



Application for Tax Credit on Qualified Property (Tax Code, Chapter 313, Subchapter D)

Form 50-300
(Revised May 2010)

Highland ISD
School district name
6625 FM 608 Roscoe, Texas 79646
Address

2008
First complete year of qualifying time period
325-766-3029
Phone (Area code and number)
November 3, 2011
Application filing date

This application is for credit for school district maintenance and operations taxes paid on the portion of value in excess of the value limit under Tax Code Chapter 313 Subchapter B or C, during the two complete tax years of the qualifying time period. File this completed application with the school district no earlier than the date the property taxes are paid for the last year of the qualifying time period. The school board must determine eligibility of this applicant.

STEP 1: APPLICANT NAME AND ADDRESS

Only entities that received an appraised value limitation under Tax Code Chapter 313 Subchapter B or C are eligible for this tax credit.

Champion Wind Farm, LLC

Applicant's name

812 San Antonio St., Suite 201

Austin, Texas

78701

Mailing address

City, State

Zip Code + 4

32033826093

Valour

Treasurer's name (if different)

Appraisal board account number

Mike Fry

Consultant-Renewable Energy Services

Name of person preparing the application

Title

480-298-1604

Phone (Area code and number)

STEP 2: PROVIDE ATTACHMENTS AND SUPPLEMENTS

Attach the following items to this application:

1. A copy of report from the local county appraisal district (CAD) reflecting both the market value before any exemptions, and taxable value of the qualified property for each complete tax year of the qualifying time period.
2. A copy of receipts for M&O and I&S taxes paid on qualified property during the first two years of the qualifying time period.
3. Schedule A—updated for all years from amounts in application schedule.
4. Schedule B—updated for all years from amounts in application schedule.
5. Schedule C—Tax Credit.

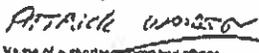
Note: Excel spreadsheet versions of Schedules are available for downloading and printing at JRI, listed below.

STEP 3: SHOW TAX CREDIT AMOUNT

1. Taxable Value of Property for the purpose of School M&O tax	24,840,000	88,523,280
2. Limitation Value of Property under Agreement	10,000,000	10,000,000
3. School District Maintenance and Operations Tax Rate	1.16	1.16
4. Total Maintenance and Operations Taxes Paid	288,144	1,038,469.82
5. M&O Tax Obligation under Limited Value ((Line 2 Amount/100) x Line 3)	116,000	116,000
6. Tax Credit for which you are applying (Line 4 - Line 5)	172,144	922,469.82
7. Total Tax Credit (Sum of Line 6 Year 1 and Year 2 amounts)		1,094,613.82

STEP 4: SIGN AND DATE APPLICATION

By signing this application, you certify that this information is true and correct and that you are in full compliance with the terms of the attached agreement to the best of your knowledge and belief.

print here 
Name of authorized company officer

Vice President
Title

sign here 
Signature of authorized company officer

11/4/11
Date

On behalf of
Name of corporate/company

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 Section 37.10.

For more information, visit www.window.state.tx.us/information/hot1200/index.html

50 000 110 05 1006

Schedule B (Rev. May 2010): Estimated Market And Taxable Value
 Champion Wind Farm, LLC
 Highland LSD

Form 50-300

Applicant Name 4/ 10
 ISD Name Highland LSD
 :3257662281

Tax Credit Period (with 50% cap on credit)	Value Limitation Period	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	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 on the new improvement	Exempted Value	Final taxable value for ILS - after all reductions	Final taxable value for RKS - after all reductions		
											Complete tax years of qualifying time period	Qualified Property
Tax Credit Period (with 50% cap on credit)	Value Limitation Period	pre-year 1	2007-2008	2007								
		1	2008-2009	2008		24,840,000			24,840,000	24,840,000		
		2	2009-2010	2009		89,523,260				89,523,260	89,523,260	
		3	2010-2011	2010		79,441,380				79,441,380	3,300,000	
		4	2011-2012	2011		70,614,000				70,614,000	3,300,000	
		5	2012-2013	2012		67,083,300				67,083,300	3,300,000	
		6	2013-2014	2013		63,552,600				63,552,600	3,300,000	
		7	2014-2015	2014		60,021,900				60,021,900	3,300,000	
		8	2015-2016	2015		56,491,200				56,491,200	3,300,000	
		9	2016-2017	2016		52,960,500				52,960,500	3,300,000	
		10	2017-2018	2017		49,429,800				49,429,800	3,300,000	
		Credit Settle-Up Period	Continue to Maintain Viable Presence	11	2018-2019	2018		45,899,100			45,899,100	45,899,100
				12	2019-2020	2019		42,368,400			42,368,400	42,368,400
				13	2020-2021	2020		38,837,700			38,837,700	38,837,700
		Post-Settle-Up Period		14	2021-2022	2021		35,307,000			35,307,000	35,307,000
15	2022-2023			2022		31,776,300			31,776,300	31,776,300		

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.

11-17-11:10:41AM;
 Mike Fry
 SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

11/3/2011
 DATE

Schedule C- Tax Credit: Employment Information

Applicant Name

Champion Wind Farm, LLC

ISD Name

Highland ISD

Form 50-300

Complete tax years of qualifying time period	pre-year 1		School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	New Jobs Column A: Number of new jobs created (cumulative)	Qualifying Jobs Column B: Number of qualifying jobs applicant created meeting all criteria of Sec. 313.021(3) (cumulative)	Column C: Lowest wage of any qualifying job
	1	2					
			2007-2008	2007	0	0	
	1		2008-2009	2008	0	0	44,816.20
	2		2009-2010	2009	10	8	44,816.20

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

Mike Fry
SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE



DATE

11/3/2011

TAX STATEMENT

10/01/2008

Prepared By:
Central Appraisal District of Nolan
Chief Appraiser
P O Box 1256
Sweetwater TX 79556-1256
(325) 235-8421
www.nolan-cad.org

AIRTRICITY CHAMPION WIND FARM
P O Box 070849
Mosquito TX 75107-0849

Tax Year 2008

Owner No. 38291

Status: Current

Agent Copy

Include your account number on your check

Enclose self addressed stamped envelope for return receipt

HIGHLAND ISO-NOLAN CAD CHAMPION WIND FARM 30 TURBINES (CHIP 2008)		Value (2008)			
		24,840,000			
		24,840,000			
		24,840,000			
Assessment Ratio is 100% Agent Codes: K1		Exemptions: Abatement(01H), Abatement(051), Abatement(11R)			
Nolan County Highland ISO Fm-Kt Nolan Co Hospital D Wes Tex Groundwater	24,840,000 24,840,000 24,840,000 24,840,000 24,840,000	14,904,000 14,904,000 24,840,000	9,936,000 24,840,000 9,936,000 0 24,840,000	.308520 1.480000 .049000 .200100 .005000	30,654.55 367,632.00 4,868.64 .00 1,242.00
Total Unpaid Tax					404,397.19
Highland ISO 2008 H&O / TAS RATES: 1.160000 / .320000					
Account: H.99000050.0708106 (36396/38291)		Statement No: 286		See schedule below for Payment Amount	

Statement No: 286 10/01/2008 Tax Year: 2008

Account: H.99000050.0708106 (36396/38291)

Remit To: Central Appraisal District of Nolan
Chief Appraiser
P O Box 1256
Sweetwater TX 79556-1256
(325) 235-8421

See Reverse Side For
Previous Year Information

AIRTRICITY CHAMPION WIND FARM
P O BOX 070849
MESQUITE TX 75107

Owner No. 38291
Total Unpaid Tax and Payment Amounts are
only for the tax year indicated above.

PAY FROM SCHEDULE BELOW

Month	Amount	Balance
Oct 2008	.00	404,397.19
Nov 2008	.00	404,397.19
Dec 2008	.00	404,397.19
Jan 2009	.00	404,397.19
Feb 2009	20,307.01	432,709.00
Mar 2009	36,395.74	440,792.93
Apr 2009	44,483.69	448,809.88
May 2009	52,571.64	456,960.83
Jun 2009	60,659.58	465,056.77
Jul 2009	144,369.80	648,766.99
Aug 2009	149,020.37	653,417.56
Sep 2009	153,670.94	658,068.13

21681
#1411

Notice Of Appraised Value

NOLAN COUNTY APPR DIST
 PO BOX 1256
 200 ELN STREET
 SWEETWATER, TX 79556-1256
 817-926-7861 EMAIL:

HJOURDAND PANDAI.COM

APPRAISAL YEAR 2000

THE APPRAISAL REVIEW BOARD WILL BEGIN HEARING
 PROTESTS ON 7-03-2000 AT: 9:00 AM
 CENTRAL APPRAISAL DIST OFFICE
 200 ELN STREET
 SWEETWATER TX
 VALUE QUESTIONS CALL-MINERAL-
 HACK JOURDAN 817-926-7861
 PP-JEFF HAMMONDS 817-926-7861
 Protest Deadline: 6-16-2000
 ARB Hearing: 7-03-2000
 Owner: 700106 100

AIRTRICITY CHAMPION WIND FARM
 X K E ANDREWS & COMPANY
 PO BOX 870849
 MESQUITE TX 75107-0849

RECEIVED
 MAY 19 2000

This is NOT a Tax Statement Do NOT Pay From This Notice

Dear Property Owner,
 The value of your property listed below is based on an appraisal date of January 1st of this year.

MINERAL APPRAISAL INFORMATION	LAST YEAR	PROPOSED 2000	PROPERTY DESCRIPTION		
COUNTY A		24,840,000	SEC: 998005 Type: PERSONAL Owner: 700106 (Acres): CHAMPION WIND FARM 30 TURBINES (CWP 2006) HIGHLAND ISD-NOLAN CAD Asses: 000 Category: JA ELECTRIC COMPANIES		
PH RD A		24,840,000			
HIGHLAND ISD		24,840,000			
HOSPITAL A		24,840,000			
MES-TEX WATER		24,840,000			
Exemptions: A-APAYMENT EXEMPTION					
Taxing Units	Last Year's Taxable	Proposed Exemptions	Proposed Taxable (Less Exemptions)	Estimated Tax Rate	Proposed Tax Estimate
COUNTY	0	14,900,000	9,936,000	.37250	36,991.73
PH RD	0	14,900,000	9,936,000	.03300	3,278.68
HIGHLAND ISD	0	0	24,840,000	1.24600	309,504.40
HOSPITAL	0	24,840,000	0	.14140	.00
MES-TEX WATER	0	0	24,840,000	.00750	1,863.00
PARCEL TOTAL					351,640.01

*** ADDITIONAL PROPERTY IS CONTINUED ON BACK ***

The above tax estimates use estimated tax rates for the taxing units. The governing body of each unit -- school board, county commissioners, and so on -- decides whether the property taxes increase. The Appraisal District only determines your property's value. The taxing units will set tax rates later this year. The Texas legislature does not set the amount of your local taxes. Your property tax burden is decided by your locally elected officials, and all inquiries concerning your taxes should be directed to those officials.

Contact the appraisal office if you disagree with this year's proposed value for your property or if you have any problem with the property description or address information. If the problem cannot be resolved, you have a right to appeal to the Appraisal Review Board (ARB). To appeal, you must file a WRITTEN protest with the ARB before protest deadline. Enclosed is a protest form to send to the Appraisal District office at the address above and before the protest deadline. The ARB will notify you of the date, time, and place of your scheduled hearing. Enclosed also is information to help you in preparing your protest. You do not need to use the enclosed form to file your protest. You may protest by letter, if you include your name, your property description and what appraisal office action you disagree with.

If you have any other questions or need more information, please contact the appraisal office at the phone number or address listed above.

Sincerely,

Chief Appraiser

DUPLICATE TAX RECEIPT

Nolan CAD
 208 S. Elm St.
 P. O Box 1256
 Sweetwater, TX 79556
 325-235-8421

This is a receipt. Do not pay.

Owner ID: R 42159
 E ON ENERGY (CHAMPION WIND)
 % K E ANDREWS & COMPANY
 1900 DALROCK RD
 ROWLETT TX. 75088-5526

Parcel Id/Owner Seq:	41840 / 1	Abstr/Subdiv	Suit:	N
Account Number:	M.99000050.0708186	Block	Acres:	.
Owner Interest:	1,000,000.000	Lot	Land Value:	\$ 0
Prop Address:		Legals:	Per. Value:	\$ 0
Prop City/SV/Zip:		HIGHLAND ISD-NOLAN CAD	Improv Value:	\$ 0
		CHAMPION WIND FARM	Ag/Timber:	\$ 0
		30 TURBINES (2009)	Homestead Code:	

Year	Jurisdiction	Tax Rate	Tax Value	Post Code	Tax	Dis/Per/Other	Total Amount
2008	Nolan County	0.308520	\$0	P	\$30,654.55	\$0.00	\$30,654.55
2008	Highland ISD	1.480000	\$0	P	\$367,632.00	\$0.00	\$367,632.00
2008	Wes-Tex Groundwater	0.005000	\$0	P	\$1,242.00	\$0.00	\$1,242.00
2008	Pm kt	0.049000	\$0	P	\$4,868.64	\$0.00	\$4,868.64
2008 Year Totals					\$404,397.19	\$0.00	\$404,397.19
Parcel Totals:					\$404,397.19	\$0.00	\$404,397.19

DPI Year/Month:	0	Payment Ref Totals:	\$404,397.19	\$0.00	\$404,397.19
Clerk:	POST	Paid By:	E ON Climate & renewables	Payment Type:	Check
Effective Payment Date:	01/30/2009	Deposit Date:	01/30/2009	Drawer User/Number:	0 / 0
				Payment Ref No:	2390

Grand Totals: \$404,397.19 \$0.00 \$404,397.19

This is NOT a Notice of Appraised Value Do NOT Pay From Tax Statement This Notice

HOLMAN COUNTY APPR DIST
PO BOX 1236
208 ELM STREET
SWEETWATER, TX 79556-1236
017-926-7061

4/20

RECEIVED
MAY 27 2009

APPRAISAL YEAR 2009 SUPPLEMENTAL NOTICE
THE APPRAISAL REVIEW BOARD WILL HEAR HEARING PROTESTS ON 7/03/2009 AT 9 AM CENTRAL APPRAISAL DIST OFFICE 208 ELM STREET SWEETWATER, TX 79556-1236 MINERAL VALUOR/PAK JOURDAN ERRA PROP/JEFF JAMMONDS *** 017-926-7061 ***
Protest deadline: 6/23/2009
ARB Hearing: 7/03/2009
Owner: 708106 1

IS ON ENERGY (CHAMPION WIND)
V K R ADDIKUMS & COMPANY
1900 DALLAS RD
ROULETT TX 75080-5326

Dear Property owner,
The value of your property listed below is based on an appraisal date of January 1st of this year.

Mineral Appraisal Information	Last Year	PROPOSED 2009	Property Description
COUNTY	24,840,000	89,523,260	DMQ: 8900003 Owner #: 708106
FM RD	24,840,000	89,523,260	Legal: CHAMPION WIND FARM
HIGHLAND ISD	24,840,000	89,523,260	30 TOWNSHIP (2009)
HOSPITAL	24,840,000	89,523,260	HIGHLAND ISD-HOLMAN CAD
WES-TRX WATER	24,840,000	89,523,260	Agent: 040
			Category: P2 REAL - INDUSTRIAL IMPROVEMENTS

Taxing Units	Last Year Taxable	Proposed Exemptions	Proposed Taxable (Less Exemptions)	Last Year Tax Rate	Proposed Tax Estimate
COUNTY	8,938,000	53,713,960	35,009,300	.708520	110,478.88
FM RD	8,938,000	53,713,960	35,009,300	.049000	17,546.56
HIGHLAND ISD	24,840,000	0	89,523,260	1.480000	1,324,946.25
HOSPITAL	0	89,523,260	0	.298100	.00
WES-TRX WATER	24,840,000	0	89,523,260	.005000	4,476.16
PARCEL TOTAL					1,467,445.82

Additional owner's properties are continued on following page(s).
The above tax estimates use last year's tax rates for the taxing units. The governing body of each unit -- school board, county commissioners, and so on -- decides whether property taxes increase. The appraisal district only determines your property's value. The taxing units will set tax rates later this year. The Texas Legislature does not set the amount of your local taxes. Your property tax burden is decided by your locally elected officials and all inquiries concerning your taxes should be directed to those officials.

Contact the appraisal office if you disagree with this year's proposed value for your property or if you have any problems with the property description or address information. If the problem cannot be resolved, you have a right to appeal to the appraisal review board (ARB). To appeal, you must file a WRITTEN protest with the ARB before 6/23/2009. Enclosed is a protest form to mail or bring to the appraisal district office at the address above before the above date. The ARB will begin hearings on 7/03/2009. The ARB will notify you of the date, time, and place of your scheduled hearing. Enclosed also is information to help you in preparing your protest. You do not need to use the enclosed form to file your protest. You may protest by letter, if it includes your name, your property's description, and what appraisal office action you disagree.

If you have any other questions or need more information, please contact the appraisal office at the phone number or addresses listed above.
Sincerely,

Chief Appraiser
HOLMAN COUNTY APPR DIST
Enclosures

Sec. 26.19

DUPLICATE TAX RECEIPT

Nolan CAD
 208 S. Elm St,
 P. O Box 1256
 Sweetwater, TX 79556
 325-235-8421

This is a receipt. Do not pay.

Owner ID: R 42159
 E ON ENERGY (CHAMPION WIND)
 % K E ANDREWS & COMPANY
 1900 DALROCK RD
 ROWLETT TX, 75088-5526

Parcel ID/Owner Seq:	41840 / 1	Abst/Subdiv	Subt:	N
Account Number:	M.99000030.0708186	Block	Acres:	-
Owner Interest:	1,000,000.000	Lot	Cat Code:	F2
Prop Address:		Legals:	Land Value:	\$ 0
Prop City/SUZip:		HIGHLAND ISD-NOLAN CAD	Pers. Value:	\$ 0
		CHAMPION WIND FARM	Improv Value:	\$ 0
		30 TURBINES (2009)	Ag/Timber:	\$ 0
		MH Label Num:	Homestead Code:	
		MH Serial Num:		

Year	Jurisdiction	Tax Rate	Tax Value	Post Code	Tax	Dis/Pen/Other	Total Amount
2009	Nolan County	0.301340	\$0	P	\$107,907.74	\$0.00	\$107,907.74
2009	Highland ISD	1.355000	\$0	P	\$1,213,040.17	\$0.00	\$1,213,040.17
2009	Wes-Tex Groundwater	0.005000	\$0	P	\$4,476.16	\$0.00	\$4,476.16
2009	Fm kt	0.047830	\$0	P	\$17,127.59	\$0.00	\$17,127.59
2009 Year Totals					\$1,342,551.66	\$0.00	\$1,342,551.66
Parcel Totals:					\$1,342,551.66	\$0.00	\$1,342,551.66

DPI Year/Month:	201001	Payment Ref Totals:	\$1,342,551.66	\$0.00	\$1,342,551.66
Clerk:	Brenda	Paid By:	EON CLIMATE	Payment Type:	Check
Effective Payment Date:	01/29/2010	Deposit Date:	02/25/2010	Drawer User/Number:	1 / 2
				Payment Ref No:	02936

Grand Totals:	\$1,342,551.66	\$0.00	\$1,342,551.66
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RESOLUTION

DETERMINING ELIGIBILITY FOR TAX CREDIT PURSUANT TO TEXAS TAX CODE § 313.104

STATE OF TEXAS §

COUNTY OF NOLAN §

WHEREAS, on February 19, 2007, the Superintendent of Schools of the Highland Independent School District acting as agent of the Board of Trustees of the District (the "Board of Trustees") received from Airtricity Champion Wind Farm, LLC ("Champion Wind Farm") an Application for Appraised Value Limitation on Qualified Property, pursuant to Chapter 313 of the Texas Tax Code; and,

WHEREAS, on June 13, 2007, the Superintendent, acting as agent of the Board of Trustees, received from Champion Wind Farm an amended Application for Appraised Value Limitation on Qualified Property, pursuant to Chapter 313 of the Texas Tax Code (which, together with the Original Application filed in February 19, 2007 will be hereinafter collectively referred to as the "Application"; and,

WHEREAS, on July 16, 2007, the Superintendent, acting as agent of the Board of Trustees, received from the Applicant an amended Application for Appraised Value Limitation on Qualified Property, pursuant to Chapter 313 of the Texas Tax Code (which, together with the Original Application filed in February 19, 2007 and the Amendment filed on June 13, 2007, will be hereinafter collectively referred to as the "Application"); and,

WHEREAS, the Application was delivered to the Texas Comptroller's Office for review pursuant to Texas Tax Code § 313.025(d); and,

WHEREAS, the Application was reviewed by the Texas Comptroller's Office pursuant to Texas Tax Code § 313.025(d); and,

WHEREAS, the Board of Trustees acknowledged receipt of the Application, along with the requisite application fee as established pursuant Texas Tax Code § 313.025(a)(1) and the District's Local District Policy CCG (Local); and,

WHEREAS, the Board of Trustees caused to be conducted an economic impact evaluation pursuant to Chapter 313 of the Texas Tax Code; and,

WHEREAS, the Board of Trustees reviewed the economic impact evaluation pursuant to Texas Tax Code § 313.026 and has carefully considered such evaluation; and,

WHEREAS, the Application was reviewed by the Nolan County Appraisal District established in Nolan County, Texas (the "Nolan County Appraisal District"), pursuant to Texas Property Tax Code § 6.01; and,

WHEREAS, on August 6, 2007, the Board of Trustees conducted a public hearing on the Application at which it solicited input into its deliberations on the Application from all interested parties within the District; and,

WHEREAS, on August 6, 2007, the Board of Trustees made factual findings in accordance with Chapter 313 of the Texas Tax Code, including, but not limited to, (i) written findings as to each criterion listed in Texas Tax Code § 313.025(e), and (ii) findings pursuant to Texas Tax Code § 313.025(f) that the information in the Application is true and correct, that Champion Wind Farm is eligible for the limitation on the appraised value of Champion Wind Farm' qualified property and that the granting of the Application and the District's entering into this Agreement are in the best interest of the District and the State; and,

WHEREAS, on August 6, 2007, the Board of Trustees of the Highland Independent School District approved an Agreement for Limitation on Appraised Value of Property for Maintenance and Operations Taxes with Champion Wind Farm; and,

WHEREAS, after examining, the tax rolls of the Nolan County Appraisal District; the most recent Annual Eligibility Report (Comptroller's Form #50-772); and the most recent Biennial Progress Report (Comptroller's Form #50-773) filed by Champion Wind Farm, the Board has determined that during the Qualifying Time Period, running from January 1, 2008 through December 31, 2009, Champion Wind Farm made a Qualifying Investment as defined by Texas Tax Code § 313.021 in the amount of at least Ten Million Dollars for the purposes of renewable energy in accordance with the provisions of Texas Tax Code § 313.024(b)(1); and,

WHEREAS, after examining, the August 6, 2007 Agreement; the most recent Annual Eligibility Report (Comptroller's Form #50-772); and the most recent Biennial Progress Report (Comptroller's Form #50-773) filed by the Champion Wind Farm, the Board has determined that Champion Wind Farm is, in all other respects in compliance with the terms of the aforesaid Agreement; and,

WHEREAS, after examining Comptroller's State Franchise Tax records, the Board has determined that, at the time of the adoption of this Resolution, Champion Wind Farm, is in good standing with respect to its franchise tax obligations; and,

WHEREAS, the total amount of maintenance and operations ad valorem taxes that were imposed on the portion of the appraised value of the Qualified Property that exceeded the amount of the limitation agreed to by the governing body of the school district under Texas Tax Code Section 313.027(a)(2) in the applicable Qualifying Time Period that the Champion Wind Farm has paid to the District has been ONE MILLION

NINETY FOUR THOUSAND SIX HUNDRED THIRTEEN DOLLARS AND EIGHTY-TWO CENTS (\$1,094,613.82); and,

WHEREAS, as of the date of the approval of this Resolution, the Champion Wind Farm has not relocated its business outside of the District; and,

WHEREAS, the Champion Wind Farm has filed an application for a tax credit in accordance with the provisions of Texas Tax Code § 313.103; and,

WHEREAS, the application for tax credit filed by the Champion Wind Farm was: (1) made on the form prescribed for that purpose by the Texas Comptroller of Public Accounts; (2) was verified by the Champion Wind Farm; (3) was accompanied by tax receipts from the collector of taxes for the District showing full payment of District all ad valorem taxes on the Qualified Property for the applicable Qualifying Time Period.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Highland Independent School District as follows:

1. The application made by Champion Wind Farm, for a tax credit pursuant to Texas Tax Code § 313.103 in the total amount of ONE MILLION NINETY FOUR THOUSAND SIX HUNDRED THIRTEEN DOLLARS AND EIGHTY-TWO CENTS (\$1,094,613.82) is approved by the adoption of this Resolution.
2. Beginning with the Tax Year 2011, which is the tax year next following the tax year in which the Tax Credit Application is approved, and in each of the subsequent six (6) tax years (ending in Tax Year 2017), the District, after verifying that all taxes due from Champion Wind Farm have been paid for the applicable Tax Year, is directed to refund from the *ad valorem* school taxes imposed on the Qualified Property by the District the lesser amount of either: 1.) ONE HUNDRED FIFTY SIX THOUSAND THREE HUNDRED SEVENTY THREE DOLLARS AND FORTY CENTS (\$156,373.40) (An amount equal to one-seventh of the total amount of tax credit to which Champion Wind Farm is entitled under Section 313.102); or, 2.) Fifty Percent (50%) of the total amount of *ad valorem* school taxes imposed on the Qualified Property by the school district in that Tax Year.
3. In addition to the foregoing, in the Tax Years 2017 through 2019, (The first three tax years after the Champion Wind Farm' eligibility for an Appraised Value Limitation on Qualified Property, pursuant to Chapter 313 of the Texas Tax Code, expires), the District's collector of taxes is directed to credit against the *ad valorem* school taxes imposed on the Qualified Property by the District the lesser of either: 1.) any remainder of the ONE MILLION NINETY FOUR THOUSAND SIX HUNDRED THIRTEEN DOLLARS AND EIGHTY-TWO CENTS (\$1,094,613.82) tax credit balance which was not paid under paragraph 2, above: or, 2.) the total amount of *ad valorem* school taxes imposed on the Qualified Property by the school district in that tax year.

4. Prior to making any tax credit payments under Sections (2) or (3), above, the District's Superintendent is directed to determine whether the Champion Wind Farm has relocated outside the District, and has otherwise met its obligations under the Agreement; under State law; and under applicable regulations promulgated either by the Texas Comptroller's Office, or by the Texas Commissioner of Education. In the event that the Champion Wind Farm has not met its obligation or has relocated outside the District, no tax credit will be paid for such tax year in which the owner relocates the business outside the school district or the tax years thereafter.

5. If the Texas Comptroller of Public Accounts or the District's tax collector, after providing notice and the opportunity for a response, determine that the Champion Wind Farm was either not eligible for the credit or received more credit than it was entitled, then the District shall impose an additional tax on the Qualified Property that is equal to the amount of tax credit that was erroneously taken, plus interest at an annual rate of 7.0% calculated from the date on which the credit was issued. A tax lien attaches to the Qualified Property in favor of the school district to secure payment by the person of the additional tax and interest that are imposed and any penalties incurred. A taxpayer which is delinquent in the payment of an additional tax may not submit a subsequent application or receive a tax credit under this subsection in a subsequent year.

APPROVED, ADOPTED, AND ORDERED on the 28 day of January, 2012.

HIGHLAND INDEPENDENT SCHOOL DISTRICT

By: 
TERRY CLARK, President
Board of Trustees

ATTEST:

By: 
DAVID THOMAS STEWART, Secretary
Board of Trustees