Biennial Progress Report for Texas Economic Development Act

Form 50-773 (May 2010)

Instructions:

- This form must be filled out by each applicant that is party to a limitation agreement. If the original application was made by a group of two or more companies, each
- company must complete this form.
- If the original applicant split into two or more applicants after the original agreement, all current agreement holders must complete this form.
- Applicants should only complete the information for their years as an agreement holder, noting what year they were formed after the original agreement was approved.
- Each agreement holder should respond as a current applicant on Line 9 below.
 Applicants should report their proportionate share of required employment and vestment information.
- If the original applicant is still the only agreement holder, please do not complete Lines 31 and 32 below.

In addition to the Biennial Progress Report required from each applicant that is a party to an agreement, a separate Biennial Progress Report summarizing the combined applicant's data for the entire agreement must be completed.

• If one of the applicants cannot provide this information, a summarization report must

be completed by the school district.

 Projects spanning more than one school district must complete forms for each school district.

 Please return signed hard copy forms and electronic spreadsheets to the school district before May 15 of each even-numbered year. Note:

• The school district that is a party to the Chapter 313 agreement is collecting the data required by Chapter 313.008 on this form for the Comptroller of Public Accounts (CPA).

The CPA requests companies complete the electronic spreadsheet version of the form.

Please submit both an *unsigned electronic version* **and** a *signed hard copy version* of the spreadsheet (with any attachments) to the district. Please contact CPA if you have questions about the form. The spreadsheet version of this form can be downloaded at: www.window.state.tx.us/taxinfo/proptax/hb1200/index.html.

After ensuring that all forms are complete, the school district will forward that data to the CPA for inclusion in a statutorily required report to the Texas Legislature.

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Phone number of company contact person 713-402-2232 office or 713-398-5003 cell	11	Name of company contact person for agreement holder	Malcolm Taylor
14 E-mail address of company contact person 15 Texas franchise tax ID number of current agreement holder. 16 If the current agreement holder does not report under the franchise tax law, please include name and tax ID of reporting entity. 17 NAICS Code of current agreement holder (6 Digit): 18 Name of authorized company representative (if different from above): 19 Title of authorized company representative (if different from above): 20 Phone of authorized company representative (if different from above): 21 E-mail of authorized company representative (if different from above): 22 Complete mailing address of authorized company representative (if different from above): 23 E-mail of authorized company representative (if different from above): 24 E-mail of authorized company representative (if different from above): 25 Complete mailing address of authorized company representative (if different from above): 26 First (complete) year of Qualifying Time Period – after the date the application is approved. See Tax Code §313.021(4): 27 Erist (complete) year of Qualifying Time Period – after the date the application is approved. See Tax Code §313.021(4): 28 approved. See Tax Code §313.021(4): 29 Original Limitation Amount (for entire agreement): 20 Original Limitation Amount (for entire agreement): 20 Date of construction commencement (estimate if in the future): 21 Date of construction commencement (estimate if in the future): 22 Date of construction commencement (estimate if in the future): 23 Date of construction commencement (estimate if in the future): 24 Date of construction commencement (estimate if in the future): 25 Date of construction commencement (estimate if in the future): 26 Date of construction commencement (estimate if in the future): 27 Date of construction commencement (estimate if in the future): 28 Date of construction commencement (estimate if in the future): 29 Dec-08 20 Date of ordinal application of the qualified property conduction (Not Total Investment): 30 What was th	12	Title of company contact person	Property Tax Manager
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Has the description of the qualified property changed from that in the application? If so, please describe on an attachment how the actual qualified property - for which you are providing actual and estimated market values on subsequent pages - differs from that property described in the agreement. Include only property located in this school district. No change What was the number of permanent existing jobs at this facility prior to application? If you are one of two or more companies originally applying for a limitation, list all other applicants here and describe their relationships. (Use attachments if necessary.) If you are a current agreement holder who was not an original applicant, please list all other current agreement holders. Please describe the chain of ownership from the original applicant to the new entities. (Use attachments if necessary.) If the agreement includes a definition of "new job" other than TAC §9.1051(14)(C), please provide the definition of "new job" as used in the agreement. (Use	27	Date of construction commencement (estimate if in the future):	Jun-07
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If you are one of two or more companies originally applying for a limitation, list all other applicants here and describe their relationships. (Use attachments if necessary.) If you are a current agreement holder who was not an original applicant, please list all other current agreement holders. Please describe the chain of ownership from the original applicant to the new entities. (Use attachments if necessary.) If the agreement includes a definition of "new job" other than TAC §9.1051(14)(C), please provide the definition of "new job" as used in the agreement. (Use	29	so, please describe on an attachment how the actual qualified property - for which you are providing actual and estimated market values on subsequent pages - differs from that property described in the agreement. Include only property located in this	No change
other applicants here and describe their relationships. (Use attachments if N/A If you are a current agreement holder who was not an original applicant, please list all other current agreement holders. Please describe the chain of ownership from the original applicant to the new entities. (Use attachments if necessary.) If the agreement includes a definition of "new job" other than TAC §9.1051(14)(C), please provide the definition of "new job" as used in the agreement. (Use	30		0
32 all other current agreement holders. Please describe the chain of ownership from the original applicant to the new entities. (Use attachments if necessary.) If the agreement includes a definition of "new job" other than TAC §9.1051(14)(C), please provide the definition of "new job" as used in the agreement. (Use	31	other applicants here and describe their relationships. (Use attachments if	N/A
33 please provide the definition of "new job" as used in the agreement. (Use	32	If you are a current agreement holder who was not an original applicant, please list all other current agreement holders. Please describe the chain of ownership from	N/A
	33	please provide the definition of "new job" as used in the agreement. (Use	N/A

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Biennial Progress Report for Texas Economic Development Act

Project Name ASU #3

1st Yr. of Qualifying Time Period 2008

Qualifying Time Period Limitation Period From application Year 1 Year 2 Year 3 Year 4 Year 5 Year 6 Year 7 Year 8 Year 9 Year 10 approval date to (First Jan. 1 of next tax Complete Tax Year) vear1 Please enter tax years (YYYY) here (starting in "Year 1"). 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 Number of qualifying jobs² applicant committed to create on application (cumulative)** Number of qualifying jobs² applicant actually created (cumulative)** Number of new jobs3 created (cumulative)** Number of new jobs³ created that provide health benefits for employees (cumulative)** \$4 Median annual wage of new jobs each applicant created** \$86,216 \$86,220 \$86,220 \$88.573 \$89,901 \$91,248 \$91,248 \$91,248 \$91,248 \$91,248 39 Average annual wage of new jobs each applicant created** \$86,216 \$86,220 \$86,220 \$88.573 \$89,901 \$91,248 \$91,248 \$91,248 \$91,248 \$91,248 Total investment for this project (per year or time period, not cumulative)4** \$16,960,000 \$45,794,840 \$0 Amount of qualified investment applicant actually spent or allocated for this project⁵ (per year or time period, not cumulative)** (See also Note #1.) \$0 \$45,794,840 42 Market value of qualified property on January 1 before any exemptions⁶** \$59.316.290| \$56.350.476| \$53.532.952| \$50.856.304| \$48.313.489| \$45.897.814| \$43.602.924| \$41.422.778 \$0 \$16.960.000 \$62.754.840 Market value of qualified property (amount shown in #42) less any exemptions, but before the limitation on value authorized by Tax Code Chapter 313** \$16,960,000 | \$62,754,840 | \$59,316,290 | \$56,350,476 | \$53,532,952 | \$50,856,304 | \$48,313,489 | \$45,897,814 | \$43,602,924 | \$41,422,778 Limitation amount in each of years 1-10.7 ** \$0| \$30,000,000| \$30,000,000| \$30,000,000| \$30,000,000| \$30,000,000| \$30,000,000| \$30,000,000| Taxable value of qualified property certified by the county appraisal district for the purposes of school M&O taxes** \$16.960.000 | \$62.754.840 | \$30.000.000 | \$30.000.000 | \$30.000.000 | \$30.000.000 | \$30.000.000 | \$30.000.000 | \$30.000.000 | School District M&O tax rate (per hundred dollars of value)* \$1.0100 \$1,0400 School district I&S tax rate (per hundred dollars of value)* \$0.1885 \$0.1885 48.00 Total school district ad valorem tax levy (M&O and I&S) on qualified property* 202.197.12 612,293,05

- 1. Only projects with agreements executed after June 19, 2009 may have any qualified investment between the time of application approval and Jan. 1 of subsequent tax year.
- 2. Jobs meeting all of the requirements of Tax Code §313.021(3). Each qualifying job is a new job that meets the wage standard for that school district, and is covered by a group health benefits plan for which the employer offers to pay at least 80 percent of the employee-only premium. Do not include construction jobs in counts of qualifying jobs.
- 3. For new job definition see TAC §9.1051(14).

District Name Brazosport ISD

Company Name Air Liquide Large Industries U.S. LP

- 4. Total investment is all investment at original cost, including land acquired after filing of application. Investments made in one year should be reflected in the subsequent year's market value.
- 5. The investment made during the qualifying time period meeting the requirements of Tax Code §313.021(1). Fill in amounts for the time between the application approval and Jan. 1 of first tax year, Year 1 and Year 2 only. (See also Note #1)
- 6. For all values, use those from CAD as available. For future years, use market value that the entity estimates will approximate the market value for ad volorem tax purposes in that year.
- 7. This amount may vary annually for agreements with multiple agreement-holders. Subentities should enter their share of original limitation amounts of all subentities should sum to that of the original limitation amount originally approved by the school district.

By signing below, I, Malcolm Taylor, certify that I am the authorized representative of Air Liquide Large Industries U.S., LP, a current agreement holder of a limitation on appraised value, and the contents of this form and the attached documentation are true and correct to the best of my knowledge and belief.

The CPA requests companies complete the electronic spreadsheet version of the form. Please submit both an *unsigned electronic version* and a *signed hard copy version* of the spreadsheet (with any attachments) to the district.

Authorized Official Sign Walsour Taylor, Property Tax Manager

Phone (Area Code and Number) 713-402-2231

Date 7-12-2010

Biennial Progress Report 2010 - Page 2 of 2

Form 50-773

^{*} Actual data only.
**Actual and projected data. Use actual data for prior years. Estimates are required for current and future years. Notes: