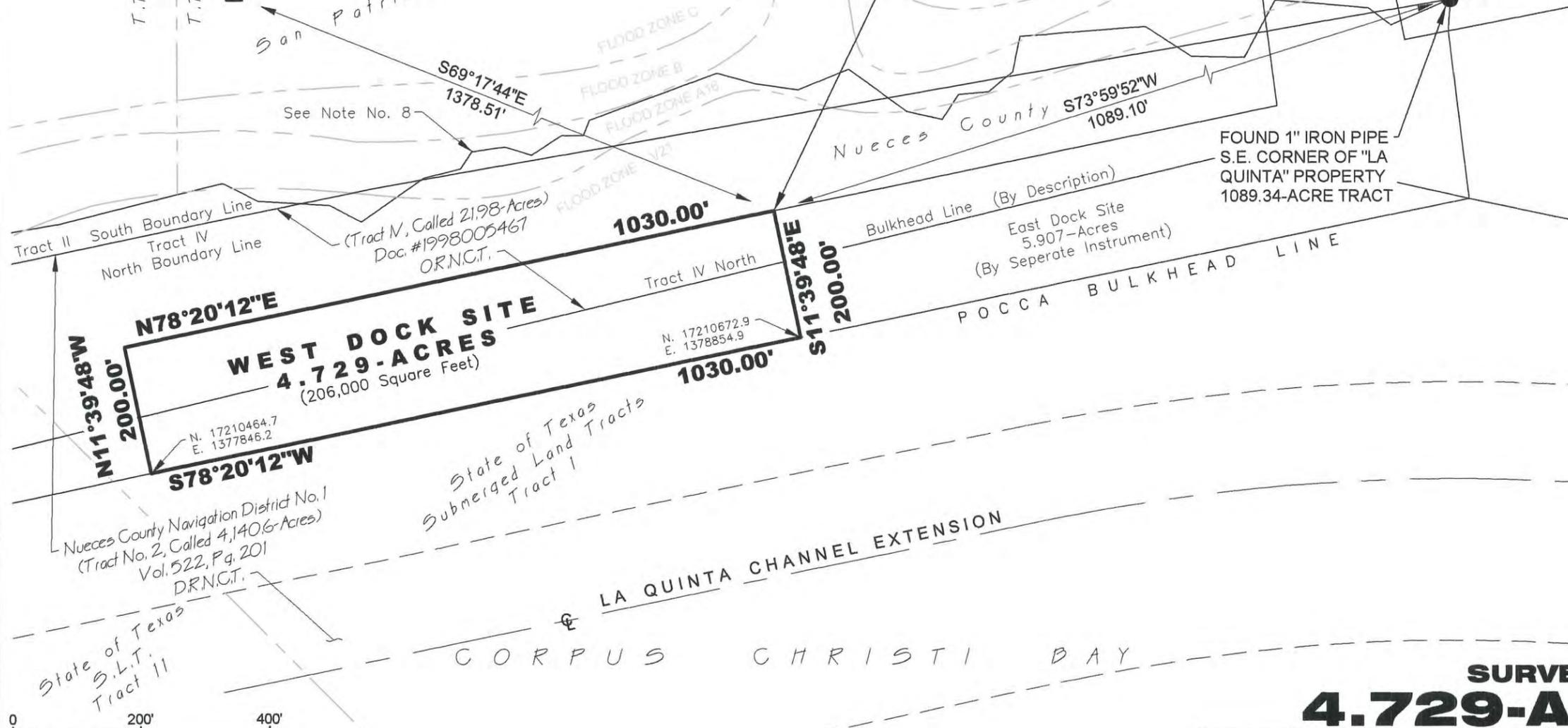


SITE LOCATION

VICINITY MAP N.T.S.

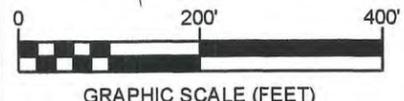
NOTES:

1. ACCOMPANYING FIELD NOTES HAVE BEEN PREPARED.
2. BASIS OF BEARING OF THIS SURVEY MATCH THOSE AS SHOWN ON THE 1,089.34-ACRE TRACT SURVEY KNOWN AS THE "LA QUINTA PROPERTY" AS SURVEYED BY PYLE & ASSOCIATES, INC. ON APRIL 12, 2004.
3. ALL BEARINGS, DISTANCES, AND COORDINATES SHOWN HEREON ARE GRID, BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH ZONE 4205, NAD 83.
4. ● FOUND 5/8" IRON ROD (OR AS NOTED)
5. ALL EASEMENT RESEARCH HAS BEEN PERFORMED BY STEWART TITLE GUARANTY COMPANY.
6. BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN FLOOD ZONE V21 (EL 15), AREAS OF 100-YEAR COASTAL FLOOD WITH VELOCITY (WAVE ACTION); BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED, ACCORDING TO THE FLOOD INSURANCE RATE MAP OF SAN PATRICIO COUNTY, TEXAS, PANEL NOS. 485506 0418 C AND 485560 0419 C, BOTH WITH EFFECTIVE DATES: MARCH 18, 1985.
7. THE LOCATION OF ABSTRACT LINES ARE SHOWN FROM INFORMATION OF RECORD PROVIDED BY THE TEXAS GENERAL LAND OFFICE WEBSITE; WWW.GLO.TEXAS.GOV
8. THE EXISTING SHORELINE SHOWN HEREON DEPICTS THE SHORELINE AS SURVEYED BY DAVID PYLE, L.S.L.S., AS NOTED ON FEBRUARY 2004 SURVEY OF THE POCCA "LA QUINTA" PROPERTY.
9. THIS SURVEY HAS BEEN PREPARED TO ACCOMPANY THE TITLE COMMITMENT ISSUED BY STEWART TITLE GUARANTY COMPANY, GF# 1335530028, EFFECTIVE DATE: MARCH 22, 2013. ALL PLOTTABLE, APPLICABLE SCHEDULE B ITEMS ARE SHOWN HEREON.



SURVEY PLAT OF A 4.729-ACRE TRACT

SHOWING THE BOUNDARY OF A 4.729-ACRE TRACT OF LAND HEREIN REFERRED TO AS THE "WEST DOCK SITE" BEING A PORTION OF A CALLED 21.98-ACRE TRACT KNOWN AS TRACT IV - SUBMERGED TRACT, IN "EXHIBIT A" OF A CALLED 1089.34-ACRE TRACT DESCRIBED IN A DEED TO THE PORT OF CORPUS CHRISTI AS RECORDED IN DOCUMENT #1998005467, OFFICIAL RECORDS, NUECES COUNTY, TEXAS AND BEING A PORTION OF A CALLED 4140.6-ACRE TRACT OF SUBMERGED LAND CONVEYED BY THE STATE OF TEXAS TO NUECES COUNTY NAVIGATION DISTRICT NO. 1 BY PATENT 106 DATED AUGUST 9, 1951 AS RECORDED IN VOLUME 522, PAGE 201, DEED RECORDS, NUECES COUNTY, TEXAS ALSO BEING OUT OF THE STATE OF TEXAS SUBMERGED LAND TRACTS, TRACT 1, IN NUECES COUNTY, TEXAS.



TBPLS REG. NO. 10193804
802 N. Navigation Blvd., Suite 102
Corpus Christi, TX 78408
P: (361)452-1375 F: (361)452-1376
Survey Date: April 17, 2013
Survey Prepared: April 23, 2013
Revision No. 1: May 8, 2013
HX Job No: H13-0129
© COPYRIGHT 2013 ALL RIGHTS RESERVED
SHEET 1 OF 1

I, MICHAEL D. STRIDDE, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THE FOREGOING MAP OF THE SUBMERGED LAND TRACT WAS PREPARED FROM A SURVEY MADE BY CALCULATION ONLY AND NOT ON THE GROUND UNDER MY DIRECTION AND THAT IT SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION 1 SURVEY, AS PUBLISHED IN THE MANUAL OF PRACTICE FOR LAND SURVEYING IN THE STATE OF TEXAS.

5-8-2013
DATE:

Michael D. Stridde
MICHAEL D. STRIDDE
REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 3589



NO.	DATE	REVISION
1	5/8/13	ADJUSTED BULKHEAD LINE



PORT OF CORPUS CHRISTI AUTHORITY	
BOUNDARY OF MORE OR LESS 4.729-ACRES OUT OF THE PORT'S LA QUINTA PROPERTY "WEST DOCK SITE"	
SCALE: AS NOTED	DATE: 4/23/2013
DWN. BY: HYDRO EX	POCCA LA QUINTA PROPERTY
	DWG. NO. 1 OF 1



Vicinity Map

Printed: Oct 23, 2013

- city_streets
- state_hwy
- us_hwy
- railroads
- red boundaries
- abstracts
- lots
- blocks
- subdivisions
- parcels
- clubs
- airports
- parks
- city_boundaries
- food



ATTACHMENT 22

The ordinance of the City Council of the City of Corpus Christi establishing the reinvestment zone is attached.

Ordinance

Designating the "voestalpine Reinvestment Zone" within the extra territorial jurisdiction of the City of Corpus Christi, Texas ("City") and within the City limits under the Property Redevelopment and Tax Abatement Act (Chapter 312 of the Texas Tax Code).

Whereas, the Texas Property Redevelopment and Tax Abatement Act (the "Act"), Texas Tax Code, Chapter 312, as amended, authorizes the City Council of the City of Corpus Christi to designate a zone within the City limits and/or within the City's extra territorial jurisdiction for property tax abatement under the Act; and

Whereas, it is the policy of the City to encourage the redevelopment of areas wherein the creation and retention of new jobs and investment will benefit the area economy, provide needed economic opportunities, strengthen the real estate market, and generate tax revenues to support local services; and

Whereas, voestalpine Texas, LLC ("voestalpine") has requested that the City designate as a reinvestment zone the site within the City's extra territorial jurisdiction and within the City limits on which voestalpine plans to make an investment to construct improvements ("the voestalpine site"), which site is more particularly described on Exhibit A attached hereto; and

Whereas, the voestalpine site meets the criteria for a reinvestment zone as stated in Section 312.202 of the Act; and

Whereas, on Friday, May 3, 2013, notice of a public hearing on the designation of the voestalpine Reinvestment Zone was published in a newspaper of general circulation in the City of Corpus Christi, and on Friday, May 3, 2013, notice was given by U.S. Mail, certified, postage prepaid, return receipt requested, to the presiding officer of the governing body of each taxing unit including property in the proposed Zone in accordance with the Act; and

Whereas, the City Council of the City of Corpus Christi conducted a public hearing on Tuesday, May 14, 2013, at which all interested persons were entitled to speak and present evidence for or against the designation of the Zone for temporary property tax abatement.

Now, therefore, be it resolved and ordained by the City Council of the City of Corpus Christi, Texas:

SECTION 1. Creation of Zone: The City of Corpus Christi finds and determines that the voestalpine site within the City's extra territorial jurisdiction and within the City limits meets the criteria to be designated as a reinvestment zone stated in Section 312.202 of the Act and is reasonably likely, as a result of the designation, to contribute to the expansion of primary employment and will attract major investment in the Zone that would be a benefit to the property and would contribute to the economic development of the City, and that this area should be designated as the voestalpine Reinvestment

Zone. The location and boundaries of the Zone are more particularly described on Exhibit A attached hereto and incorporated by reference herein.

That the foregoing ordinance was read for the first time and passed to its second reading on this the 30th day of April, 2013, by the following vote:

Nelda Martinez	<u>Aye</u>	Chad Magill	<u>Abstain</u>
Kelley Allen	<u>Aye</u>	Colleen McIntyre	<u>Aye</u>
Rudy Garza	<u>Aye</u>	Lillian Riojas	<u>Aye</u>
Priscilla Leal	<u>Absent</u>	Mark Scott	<u>Aye</u>
David Loeb	<u>Aye</u>		

That the foregoing ordinance was read for the second time and passed finally on this the 14th day of May, 2013, by the following vote:

Nelda Martinez	<u>Aye</u>	Chad Magill	<u>Abstain</u>
Kelley Allen	<u>Absent</u>	Colleen McIntyre	<u>Aye</u>
Rudy Garza	<u>Aye</u>	Lillian Riojas	<u>Aye</u>
Priscilla Leal	<u>Aye</u>	Mark Scott	<u>Aye</u>
David Loeb	<u>Aye</u>		

PASSED AND APPROVED, this the 14th day of May 2013.

ATTEST:

Armando Chapa
City Secretary

Nelda Martinez
Mayor

Exhibit A
Property Description
Voestalpine Reinvestment Zone

Metes and Bounds Legal Description of the 475.52-Acre Plant Site

FIELD NOTES to describe the boundary of a 475.52-acre tract of land out of a called 930.28-acre tract known as Tract II in "Exhibit A", said 930.28-acre tract being a portion of a called 1089.34-acre tract described in a deed to the Port of Corpus Christi Authority of Nueces County, Texas as recorded in Document No. 1998005467, Official Records, Nueces County, Texas and being out of a called 2496.66-acre tract as recorded in Volume 458, Page 469, Deed Records, San Patricio County, Texas also being out of portions of the T.T. Williamson Surveys, Abstract 286, Abstract 287, Abstract 288, and Abstract 289, and the J. Gerraghty Survey, Abstract 139, all being in San Patricio County, Texas, said 475.52-acre tract being more particularly described by metes and bounds as follows;

COMMENCING at a 1" iron pipe found on the north line of said 930.28-acre tract for the southwest corner of Tract III in "Exhibit A" of said 1089.34-acre tract and for an interior corner of said 1089.34-acre tract, said 1" iron pipe having Texas State Plane Coordinates of X= 1377726.63 and Y= 17220150.79, thence South 49°45'13" West a distance of 161.84 feet to a 5/8" iron rod with red plastic cap stamped "HYDRO EX SURVEYING" set for the **POINT OF BEGINNING**;

THENCE South 17°44'36" East, being 250 feet west and parallel to the east line of said 1089.34-acre tract, a distance of 5,516.07 feet to a 5/8" iron rod with said red plastic cap set for an exterior corner of the herein described tract;

THENCE South 52°16'42" West, a distance of 186.27 feet to a 5/8" iron rod with said red plastic cap set for an interior corner of the herein described tract;

THENCE South 17°44'44" East, being 425 feet west and parallel to the east line of said 1089.34-acre tract, a distance of 1,454.17 feet to a 5/8" iron rod with said red plastic cap set for an exterior corner of the herein described tract;

THENCE South 05°00'40" East, a distance of 2,033.63 feet to a 5/8" iron rod with said red plastic cap set for the southeast corner of the herein described tract;

THENCE South 78°20'12" West, a distance of 198.27 feet to a 5/8" iron rod with said red plastic cap set for an exterior corner of the herein described tract;

THENCE North 07°29'58" West, a distance of 1,748.16 feet to a 5/8" iron rod with said red plastic cap set for an interior corner of the herein described tract;

THENCE South 78°19'34" West, a distance of 2,910.34 feet to a 5/8" iron rod with said red plastic cap set for the southwest corner of the herein described tract;

THENCE North $01^{\circ}15'10''$ West, being approximately 470 feet east and parallel to the east toe of levee recognized as D.M.P.A. No. 14, a distance of 967.53 feet to a $5/8''$ iron rod with said red plastic cap set for an interior corner of the herein described tract;

THENCE South $73^{\circ}03'57''$ West, a distance of 181.77 feet to a $5/8''$ iron rod with said red plastic cap set for an exterior corner of the herein described tract;

THENCE North $01^{\circ}15'07''$ West, being approximately 295 feet east and parallel to the east toe of levee recognized as D.M.P.A. No. 14, a distance of 3,882.65 feet to a $5/8''$ iron rod with said red plastic cap set for a corner, the P.C. of curve for an interior corner of the herein described tract;

THENCE in a Northwesterly direction, with the arc of said circular curve to the left, whose Central Angle is $60^{\circ}42'34''$, whose Radius is 1,627.00 feet, and Arc Distance of 1,723.94 feet to a $5/8''$ iron rod with said red plastic cap set for a corner, the P.T. of said curve, for an exterior corner of the tract herein described;

THENCE North $09^{\circ}28'59''$ East, being 100 feet east and parallel to the west line of said 930.28-acre tract, a distance of 2,181.12 feet to a $5/8''$ iron rod with said red plastic cap set for the northwest corner of the herein described tract;

THENCE South $70^{\circ}28'50''$ East, being 140' south and parallel to the north line of said 930.28-acre tract, a distance of 2,016.12 feet to a $5/8''$ iron rod with said red plastic cap set for the northeast corner of the herein described tract and the **POINT OF BEGINNING**,

CONTAINING within these metes and bounds 475.52 acres (20,713,669 square feet) of land, more or less.

East Dock Metes and Bounds

6.0620-Acre Tract "EAST DOCK SITE"

FIELD NOTES to describe an exhibit of a 6.0620-acre tract of submerged lands herein referred to as the "East Dock Site" being a portion of a called 930.28-acre tract known as Tract II and a portion of a called 21.98-acre tract known as Tract IV - Submerged Tract, both in "Exhibit A" of a called 1089.34-acre tract described in a deed to the Port of Corpus Christi Authority of Nueces County, Texas as recorded in Document No. 1998005467, Official Records, Nueces County, Texas and being out of a called 2496.66 acre tract as recorded in Volume 458, Page 469, Deed Records, San Patricio County, Texas also being out of a portion of the T.T. Williamson Survey, Abstract 288, in San Patricio County, Texas and the State of Texas Submerged Land Tracts, Tract I, in Nueces County, Texas, said 6.0620-acre tract being more particularly described by metes and bounds as follows;

COMMENCING at a brass disk set in concrete known as a United States National Geodetic Survey monument marked "Quintana 1933", said monument having Texas State Plane Coordinates of X= 1377525.05 and Y= 17211356.21, thence South 86°23'30" East a distance of 2,042.49 feet to a 5/8" iron rod found for an exterior corner of a 475.52 acre tract of land recently surveyed and monumented in November 2012 within the limits of said 1089.34 acre tract for an exterior corner of the 6.0620-acre tract herein described for the **POINT OF BEGINNING**;

THENCE North 78°20'12" East, along the south line of said 475.52-acre tract, a distance of 198.27 feet to a 5/8" iron rod found for an exterior corner of said 475.52-acre tract and for an exterior corner of the herein described tract;

THENCE South 11°39'48" East, a distance of 165.33 feet to a point for an interior corner of the herein described tract;

THENCE North 78°20'12" East, a distance of 68.77 feet to a point for the northwest corner of a called 58.07-acre tract of submerged lands known as Tract I, Parcel 6 described in a deed to BPU Reynolds, Inc. as recorded in Document No. 2001000017, Deed Records, Nueces County, Texas for the northeast corner of the herein described tract;

THENCE South 07°00'40" East, along the west line of said 58.07-acre tract, a distance of 260.60 feet to a point for the southwest corner of said 58.07-acre tract, for a bend point in the P.O.C.C.A. North Bulkhead Line, and for the southeast corner of the herein described tract;

THENCE South 78°20'12" West, along said north bulkhead line, a distance of 1060.00 feet to a point for the southwest corner of the herein described tract; **THENCE** North 11°39'48" West, a distance of 200.00 feet to a point for the northwest corner of the herein described tract;

THENCE North 78°20'12" East, a distance of 797.71 feet to a point for an interior corner of the herein described tract;

THENCE North 07°29'58" West, a distance of 225.67 feet to a 5/8" iron rod found for an exterior corner of said 475.52-acre tract and for an exterior corner of the herein described tract and the **POINT OF BEGINNING, CONTAINING** within these metes and bounds 6.0620 acres (264,060 square feet) of land, more or less.

West Dock Metes and Bounds

4.7291-Acre Tract "WEST DOCK SITE"

FIELD NOTES to describe an exhibit of a 4.7291-acre tract of submerged lands herein referred to as the "West Dock Site" being a portion of a called 21.98-acre tract known as Tract IV - Submerged Tract, in "Exhibit A" of a called 1089.34-acre tract described in a deed to the Port of Corpus Christi Authority of Nueces County, Texas as recorded in

Document No. 1998005467, Official Records, Nueces County, Texas and being out of the State of Texas Submerged Land Tracts, Tract 1, in Nueces County, Texas, said 4.7291 acre tract being more particularly described by metes and bounds as follows;

COMMENCING at a brass disk set in concrete known as a United States National Geodetic Survey monument marked "Quintana 1933", said monument having Texas State Plane Coordinates of X= 1377525.05 and Y= 17211356.21, thence South 68°14'28" East a distance of 1,385.35 feet to a point for the northwest corner of a called 6.0620 acre tract referred to as the "East Dock Site", described by separate instrument, and for the northeast corner of the herein described tract for the POINT OF BEGINNING;

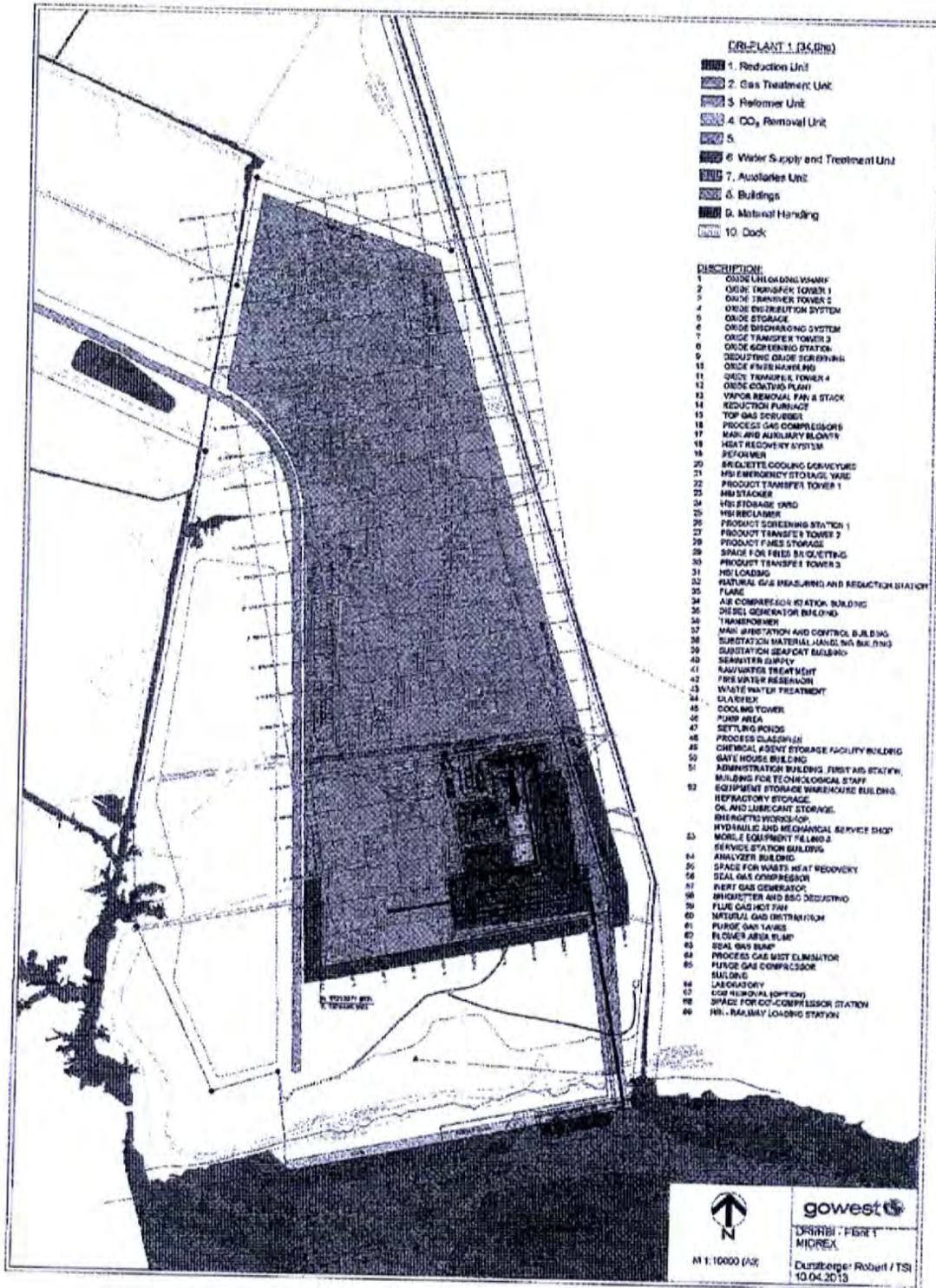
THENCE South 11 °39'48" East, along the common line of said 4.7291-acre tract and the 6.0620 acre tract, a distance of 200.00 feet to a point on the P.O.C.C.A. North Bulkhead Line for the southwest corner of said 6.0620-acre tract and for the southeast corner of the herein described tract;

THENCE South 78°20'12" West, along said north bulkhead line, a distance of 1030.00 feet to a point for the southwest corner of the herein described tract;

THENCE North 11 °39'48" West, a distance of 200.00 feet to a point for the northwest corner of the herein described tract;

THENCE North 78°20' 12" East, being 200 feet north and parallel to the north bulkhead line, a distance of 1030.00 feet to a point for the northwest corner of said 6.0620 acre tract and for the northeast corner of the herein described tract and the POINT OF BEGINNING, CONTAINING within

Map voestalpine Reinvestment Zone



ATTACHMENT 23

The legal description of the reinvestment zone is attached.

Exhibit A
Property Description
Voestalpine Reinvestment Zone

Metes and Bounds Legal Description of the 475.52-Acre Plant Site

FIELD NOTES to describe the boundary of a 475.52-acre tract of land out of a called 930.28-acre tract known as Tract II in "Exhibit A", said 930.28-acre tract being a portion of a called 1089.34-acre tract described in a deed to the Port of Corpus Christi Authority of Nueces County, Texas as recorded in Document No. 1998005467, Official Records, Nueces County, Texas and being out of a called 2496.66-acre tract as recorded in Volume 458, Page 469, Deed Records, San Patricio County, Texas also being out of portions of the T.T. Williamson Surveys, Abstract 286, Abstract 287, Abstract 288, and Abstract 289, and the J. Gerraghty Survey, Abstract 139, all being in San Patricio County, Texas, said 475.52-acre tract being more particularly described by metes and bounds as follows;

COMMENCING at a 1" iron pipe found on the north line of said 930.28-acre tract for the southwest corner of Tract III in "Exhibit A" of said 1089.34-acre tract and for an interior corner of said 1089.34-acre tract, said 1" iron pipe having Texas State Plane Coordinates of X= 1377726.63 and Y= 17220150.79, thence South 49°45'13" West a distance of 161.84 feet to a 5/8" iron rod with red plastic cap stamped "HYDRO EX SURVEYING" set for the **POINT OF BEGINNING**;

THENCE South 17°44'36" East, being 250 feet west and parallel to the east line of said 1089.34-acre tract, a distance of 5,516.07 feet to a 5/8" iron rod with said red plastic cap set for an exterior corner of the herein described tract;

THENCE South 52°16'42" West, a distance of 186.27 feet to a 5/8" iron rod with said red plastic cap set for an interior corner of the herein described tract;

THENCE South 17°44'44" East, being 425 feet west and parallel to the east line of said 1089.34-acre tract, a distance of 1,454.17 feet to a 5/8" iron rod with said red plastic cap set for an exterior corner of the herein described tract;

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THENCE in a Northwesterly direction, with the arc of said circular curve to the left, whose Central Angle is $60^{\circ}42'34''$, whose Radius is 1,627.00 feet, and Arc Distance of 1,723.94 feet to a $5/8''$ iron rod with said red plastic cap set for a corner, the P.T. of said curve, for an exterior corner of the tract herein described;

THENCE North $09^{\circ}28'59''$ East, being 100 feet east and parallel to the west line of said 930.28-acre tract, a distance of 2,181.12 feet to a $5/8''$ iron rod with said red plastic cap set for the northwest corner of the herein described tract;

THENCE South $70^{\circ}28'50''$ East, being 140' south and parallel to the north line of said 930.28-acre tract, a distance of 2,016.12 feet to a $5/8''$ iron rod with said red plastic cap set for the northeast corner of the herein described tract and the **POINT OF BEGINNING**,

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East Dock Metes and Bounds

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COMMENCING at a brass disk set in concrete known as a United States National Geodetic Survey monument marked "Quintana 1933", said monument having Texas State Plane Coordinates of X= 1377525.05 and Y= 17211356.21, thence South 86°23'30" East a distance of 2,042.49 feet to a 5/8" iron rod found for an exterior corner of a 475 .52 acre tract of land recently surveyed and monumented in November 2012 within the limits of said 1089.34 acre tract for an exterior corner of the 6.0620-acre tract herein described for the **POINT OF BEGINNING**;

THENCE North 78°20'12" East, along the south line of said 475.52-acre tract, a distance of 198.27 feet to a 5/8" iron rod found for an exterior corner of said 475.52-acre tract and for an exterior corner of the herein described tract;

THENCE South 11°39'48" East, a distance of 165.33 feet to a point for an interior corner of the herein described tract;

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THENCE South 07°00'40" East, along the west line of said 58 .07-acre tract, a distance of 260.60 feet to a point for the southwest corner of said 58.07-acre tract, for a bend point in the P.O.C.C.A. North Bulkhead Line, and for the southeast corner of the herein described tract;

THENCE South 78°20'12" West, along said north bulkhead line, a distance of 1060.00 feet to a point for the southwest corner of the herein described tract; **THENCE** North 11°39'48" West, a distance of 200.00 feet to a point for the northwest corner of the herein described tract;

THENCE North 78°20'12" East, a distance of 797.71 feet to a point for an interior corner of the herein described tract;

THENCE North 07°29'58" West, a distance of 225.67 feet to a 5/8" iron rod found for an exterior corner of said 475.52-acre tract and for an exterior corner of the herein described tract and the **POINT OF BEGINNING, CONTAINING** within these metes and bounds 6.0620 acres (264,060 square feet) of land, more or less.

West Dock Metes and Bounds

4.7291-Acre Tract "WEST DOCK SITE"

FIELD NOTES to describe an exhibit of a 4.7291-acre tract of submerged lands herein referred to as the "West Dock Site" being a portion of a called 21.98-acre tract known as Tract IV - Submerged Tract, in "Exhibit A" of a called 1089.34-acre tract described in a deed to the Port of Corpus Christi Authority of Nueces County, Texas as recorded in

Document No. 1998005467, Official Records, Nueces County, Texas and being out of the State of Texas Submerged Land Tracts, Tract 1, in Nueces County, Texas, said 4.7291 acre tract being more particularly described by metes and bounds as follows;

COMMENCING at a brass disk set in concrete known as a United States National Geodetic Survey monument marked "Quintana 1933", said monument having Texas State Plane Coordinates of X= 1377525.05 and Y= 17211356.21, thence South 68°14'28" East a distance of 1,385.35 feet to a point for the northwest corner of a called 6.0620 acre tract referred to as the "East Dock Site", described by separate instrument, and for the northeast corner of the herein described tract for the POINT OF BEGINNING;

THENCE South 11 °39'48" East, along the common line of said 4.7291-acre tract and the 6.0620 acre tract, a distance of 200.00 feet to a point on the P.O.C.C.A. North Bulkhead Line for the southwest corner of said 6.0620-acre tract and for the southeast corner of the herein described tract;

THENCE South 78°20'12" West, along said north bulkhead line, a distance of 1030.00 feet to a point for the southwest corner of the herein described tract;

THENCE North 11 °39'48" West, a distance of 200.00 feet to a point for the northwest corner of the herein described tract;

THENCE North 78°20' 12" East, being 200 feet north and parallel to the north bulkhead line, a distance of 1030.00 feet to a point for the northwest corner of said 6.0620 acre tract and for the northeast corner of the herein described tract and the POINT OF BEGINNING, CONTAINING within

ATTACHMENT 24

Guidelines and criteria for the City of Corpus Christi are attached.

**CITY OF CORPUS CHRISTI
GUIDELINES AND CRITERIA
FOR GRANTING TAX ABATEMENT
December 6, 2011**

WHEREAS, the attraction of long-term Added Value and the establishment of new permanent full-time jobs in the area would enhance the economic base of area taxing entities;

WHEREAS, Corpus Christi must compete with other communities across the nation currently offering tax inducements to attract new plant and modernization projects, and studies have shown that a favorable local tax climate and start-up tax concessions rank second on the list of priorities for new plant installations or expansions;

WHEREAS, tax abatement is one of the principal means by which the public sector and the private sector can forge a partnership to promote real economic growth within a community;

WHEREAS, any tax incentives offered must be strictly limited in application to those new and existing industries that bring new wealth to the community in order to avoid reducing the needed tax revenues of area taxing entities;

WHEREAS, the Property Redevelopment and Tax Abatement Act ("Act"), Chapter 312 of the Texas Tax Code authorizes taxing units to provide property tax abatement for limited periods of time as an inducement for the development or redevelopment of a property;

WHEREAS, a Texas Enterprise Zone constitutes designation as a Reinvestment Zone without further hearing or other procedural requirements under Chapter 312, Texas Tax Code;

WHEREAS, the Act requires eligible taxing jurisdictions to establish Guidelines and Criteria ("Guidelines") as to eligibility for tax abatement agreements prior to granting any future tax abatement, the Guidelines may not be changed for a two-year period unless amended by a three-fourths vote;

WHEREAS, the City Council by Resolution 028424, on November 17, 2008, adopted the City of Corpus Christi Economic Development Policies, 2009-2011, which contain the City's Guidelines for tax abatement;

WHEREAS, there is a need to supplement those Guidelines with greater detail on the requirements for tax abatement agreements;

WHEREAS, in order to assure a common, coordinated effort to promote economic development in the area, these Guidelines have been circulated among Nueces County, Del Mar College, and other taxing entities for consideration as a common policy for all jurisdictions which choose to participate in tax abatement agreements; and

NOW, THEREFORE, BE IT RESOLVED by the City of Corpus Christi that these Guidelines for granting tax abatement be adopted:

Section 1. Definitions.

"Abatement" means the temporary, full or partial exemption from ad valorem taxes of certain added value to real and personal property in a zone designated for economic development purposes under the Act.

"Added Value" means the increase in the assessed value of an eligible property as a result of "expansion" or "modernization" of an existing facility or construction of a "new facility." It does not mean or include "deferred maintenance."

"Agreement" means a contractual agreement between an Owner and the City for the purposes of tax abatement.

"Base Year Value" means the assessed value of eligible property as of the January 1 preceding the execution of an Agreement, plus the agreed upon value of eligible property improvements made after January 1 but before the execution of the Agreement.

"Basic Manufacturing or Service Facility" means buildings and structures, including fixed machinery and equipment not elsewhere described, used or to be used for the production of products or services that derive a majority of revenue from points beyond a 50 mile radius of Nueces County.

"Catalyst Area" mean an area within a Texas Enterprise Zone, Downtown, Corpus Christi (North) Beach, Padre and Mustang Islands (other than areas within Tax Increment Reinvestment Zone Number Two, City of Corpus Christi), or other areas designed as catalyst areas by the City Council.

"City" means the City of Corpus Christi that levies ad valorem taxes upon and provides services to property located within a proposed or existing zone designated under the Act.

"Convention Center Hotel" means a hotel.

"Deferred Maintenance" means improvements necessary for continued operations that do not improve productivity or alter the process technology.

"Downtown Revitalization Housing Facility" means a Multi-family Housing Facility constructed or renovated in the area encompassed by the Downtown Management District; provided that a Multi-family Housing Facility, which is located near the boundaries of the Downtown Management District, may be considered if the Facility is determined by the City Council to assist in the revitalization of the downtown area and the Owner of the Facility enters into an agreement to contribute amounts to the Downtown Management District on the same basis as if it were part of the District for two times the life of the Agreement.

"Economic Life" means the number of years a property improvement is expected to be in service in a Facility.

"Enterprise Zone Residential Redevelopment Facility" means buildings and structures used or to be used primarily for residential purposes that is located within a Texas enterprise zone.

"Expansion" means the addition of buildings, structures, fixed machinery, or equipment for the purposes of increasing capacity.

"Facility" means property improvements completed or in the process of construction that together compromise an integral whole.

"Historic Structure" means any structure that has been designated by the Corpus Christi Landmark Commission as historically significant.

"Locally Owned" means a facility, manufacturer, supplier, contractor, and labor supplier whose owner resides in or maintains its principle office within a 50 mile radius of Nueces County.

"Mixed-use facility" means a facility having residential and commercial uses where the commercial use occupies more than 20% of the structure.

"Multi-family housing" means a facility designed, arranged, or used exclusively for the use and occupancy of three or more families living independently of each other. The dwelling structure may include a triplex, apartment, townhouse, condominium, cooperative, high-rise, etc.

"Modernization" means the replacement and upgrading of existing facilities that increases the productive input or output, updates the technology, or substantially lowers the unit cost of the operation, and extends the economic life of the facilities. Modernization may result from the construction, alteration, or installation of buildings, structures, fixed machinery, or equipment.

"Modernization" does include work done for the purpose of reconditioning, refurbishing, repairing, or completion of deferred maintenance to a structure.

"New Facility" means a property previously undeveloped, which is placed into service by means other than or in conjunction with an expansion or modernization.

"Owner" means the owner of a Facility subject to abatement. If the Facility is constructed on a leased property, the Owner is the party that owns the property subject to tax abatement. The other party to the lease must join in the execution of Agreement, but may not be obligated to assure performance of the party receiving abatement.

"Permanent full-time job" means a new employment position or full-time equivalent created by a business that provides a regular work schedule of at

least 32 hours per week or 1,664 hours of employment per year to a Corpus Christi Metropolitan Statistical Area resident and maintains the employment position during the term of the Agreement.

"Petrochemical Facility" means buildings and structures, including fixed machinery and equipment, the primary purpose of which is or will be the manufacture or processing of petrochemicals or fuels by physical or chemical change.

"Regional Distribution Center Facility" means buildings and structures, including fixed machinery and equipment, used or to be used primarily to receive, store, service, or distribute goods or materials owned by the Facility operator where a majority of the goods or services are distributed to points beyond a 50 mile radius of the City.

"Regional Telecommunications/Data Processing Center Facility" means buildings and structures used or to be used primarily for the provision of telecommunication or data processing services by the Facility operator where a majority of the services are provided to points beyond a 50 mile radius of the City.

"Regional Visitor/Amusement Facility" means buildings and structures used or to be used primarily as a stadium, arena, amusement park, or similar attraction or sports venue.

"Rehabilitation" means that the Added Value, as defined, of the project exceeds the base year of a development property by \$250,000.

"Texas Enterprise Zone" means any area designated as an enterprise zone under Chapter 2303, Texas Government Code.

Section 2. Abatement Authorized.

(a) *Authorized Facilities.* A Facility may be eligible for abatement if it is one of the following:

- (1) Basic Manufacturing Facility.
- (2) Basic Service Facility.
- (3) Regional Distribution Center Facility.
- (4) Regional Telecommunications/Data Processing Center Facility.
- (5) Regional Visitor/Amusement Facility.
- (6) Enterprise Zone Facility.

(7) Downtown Revitalization Housing Facility.

(8) Petrochemical Facility.

(9) Convention Center Hotel.

(10) Historically Significant Structure.

(b) *Abatement for New Facilities or Improvements to Existing Facilities.* Abatement may be granted for new facilities and improvements to existing facilities for the purpose of modernization or expansion.

(c) *Creation of New Value.* Abatement may only be granted for the additional value of eligible property improvements made subject to and listed in an Agreement between the City and the Owner, subject to the limitations as the City requires. The economic life of the improvements must exceed the term of the Agreement.

(d) *Eligible Property.* Abatement may be extended to the value of the improvements to real property, including buildings, structures, fixed machinery and equipment, and site improvements, plus that office space and related fixed improvements necessary to the operation and administration of the Facility. Abatement may also be extended for tangible personal property as defined by the Texas Tax Code.

(e) *Ineligible Property.* The following types of property are fully taxable and ineligible for abatement, unless specifically authorized by the City Council:

(1) Land.

(2) Inventories.

(3) Supplies.

(4) Tools.

(5) Furnishings and other forms of movable personal property.

(6) Vehicles.

(7) Vessels.

(8) Aircraft.

(9) Housing, other than an Enterprise Zone Residential Redevelopment Facility or Downtown Revitalization Housing Facility.

(10) Hotel accommodations, other than a convention center hotel.

(11) Deferred maintenance investments.

(12) Property to be rented or leased, except when the Owner is the lessee of the land, but is the Owner of the Facilities.

(13) Improvements for the generation or transmission of electrical energy not wholly consumed by a New Facility or expansion.

(14) Any improvements, including those to produce, store, or distribute natural gas, fluids, or gases that are not integral to the operation of the Facility.

(15) Improvements to real property that have an economic life of less than 15 years.

(16) Property owned or used by the State of Texas or its political subdivisions, or by any organization owned, operated, or directed by a political subdivision of the State of Texas.

(f) *Period of Abatement.*

(1) Abatement may be granted effective with the January 1 valuation date immediately following the date of execution of the Agreement. Abatement may be allowed for a period of up to ten years, including the period of construction. If the period of construction exceeds two years, the Facility is considered completed for purposes of abatement at the end of two years, and in no case may the total period of abatement, inclusive of the construction period, exceed ten years.

(2) Abatement for a Downtown Revitalization Housing Facility may be granted effective with the January 1 valuation date immediately following the date of execution of the Agreement. Abatement may be allowed for a period of seven years, including the period of construction. If the period of construction exceeds two years, the Facility is considered completed for purposes of abatement at the end of two years, and in no case may the total period of abatement, inclusive of the construction period, exceed seven years.

(g) *Completion of Construction.* The completion of construction is deemed to occur upon the earliest of the following events:

(1) When a certificate of occupancy is issued for the project (if it is located within a city).

(2) When commercial production of a product or provision of a service is achieved at the Facility.

(3) When the architect or engineer supervising construction issues a certificate of substantial completion, or some similar instrument.

(4) Two years after the date of the Agreement.

(h) *Determination of Completion of Construction.* The determination of the completion of construction is made by the City, in its sole and absolute discretion, based upon the above criteria and the other factors as the City deems relevant. The determination of the completion of construction is conclusive, and any judicial review of the determination must be governed by the substantial evidence rule.

(i) *Abatement Percentage.* Temporary property tax abatement may be authorized for the development of a New Facility, Expansion, or Modernization that meets either qualification criteria of capital investment or a qualification criteria based upon a combination of the number of new jobs created plus the average salary of all jobs at the facility.

(1) The capital investment qualification criteria is as follows:

Added Value from Capital Investment ¹	Abatement Level
\$2,000,000 to \$10,000,000	Level 1
\$10,000,001 to \$50,000,000	Level 2
\$50,000,001 to \$150,000,000	Level 3
\$150,000,001 to \$500,000,000	Level 4
Over \$500,000,000	Level 5

Note: ¹ The qualification for abatement by capital investment is based upon the added value of Eligible Property as reflected on the tax rolls of the applicable appraisal district.

(2) The combination of new jobs and salary criteria is as follows:

Number of New Jobs ¹	Average Salary Up to \$50,000	Average Salary \$50,001 to \$70,000	Average Salary Over \$70,000
20 to 99 New Jobs	Level 1	Level 2	Level 3
100 to 199 New Jobs	Level 2	Level 3	Level 4
200 or more New Jobs	Level 3	Level 4	Level 5

Note: ¹ Provided that, obtaining temporary tax abatement based solely on the creation of the new jobs must be further conditioned on the requirement for the improvement or repair of property in order to meet the minimum requirements of the Act.

(3) The level of any New Facility, Expansion, or Modernization that is located within a Catalyst Area or that is a Locally-Owned Facility is increased by one level above the standards set forth in Section 2(i)(1) and (2) above, with a minimum level of 3 for any the project. Further, if a Facility qualifies under both the capital investment qualification criteria and the new jobs and salary criteria, the Facility will be increased by one level above the highest criteria level achieved.

(4) A historically significant structure is a minimum of Tier 3.

(5) Any New Facility, Expansion, or Modernization that utilizes the Leadership in Energy and Environmental Design (LEED) Green Building Rating System may be increased at least one level above the qualifying level for abatement.

(6) Abatement for a small business facility providing Added Value of at least \$250,000 may be considered within a Catalyst Area or as a Locally-Owned Facility by the City Council on a case-by-case basis.

(7) Upon compliance with the above criteria, the percentage of tax abated may be under the following schedule, with 100% abatement in each case during the construction period of up to two years:

Year	Level 1	Level 2	Level 3	Level 4	Level 5
Year 1*	100%	100%	100%	100%	100%
Year 2*	100%	100%	100%	100%	100%
Year 3	100%	100%	100%	100%	100%
Year 4	75%	100%	100%	100%	100%
Year 5	50%	75%	100%	100%	100%
Year 6	25%	50%	75%	100%	100%
Year 7		25%	50%	75%	100%
Year 8			25%	50%	75%
Year 9				25%	50%
Year 10					25%

*Construction Period

(8) In the event the Added Value caused by the Project is less than \$2.0 million, no abatement may be granted unless the Facility is a Rehabilitation Project as described in Section 2(k) or historically significant as described in Section 2(l).

(9) In order to be counted as a permanent job under these Guidelines, the job must be a full-time position providing regular work schedules of at least 32 hours per week.

(10) For a Downtown Revitalization Housing Facility, the percentage of tax abated is under the following schedule:

Year	Percentage of Abatement
Year 1*	100%
Year 2*	100%
Year 3	100%
Year 4	100%
Year 5	100%

* Construction Period

(11) For compliance purposes, the date for determining a permanent full-time job will be six months from the date of completion. The business must maintain the same level of employment or increase employment during the term of the agreement.

(12) For an Enterprise Zone Facility, the jobs must be created within six months following the completion of construction. One new permanent full-time job must

be added per \$50,000 of Added Value to a property. The Owner must maintain the same level of employment or increase employment during the term of the Agreement. For example:

Company X is rehabilitating a building in a Texas Enterprise Zone for a commercial use. The current value of the building is \$250,000 and Company X estimates an added value of \$750,000. The job requirement will be to create and maintain a minimum of 15 permanent full-time positions during the term of the Agreement. ($\$750,000 / \$50,000 = 15$)

(13) For residential multi-family housing, the job creation requirement will be waived.

(14) For mixed-use facilities, the job requirement will be prorated. For example:

Company Y is constructing a mixed-use facility that is 30% non-residential and the Added Value is \$1,500,000. The job requirement will be to create and maintain a minimum of 9 permanent full-time jobs during the term of the Agreement. ($1,500,000 \times .30 = \$450,000 / \$50,000 = 9$)

(j) Living Wage Requirement. In order to count as a permanent full-time job under this tax abatement program, the job should provide a "living wage" for the employee. The target living wage under this abatement program is that annual amount equal or greater than poverty level for a family of three, established by the U.S. Department of Health and Human Services Poverty Guidelines, divided by 2,080 hours per year for that year. The City has the right to adjust the living wage target under these Guidelines and insert a specific target in each property Agreement to govern the abatement offered under that Agreement.

(k) Health Insurance. To qualify for this incentive, an employer shall certify that it has offered a health insurance program for its employees during the term of the Agreement

(l) Utilization of Local Contractors and Suppliers. Developer agrees to exercise reasonable efforts in utilizing local contractors and suppliers in the construction of the Project, except where not reasonably possible to do so without added expense, substantial inconvenience, or sacrifice in operating efficiency in the normal course of business, with a goal of 50% of the total dollar amount of all construction contracts and supply agreements for elements that are not owner-provided or owner affiliate-provided being paid to local contractors and suppliers. For the purposes of this section, the term "local" as used to describe manufacturers, suppliers, contractors, and labor includes firms, businesses, and persons who reside in or maintain an office within a 50 mile radius of Nueces County. The Developer agrees, during the construction of the Project and for four years after Completion, to maintain written records documenting the efforts of the Developer to comply with the Local Requirement.

(m) Utilization of Disadvantaged Business Enterprises. Developer agrees to exercise reasonable efforts in utilizing contractors and suppliers that are determined to be disadvantaged business enterprises, including minority business enterprises women-owned business enterprises and historically-underutilized business enterprises, in the construction of elements of the Project that are not owner-provided or owner affiliate-provided. In order to qualify as a business enterprise under this provision, the firm must be certified by the City, the Regional Transportation Authority or another governmental entity in the jurisdiction of the home office of

the business as complying with state or federal standards for qualification as such an enterprise. The Developer agrees to a goal of 30% of the total dollar amount of all construction contracts and supply agreements, for elements of the Project that are not owner-provided or owner affiliate-provided, being paid to disadvantaged business enterprises, with a priority made for disadvantaged business enterprises which are local. The Developer agrees, during the construction of the Project and for four years after Completion, to maintain written records documenting the efforts of the Developer to comply with the DBE Requirement. For the purposes of this section, the term "local" as used to describe contractors and suppliers that are determined to be disadvantaged business enterprises, including minority business enterprises women-owned business enterprises and historically-underutilized business enterprises includes firms, businesses, and persons who reside in or maintain an office within a 50 mile radius of Nueces County.

(n) *Rehabilitation Projects.* The \$2 million minimum Added Value requirement for abatement does not apply to rehabilitation projects that involve the adaptive reuse of an existing structure or building for a Facility.

(1) In order to qualify as a rehabilitation project under this provision, the project must involve a minimum Added Value, as defined, of \$250,000. Any rehabilitation project must involve the adaptive reuse of an existing structure or building currently on the property tax rolls so that the Base Year Value associated with the project will include both the value of the land and the existing improvements.

(2) For the rehabilitation projects, all Eligible Property in excess of the Base Year Value are subject to abatement, plus the value of personal property, such as furniture and movable equipment that would otherwise be considered Ineligible Property for any other type of abatement category.

(3) In no event, however, may the total value of personal property subject to abatement exceed \$1 million or the total amount of all property subject to abatement in a rehabilitation project exceed \$5 million.

(o) *Historical Significant Structures.* The \$2 million minimum Added Value requirement for abatement does not apply to historical projects.

(1) In order to qualify as an historical significant project under this provision, the project must be designated as historically significant by the CC Landmark Commission.

(2) For the historical projects, all Eligible Property in excess of the Base Year Value are subject to abatement, plus the value of personal property, such as furniture and movable equipment that would otherwise be considered Ineligible Property for any other type of abatement category.

Properties in Industrial Districts. For eligible property to be constructed in an area which is covered by an executed industrial district agreement with the City, the method of calculating payments in lieu of property taxes for the eligible property is set forth in the

industrial district agreement. As an alternative to an industrial district agreement, an eligible property may be covered by an Agreement.

(p) *Economic Qualification for Non-Residential Development and Mixed-Use Facilities.*

(1) In order to be eligible for tax abatement, the planned improvement for a Non-Residential Development or Mixed-Use Facility may create no later than the January 1 following the completion of construction and maintain throughout the remainder of the term of the Agreement the minimum number of 50 permanent full-time jobs in City.

(2) The planned improvement for a Non-Residential Development or Mixed-Use Facility may not adversely affect competition in the local market with established local businesses.

(q) *Taxability.* From the execution of the Agreement to the end of the abatement period, taxes will be payable as follows:

(1) The value of Ineligible Property as provided in Section 2(e) are fully taxable (except for personal property added in connection with a Rehabilitation Project).

(2) The Base Year Value of existing Eligible Property as determined each year are fully taxable.

(3) The Added Value of new Eligible Property (and certain personal property added in connection with a Rehabilitation Project) is taxable, less the authorized abatement provided in Section 2(i).

Section 3. Application.

(a) *Written Application.* Any present or potential owner of taxable property may request tax abatement by filing a written application with the City Manager.

(b) *Contents of Application.* The application must consist of a completed application form provided by the City or Corpus Christi Regional Economic Development Corporation accompanied by the following:

(1) A general description of the new improvements to be undertaken.

(2) A descriptive list of the improvements for which abatement is requested.

(3) A list of the kind, number, and location of all proposed improvements of the property.

(4) A map and metes and bounds property description.

(5) A time schedule for undertaking and completing the proposed improvements.

(6) In the case of a modernization or expansion project, a statement of the assessed value of the Facility, separately stated for real and personal property, must be given for the tax year immediately preceding the application.

(c) *Additional Information.* The City may require additional financial and other information that the City deems appropriate for evaluating the financial capacity and other relevant factors of the applicant.

(d) *Written Notification to Other Governing Bodies.* Upon receipt of a completed application, the City Manager will forward a copy of the application to the presiding officer of the governing body of each jurisdiction that has taxing authority over the property covered by the application.

(e) *Feasibility.* After receipt of an application for abatement, the City will consider the feasibility and the impact of the proposed tax abatement. The study of feasibility includes, but not be limited to, an estimate of the economic effect of the abatement of taxes and the benefit to the City and the property to be covered by the abatement.

(f) *No Abatement if Construction has Commenced.* No Agreement may be approved if the application for the abatement was filed after the commencement of construction, alteration, or installation of improvements related to the proposed Modernization, Expansion, or New Facility.

(g) *Variance.* Requests for variance from the provisions of Section 2 may be made in written form, provided, however, that no variance may extend the term of abatement beyond ten years. The requests must include a complete description of the circumstances explaining why the applicant should be granted a variance. Approval of a request for variance requires a three-fourths vote of the City Council.

Section 4. Public Hearing and Approval.

(a) *Designation of Tax Abatement Reinvestment Zone.* An action designating a reinvestment zone for tax abatement under the Act may not be adopted by the City Council until a public hearing has been held at which interested persons are entitled to speak and present evidence for or against the designation. Notice of the hearing must be provided to the public in the manner required by the Act.

(b) *Tax Abatement Reinvestment Zone.* Under Chapter 312, Texas Tax Code, a designated Texas Enterprise Zone constitutes designation as a Reinvestment Zone without further hearing or other procedural requirements. Under Chapter 2302 of the Texas Government Code, a federally designated Renewal Community or Census Block Group with poverty greater than 20% constitutes designation as a Texas Enterprise Zone. Therefore, the Renewal Community is a Reinvestment Zone, without further hearing.

Section 5. Agreement.

(a) *Required Findings.* In order to enter into an agreement, the City must find that the terms of the proposed Agreement meets the requirements of the Act and these Guidelines.

(b) *Reservation of Rights.* Nothing in these Guidelines may be construed to limit the authority of the City to examine each application for tax abatement before it on a case-by-case basis and determine in the City's sole and absolute discretion whether or not the proposed project should be granted temporary tax abatement, whether or not it complies with these Guidelines, is feasible, and whether or not the proposed temporary abatement of taxes will inure to the long-term benefit of the City.

(c) *Contents of Tax Abatement Agreement.* The Agreement with the Owner of the Facility must include all of the following:

- (1) The estimated value to Facility subject to abatement and the Base Year Value.
- (2) The percentage of value to be abated each year as provided in Section 2.
- (3) The commencement date and termination date of abatement.
- (4) A provision that the term of the Agreement must extend until five (5) years after the expiration of the period of tax abatement.
- (5) The proposed use of the Facility, nature of construction, time schedule, map, metes and bounds property description, and improvements list as provided in the application.
- (6) The contractual obligations in the event of default, delinquent taxes, recapture, administration, and assignment as provided in these Guidelines, or other provisions that may be required for uniformity or by state law.
- (7) The amount of Added Value and required number of permanent full-time jobs.

(d) *Time of Execution.* The Agreement will normally be executed within 60 days after the applicant has provided all necessary information and documentation.

(e) *Attorney's Fees.* In the event any attorney's fees are incurred by the City in the preparation of an agreement, the fees must be paid by the applicant upon execution of the Agreement.

Section 6. Recapture.

(a) Failure to Commence Operation During Term of Agreement.

(1) In the event that the Facility is not completed and does not begin operation with the required minimum number of permanent full-time jobs by the January 1 following the completion of construction, no abatement may be given for that tax year, and the full amount of taxes assessed against the property is due and payable for that tax year.

(2) In the event that the Enterprise Zone Facility is not completed and does not begin operation with at least one permanent full-time job per \$50,000 of Added Value within six months following the completion of construction, no abatement may be given for that tax year, and the full amount of taxes assessed against the property are due and payable for that tax year. In the event that the Owner of such a Facility fails to begin operation with the required minimum number of permanent full-time jobs by the next January 1 or for an Enterprise Zone Facility, at least one permanent full-time job per \$50,000 within 1 year following the completion of construction, then the abatement agreement terminates and all abated taxes during the period of construction must be recaptured and paid within 60 days of the termination.

(b) Discontinuance of Operations During Term of Agreement. In the event the Facility is completed and begins operation with the required number of jobs, but subsequently discontinues operations and the required number of permanent full-time jobs are not maintained as required, for any reason, except on a temporary basis due to fire, explosion, other casualty or accident, or natural disaster, the Agreement may be terminated by the City providing abatement, and all taxes previously abated by virtue of the Agreement must be recaptured and paid within 60 days of the termination.

(c) Delinquent Taxes. In the event that the Owner allows its ad valorem taxes to become delinquent and fails to timely and properly follow the legal procedures for their protest and/or contest, the Agreement automatically terminates and there may be no abatement of the taxes for the tax year of the delinquency. The total taxes assessed without abatement, for that tax year must be paid within 60 days from the date of termination.

(d) Notice of Default. Should the City determine that the Owner is in default under the terms and conditions of its Agreement, the City will notify the Owner in writing at the address stated in the Agreement that if the default is not cured within 60 days from the date of the notice ("Cure Period"), then the Agreement will be terminated. In the event the Owner fails to cure the default during the Cure Period, the Agreement may be terminated and the taxes abated by virtue of the Agreement will be recaptured and paid as provided in these Guidelines.

(e) Actual Capital Investment. Should the City determine that the total level of capital investment in eligible property is lower than provided in the Agreement, the difference

between the tax abated and the tax that should have been abated based upon the actual capital investment as determined must be paid to the City within 60 days of notification to the Owner of the determination.

(f) *Reduction in Rollback Tax Rate.*

(1) If during any year of the period of abatement with respect to any property any portion of the abated value that is added to the current total value of the Facility, but is not treated as "new property value" (as defined in Section 26.012(17) of the Texas Tax Code) for the purpose of establishing the "effective maintenance rate" in calculating the "rollback tax rate" under Section 26.04(c)(2), Texas Tax Code, and if the City's budget calculations indicate that a tax rate in excess of the "rollback tax rate" is required to fund the operations of the City for the succeeding year, then the City may recapture from the taxpayer a tax in an amount equal to the lesser of the following:

(A) The amount of the taxes abated for that year by the City with respect to the taxpayer.

(B) The amount obtained by subtracting the rollback tax rate computed without the abated property value being treated as new property value from the rollback tax rate computed with the abated property value being treated as new property value and multiplying the difference by the total assessed value of the City.

(2) If the City has granted an abatement of taxes to more than one taxpayer, then the amount of the recapture, calculated under Section 6(f)(1)(B) above, will be prorated on the basis of the amount of the abatement with respect to each taxpayer.

(3) All recaptured taxes must be paid within thirty (30) days after notice the recapture has been given to the affected taxpayer. Penalty and interest may not begin to accrue upon the sum until the first day of the month following the thirty (30) day notice, at which time penalty and interest accrues under the laws of the State of Texas.

(g) *Continuation of Tax Lien.* The amount of tax abated each year under the terms of these Guidelines and the Agreement must be secured by a first and prior tax lien that continues in existence from year to year throughout the entire term of the Agreement or until all taxes, whether assessed or recaptured, are paid in full.

(h) *Automatic Termination.* The Agreement must automatically terminate on and as of the date any of the following events occur:

(1) The filing of a petition in bankruptcy by the Owner.

(2) The making by the Owner of an assignment for the benefit of creditors.

(3) Any involuntary petition in bankruptcy or petition for an arrangement under the federal bankruptcy code is filed against the Owner.

(4) A receiver is appointed for the business of the Owner

(i) *Prior Notice of Automatic Termination Not Required.* In the event of automatic termination for any of the reasons in Section 6(h), the prior notice of default provisions in Section 6(d) do not apply.

Section 7. Administration.

(a) *Annual Assessment.* The applicable appraisal district shall annually determine an assessment of the real and personal property subject to an Agreement. Each year, the Owner shall furnish the Appraisal District with the information as may be necessary for the abatement. Once value has been established, the Appraisal District may notify the affected jurisdictions which levy taxes of the amount of the assessment and the abatement.

(b) *Access to Facility.* The Agreement must stipulate that employees or designated representatives of the City will have access to the Facility during the term of the Agreement to inspect the Facility to determine if the terms and conditions of the Agreement are being met. All inspections will be made only after giving 24 hours prior notice and will only be conducted in the manner as to not unreasonably interfere with the construction or operation of the Facility. All inspections will be made with one or more representatives of the Owner and under its safety standards.

(c) *Annual Evaluation.* Upon completion of construction, the City individually or in conjunction with other affected jurisdictions, will annually evaluate each Facility receiving abatement to ensure compliance with the Agreement and report possible violations of the Agreement.

(d) *Annual Reports.* The Owner shall certify to the City Council on or before April 1 each year that the Owner is in compliance with each applicable term of the agreement. Additionally, during the term of property tax abatement, the Owner shall provide to the City approving the abatement an annual report covering those items listed on Schedule 1 in order to document its efforts to acquire goods and services on a local basis. The annual report must be prepared on a calendar year basis and must be submitted to the City no later than ninety (90) days following the end of each the calendar year. The annual report must be accompanied by an audit letter prepared by an independent accounting firm which has reviewed the report.

(e) *"Buy Local" Provision.* Each recipient of property tax abatement shall additionally agree to give preference and priority to local manufacturers, suppliers, contractors, and labor, except where not reasonably possible to do so without added expense, substantial inconvenience, or sacrifice in operating efficiency. In any exception involving purchases over \$10,000.00, a justification for the purchase must be included in the annual report. Each recipient shall further acknowledge that it is a legal and moral obligation of persons receiving property tax abatements to favor local

manufacturers, suppliers, contractors, and labor, all other factors being equal. For the purposes of this provision, the term "local" as used to describe manufacturers, suppliers, contractors, and labor included firms, businesses, and persons who reside in or maintain an office in the Corpus Christi Metropolitan Statistical Area. In the event of a breach of the buy-local provision, the percentage of abatement will be proportionately reduced equal to the amount the disqualified contract bears to the total construction cost for the project.

(f) *Right to Modify or Cancel.* Notwithstanding anything in these Guidelines or in any agreement to the contrary, the City Council may cancel or modify the agreement if the Owner fails to comply with the Agreement.

(g) *Transition Rule.* For any project which obtained an Agreement within the twelve months prior to adoption of these Guidelines, the project may, upon the agreement of the Owner and the City, obtain an amendment to its Agreement to incorporate the terms and conditions of these Guidelines.

SCHEDULE 1

"Buy Local" Annual Reports

The following information must be reported to the City on a calendar-year basis during the first four years of the tax abatement program:

1. Dollar amount spent for materials* (local).
2. Dollar amount spent for materials* (total).
3. Dollar amount spent for labor** (local).
4. Dollar amount spent for labor** (total).
5. Number of jobs created in the construction project (local).
6. Number of jobs created in the construction project (total).
7. Number of jobs created on a permanent basis (local).
8. Number of jobs created on a permanent basis (total).

* "Materials" is defined to include all materials used in excavation, site improvement, demolition, concrete, structural steel, fire proofing, piping, electrical, instruments, paintings and scaffolding, insulation, temporary construction facilities, supplies, equipment rental in construction, small tools and consumables. This term does not include major items of machinery and equipment not readily-available locally.

** "Labor" is defined to include all labor in connection with the excavation, site improvement, demolition, concrete construction, structural steel, fire proofing, equipment placement, piping, electrical, instruments, painting and scaffolding, insulation, construction services, craft benefits, payroll burdens, and related labor expenses. This term does not include engineering services in connection with the project design.

The term "local" as used to describe manufacturers, suppliers, contractors and labor includes firms, businesses, and persons who reside in or maintain an office in either Nueces County or San Patricio County.