



Application for Appraised Value Limitation on Qualified Property

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

Economic Development
and Analysis
Form 50-296-A

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 hard copy of the completed application to the Comptroller in a three-ring binder with tabs, as indicated on page 9 of this application, 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. For more information, see guidelines on Comptroller's website.

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. Pursuant to 9.1053(a)(1)(C), requested information shall be provided within 20 days of the date of the request. 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, issue a certificate for a limitation on appraised value 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 not later than the 150th 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 issue a certificate, complete the 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 to the Chapter 313 statute, rules, guidelines and forms. Information about minimum limitation values for particular districts and wage standards may also be found at that site.

SECTION 1: School District Information

1. Authorized School District Representative

Date Application Received by District

First Name

Last Name

Title

School District Name

Street Address

Mailing Address

City

State

ZIP

Phone Number

Fax Number

Mobile Number (optional)

Email Address

2. Does the district authorize the consultant to provide and obtain information related to this application?

☐ Yes

☐ No

SECTION 1: School District Information *(continued)*

3. Authorized School District Consultant *(If Applicable)*

First Name	Last Name
Title	
Firm Name	
Phone Number	Fax Number
Mobile Number <i>(optional)</i>	Email Address

4. On what date did the district determine this application complete?

5. Has the district determined that the electronic copy and hard copy are identical? ☐ Yes ☐ No

SECTION 2: Applicant Information

1. Authorized Company Representative *(Applicant)*

First Name	Last Name
Title	Organization
Street Address	
Mailing Address	
City	State ZIP
Phone Number	Fax Number
Mobile Number <i>(optional)</i>	Business Email Address

2. Will a company official other than the authorized company representative be responsible for responding to future information requests? ☐ Yes ☐ No

2a. If yes, please fill out contact information for that person.

First Name	Last Name
Title	Organization
Street Address	
Mailing Address	
City	State ZIP
Phone Number	Fax Number
Mobile Number <i>(optional)</i>	Business Email Address

3. Does the applicant authorize the consultant to provide and obtain information related to this application? ☐ Yes ☐ No

SECTION 2: Applicant Information (continued)**4. Authorized Company Consultant (If Applicable)**

First Name

Last Name

Title

Firm Name

Phone Number

Fax Number

Business Email Address

SECTION 3: Fees and Payments

1. Has an application fee been paid to the school district? ☐ Yes ☐ No

The total fee shall be paid at time of the application is submitted to the school district. Any fees not accompanying the original application shall be considered supplemental payments.

1a. If yes, attach in **Tab 2** proof of application fee paid to the school district.

For the purpose of questions 2 and 3, "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.

2. 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 ☐ N/A
3. 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 ☐ N/A

SECTION 4: Business Applicant Information

1. What is the legal name of the applicant under which this application is made? _____
2. List the Texas Taxpayer I.D. number of entity subject to Tax Code, Chapter 171 (11 digits) _____
3. List the NAICS code _____
4. Is the applicant a party to any other pending or active Chapter 313 agreements? ☐ Yes ☐ No
- 4a. If yes, please list application number, name of school district and year of agreement _____

SECTION 5: Applicant Business Structure

1. Identify Business Organization of Applicant (*corporation, limited liability corporation, etc*) _____
2. Is applicant a combined group, or comprised of members of a combined group, as defined by Tax Code §171.0001(7)? ☐ Yes ☐ No
- 2a. If yes, attach in **Tab 3** a copy of Texas Comptroller Franchise Tax Form No. 05-165, No. 05-166, or any other documentation from the Franchise Tax Division to demonstrate the applicant's combined group membership and contact information.
3. Is the applicant current on all tax payments due to the State of Texas? ☐ Yes ☐ No
4. Are all applicant members of the combined group current on all tax payments due to the State of Texas? ☐ Yes ☐ No ☐ N/A
5. If the answer to question 3 or 4 is no, please explain and/or disclose any history of default, delinquencies and/or any material litigation, including litigation involving the State of Texas. (If necessary, attach explanation in **Tab 3**)

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SECTION 6: Eligibility Under Tax Code Chapter 313.024

1. Are you an entity subject to the tax under Tax Code, Chapter 171? ☒ Yes ☐ No
2. The property will be used for one of the following activities:
 - (1) manufacturing ☐ Yes ☒ No
 - (2) research and development ☐ Yes ☒ No
 - (3) a clean coal project, as defined by Section 5.001, Water Code ☐ Yes ☒ No
 - (4) an advanced clean energy project, as defined by Section 382.003, Health and Safety Code ☐ Yes ☒ No
 - (5) renewable energy electric generation ☒ Yes ☐ No
 - (6) electric power generation using integrated gasification combined cycle technology ☐ Yes ☒ No
 - (7) nuclear electric power generation ☐ Yes ☒ No
 - (8) a computer center that is used as an integral part or as a necessary auxiliary part for the activity conducted by applicant in one or more activities described by Subdivisions (1) through (7) ☐ Yes ☒ No
 - (9) a Texas Priority Project, as defined by 313.024(e)(7) and TAC 9.1051 ☐ Yes ☒ No
3. Are you requesting that any of the land be classified as qualified investment? ☐ Yes ☒ No
4. Will any of the proposed qualified investment be leased under a capitalized lease? ☐ Yes ☒ No
5. Will any of the proposed qualified investment be leased under an operating lease? ☐ Yes ☒ No
6. Are you including property that is owned by a person other than the applicant? ☐ Yes ☒ No
7. Will any property be pooled or proposed to be pooled with property owned by the applicant in determining the amount of your qualified investment? ☐ Yes ☒ No

SECTION 7: Project Description

1. In **Tab 4**, attach 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.
2. Check the project characteristics that apply to the proposed project:

☒ Land has no existing improvements

☐ Land has existing improvements (*complete Section 13*)

☐ Expansion of existing operation on the land (*complete Section 13*)

☐ Relocation within Texas

SECTION 8: Limitation as Determining Factor

1. Does the applicant currently own the land on which the proposed project will occur? ☐ Yes ☒ No
2. Has the applicant entered into any agreements, contracts or letters of intent related to the proposed project? ☐ Yes ☒ No
3. Does the applicant have current business activities at the location where the proposed project will occur? ☐ Yes ☒ No
4. Has the applicant made public statements in SEC filings or other documents regarding its intentions regarding the proposed project location? ☐ Yes ☒ No
5. Has the applicant received any local or state permits for activities on the proposed project site? ☐ Yes ☒ No
6. Has the applicant received commitments for state or local incentives for activities at the proposed project site? ☒ Yes ☐ No
7. Is the applicant evaluating other locations not in Texas for the proposed project? ☒ Yes ☐ No
8. Has the applicant provided capital investment or return on investment information for the proposed project in comparison with other alternative investment opportunities? ☐ Yes ☒ No
9. Has the applicant provided information related to the applicant's inputs, transportation and markets for the proposed project? ☐ Yes ☒ No
10. Are you submitting information to assist in the determination as to whether the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in Texas? ☒ Yes ☐ No

Chapter 313.026(e) states "the applicant may submit information to the Comptroller that would provide a basis for an affirmative determination under Subsection (c)(2)." If you answered "yes" to any of the questions in Section 8, attach supporting information in Tab 5.

SECTION 9: Projected Timeline

1. Application approval by school board
 2. Commencement of construction
 3. Beginning of qualifying time period
 4. First year of limitation
 5. Begin hiring new employees
 6. Commencement of commercial operations
 7. Do you propose to construct a new building or to erect or affix a new improvement after your application review start date (*date your application is finally determined to be complete*)? ☐ Yes ☐ No
- Note:** Improvements made before that time may not be considered qualified property.
8. When do you anticipate the new buildings or improvements will be placed in service?

SECTION 10: The Property

1. Identify county or counties in which the proposed project will be located
2. Identify Central Appraisal District (CAD) that will be responsible for appraising the property
3. Will this CAD be acting on behalf of another CAD to appraise this property? ☐ Yes ☐ No
4. List all taxing entities that have jurisdiction for the property, the portion of project within each entity and tax rates for each entity:

County: (Name, tax rate and percent of project)	City: (Name, tax rate and percent of project)
Hospital District: (Name, tax rate and percent of project)	Water District: (Name, tax rate and percent of project)
Other (describe): (Name, tax rate and percent of project)	Other (describe): (Name, tax rate and percent of project)
5. Is the project located entirely within the ISD listed in Section 1? ☐ Yes ☐ No
 - 5a. If no, attach in **Tab 6** additional information on the project scope and size to assist in the economic analysis.
6. Did you receive a determination from the Texas Economic Development and Tourism Office that this proposed project and at least one other project seeking a limitation agreement constitute a single unified project (SUP), as allowed in §313.024(d-2)? ☐ Yes ☐ No
 - 6a. If yes, attach in **Tab 6** supporting documentation from the Office of the Governor.

SECTION 11: 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 Subchapter B or Subchapter C, 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/.

1. At the time of application, what is the estimated minimum qualified investment required for this school district?
 2. What is the amount of appraised value limitation for which you are applying?
- Note:** The property value limitation amount is based on property values available at the time of application and may change prior to the execution of any final agreement.
3. Does the qualified investment meet the requirements of Tax Code §313.021(1)? ☐ Yes ☐ No
 4. Attach a description of the qualified investment [See §313.021(1).] The description must include:
 - a. 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 (**Tab 7**);
 - b. a description of any new buildings, proposed new improvements or personal property which you intend to include as part of your minimum qualified investment (**Tab 7**); and
 - c. a detailed map of the qualified investment showing location of tangible personal property to be placed in service during the qualifying time period and buildings to be constructed during the qualifying time period, with vicinity map (**Tab 11**).
 5. Do you intend to make at least the minimum qualified investment required by Tax Code §313.023 (or §313.053 for Subchapter C school districts) for the relevant school district category during the qualifying time period? ☐ Yes ☐ No

SECTION 12: Qualified Property

1. Attach a detailed description of the qualified property. [See §313.021(2)] (If qualified investment describes qualified property exactly, you may skip items a, b and c below.) The description must include:
 - 1a. 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 (**Tab 8**);
 - 1b. a description of any new buildings, proposed new improvements or personal property which you intend to include as part of your qualified property (**Tab 8**); and
 - 1c. a map of the qualified property showing location of new buildings or new improvements with vicinity map (**Tab 11**).
2. Is the land upon which the new buildings or new improvements will be built part of the qualified property described by §313.021(2)(A)? ☐ Yes ☐ No
 - 2a. If yes, attach complete documentation including:
 - a. legal description of the land (**Tab 9**);
 - b. each existing appraisal parcel number of the land on which the new improvements will be constructed, regardless of whether or not all of the land described in the current parcel will become qualified property (**Tab 9**);
 - c. owner (**Tab 9**);
 - d. the current taxable value of the land. Attach estimate if land is part of larger parcel (**Tab 9**); and
 - e. a detailed map showing the location of the land with vicinity map (**Tab 11**).
3. Is the land on which you propose new construction or new 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
 - 3a. If yes, attach the applicable supporting documentation:
 - a. evidence that the area qualifies as a enterprise zone as defined by the Governor's Office (**Tab 16**);
 - b. legal description of reinvestment zone (**Tab 16**);
 - c. order, resolution or ordinance establishing the reinvestment zone (**Tab 16**);
 - d. guidelines and criteria for creating the zone (**Tab 16**); and
 - e. a map of the reinvestment zone or enterprise zone boundaries with vicinity map (**Tab 11**)
 - 3b. If no, submit detailed description of proposed reinvestment zone or enterprise zone with a map indicating the boundaries of the zone on which you propose new construction or new improvements to the Comptroller's office within 30 days of the application date. What is the anticipated date on which you will submit final proof of a reinvestment zone or enterprise zone?

SECTION 13: Information on Property Not Eligible to Become Qualified Property

1. In **Tab 10**, attach a specific and detailed description of all **existing property**. This includes buildings and improvements existing as of the application review start date (the date the application is determined to be complete by the Comptroller). The description must provide sufficient detail to locate all existing property on the land that will be subject to the agreement and distinguish existing property from future proposed property.
2. In **Tab 10**, attach a specific and detailed description of all **proposed new property that will not become new improvements** as defined by TAC 9.1051. This includes proposed property that: functionally replaces existing or demolished/removed property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property; or is otherwise ineligible to become qualified property. The description must provide sufficient detail to distinguish existing property (question 1) and all proposed new property that cannot become qualified property from proposed qualified property that will be subject to the agreement (as described in Section 12 of this application).
3. For the property not eligible to become qualified property listed in response to questions 1 and 2 of this section, provide the following supporting information in **Tab 10**:
 - a. maps and/or detailed site plan;
 - b. surveys;
 - c. appraisal district values and parcel numbers;
 - d. inventory lists;
 - e. existing and proposed property lists;
 - f. model and serial numbers of existing property; or
 - g. other information of sufficient detail and description.
4. Total estimated market value of existing property (that property described in response to question 1): \$ _____
5. In **Tab 10**, include an appraisal value by the CAD of all the buildings and improvements existing as of a date within 15 days of the date the application is received by the school district.
6. Total estimated market value of proposed property not eligible to become qualified property
(that property described in response to question 2): \$ _____

Note: Investment for the property listed in question 2 may count towards qualified investment in Column C of Schedules A-1 and A-2, if it meets the requirements of 313.021(1). Such property cannot become qualified property on Schedule B.

SECTION 14: Wage and Employment Information

1. 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)?
 2. What is the last complete calendar quarter before application review start date:
☐ First Quarter ☐ Second Quarter ☐ Third Quarter ☐ Fourth Quarter of _____ (year)
 3. 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 Texas Workforce Commission (TWC)?
- Note:** For job definitions see TAC §9.1051 and Tax Code §313.021(3).
4. What is the number of new qualifying jobs you are committing to create?
 5. What is the number of new non-qualifying jobs you are estimating you will create?
 6. Do you intend to request that the governing body waive the minimum new qualifying job creation requirement, as provided under Tax Code §313.025(f-1)? ☐ Yes ☐ No
 - 6a. If yes, attach evidence in **Tab 12** documenting that the new qualifying job creation requirement above exceeds the number of employees necessary for the operation, according to industry standards.
 7. Attach in **Tab 13** the four most recent quarters of data for each wage calculation below, including documentation from the 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(21) and (22).
 - a. Average weekly wage for all jobs (all industries) in the county is
 - b. 110% of the average weekly wage for manufacturing jobs in the county is
 - c. 110% of the average weekly wage for manufacturing jobs in the region is
 8. Which Tax Code section are you using to estimate the qualifying job wage standard required for this project? ☐ §313.021(5)(A) or ☐ §313.021(5)(B)
 9. What is the minimum required annual wage for each qualifying job based on the qualified property?
 10. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property?
 11. Will the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? ☐ Yes ☐ No
 12. Do you intend to satisfy the minimum qualifying job requirement through a determination of cumulative economic benefits to the state as provided by §313.021(3)(F)? ☐ Yes ☐ No
 - 12a. If yes, attach in **Tab 12** supporting documentation from the TWC, pursuant to §313.021(3)(F).
 13. Do you intend to rely on the project being part of a single unified project, as allowed in §313.024(d-2), in meeting the qualifying job requirements? ☐ Yes ☐ No
 - 13a. If yes, attach in **Tab 6** supporting documentation including a list of qualifying jobs in the other school district(s).

SECTION 15: Economic Impact

1. Complete and attach Schedules A1, A2, B, C, and D in **Tab 14**. Note: Excel spreadsheet versions of schedules are available for download and printing at URL listed below.
2. Attach an Economic Impact Analysis, if supplied by other than the Comptroller's Office, in **Tab 15**. (*not required*)
3. If there are any other payments made in the state or economic information that you believe should be included in the economic analysis, attach a separate schedule showing the amount for each year affected, including an explanation, in **Tab 15**.

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SECTION 16: Authorized Signatures and Applicant Certification

After the application and schedules are complete, an authorized representative from the school district and the business should review the application documents and complete this authorization page. Attach the completed authorization page in Tab 17. NOTE: If you amend your application, you will need to obtain new signatures and resubmit this page, Section 16, with the amendment request.

1. Authorized School District Representative Signature

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.

print
here

Print Name (Authorized School District Representative)

sign
here

Signature (Authorized School District Representative)

Title

Date

2. Authorized Company Representative (Applicant) Signature and Notarization

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 and schedules 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.

print
here

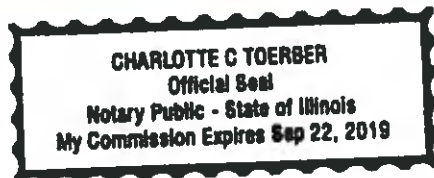
Print Name (Authorized Company Representative (Applicant))

sign
here

Signature (Authorized Company Representative (Applicant))

Title

Date



(Notary Seal)

GIVEN under my hand and seal of office this, the

24th day of April 2017

Notary Public in and for the State of Texas

My Commission expires: 9/22/19

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.

APPLICATION TAB ORDER FOR REQUESTED ATTACHMENTS

TAB	ATTACHMENT
1	Pages 1 through 11 of Application
2	Proof of Payment of Application Fee
3	Documentation of Combined Group membership under Texas Tax Code 171.0001(7), history of tax default, delinquencies and/or material litigation <i>(if applicable)</i>
4	Detailed description of the project
5	Documentation to assist in determining if limitation is a determining factor
6	Description of how project is located in more than one district, including list of percentage in each district and, if determined to be a single unified project, documentation from the Office of the Governor <i>(if applicable)</i>
7	Description of Qualified Investment
8	Description of Qualified Property
9	Description of Land
10	Description of all property not eligible to become qualified property <i>(if applicable)</i>
11	Maps that clearly show: a) Project vicinity b) Qualified investment including location of tangible personal property to be placed in service during the qualifying time period and buildings to be constructed during the qualifying time period c) Qualified property including location of new buildings or new improvements d) Existing property e) Land location within vicinity map f) Reinvestment or Enterprise Zone within vicinity map, showing the actual or proposed boundaries and size Note: Electronic maps should be high resolution files. Include map legends/markers.
12	Request for Waiver of Job Creation Requirement and supporting information <i>(if applicable)</i>
13	Calculation of three possible wage requirements with TWC documentation
14	Schedules A1, A2, B, C and D completed and signed Economic Impact <i>(if applicable)</i>
15	Economic Impact Analysis, other payments made in the state or other economic information <i>(if applicable)</i>
16	Description of Reinvestment or Enterprise Zone, including: a) evidence that the area qualifies as a enterprise zone as defined by the Governor's Office b) legal description of reinvestment zone* c) order, resolution or ordinance establishing the reinvestment zone* d) guidelines and criteria for creating the zone* * To be submitted with application or before date of final application approval by school board
17	Signature and Certification page, signed and dated by Authorized School District Representative and Authorized Company Representative <i>(applicant)</i>

Tab 2

Proof of Payment of Application Fee

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)*

Tab 3

Documentation of Combined Group membership under Texas Tax Code 171.0001(&), history of tax default, delinquencies and/or material litigation

Please see Combined Group membership documentation attached.

**Documentation of combined
group received by the
Texas Comptroller
of Public Accounts**

Tab 4

Detailed description of the project

West of the Pecos, LLC proposes to develop a utility-scale, grid-connected solar photovoltaic energy (PV) plant within the Pecos-Barstow-Toyah Independent School District.

The project will be constructed on approximately 800 acres, which is part of a larger, long-term lease agreement with a local landowner. The project will be located entirely in Reeves County and within the Pecos-Barstow-Toyah Independent School District. The proposed project will include, but is not limited to, the following:

- Planned 100 MW-AC in size;
- PV modules;
- DC-to-AC inverters;
- Medium and high-voltage electric cabling;
- Single-Axis racking system (mounting structures);
- Project substation which will include a high-voltage transformer, switchgear,
- transmission equipment, telecommunications and SCADA equipment, among other things;
- High-voltage transmission line connecting the project to the grid (gen-tie);
- Operations and maintenance (O&M) building including telecommunications and computing equipment, among other things;
- Meteorological equipment to measure solar irradiance and other weather conditions; and
- Associated equipment to safely operate, maintain and deliver electricity to the grid.

The parent company of West of the Pecos, LLC, is an international solar developer with project opportunities all across the United States. The ability to enter into a limited appraisal valuation agreement with the Pecos-Barstow-Toyah Independent School District is a motivating factor for constructing the project in Reeves County, Texas, as opposed to building and investing in another state or region where state tax incentives are available. Such where Applicant is considering include Tennessee, Georgia, Alabama, North Carolina, Mississippi, Utah, New Mexico, California, Nevada and Arizona.

Tab 5

Documentation to assist in determining if limitation is a determining factor

The applicant's parent company for this project is an international solar developer with the ability to locate projects of this type in other counties and states in the US with strong solar characteristics. The applicant is actively developing other projects throughout the US. The applicant requires this appraised value limitation in order to move forward with constructing this project in Texas. Specifically, without the available tax incentives, the economics of the project become unappealing to investors and the likelihood of constructing the project in Texas becomes unlikely. Other places where Applicant is considering investing and developing projects include states that offer market incentives for generation resources like property tax incentives, including Tennessee, Georgia, Alabama, North Carolina, Mississippi, Utah, New Mexico, California, Nevada and Arizona.

Property taxes can be the highest operating expense for a solar generation facility as solar plants do not have any associated fuel costs for the production of electricity, and with Texas wholesale electricity prices already below the international average in Texas, it is necessary to limit the property tax liabilities for a solar project in order to be able to offer electricity at prices that are marketable to Texas customers at competitive rates, including power sales under a bi-lateral contract. Markets such as California that have state wide available subsidies for renewable energy projects, and which have higher average contracted power rates, offer an attractive incentive for developers to build projects in those markets over Texas.

The property tax liabilities of a project without tax incentives in Texas lowers the return to investors and financiers to an unacceptable level at today's contracted power rates under a power purchase agreement. As such, the applicant is not able to finance and build its project in Texas even with a signed power purchase agreement because of the low price in the power purchase agreement. Without the tax incentive, the applicant would be forced to abandon the project and spend its development capital and prospective investment funds in other states where the rate of return is higher on a project basis.

This is true even if the entity is able to contract with an off-taker under a power purchase agreement because the low rate contracted for is not financeable without the tax incentives. More specifically, a signed power purchase agreement in the Texas market is at a much lower rate than other states because of competitively low electricity prices. Other states have high electricity prices where a developer can obtain a PPA with a much higher contracted rate, combined with state subsidies, the other states offer a much higher rate of return for the project financiers. Without the tax incentives in Texas, a project with a power purchase agreement becomes non financeable.

Tab 6

Description of how project is located in more than one district, including list of percentage in each district and, if determined to be a single unified project, documentation from the Office of the Governor

The project is located 100% in the Pecos-Barstow-Toyah Independent School District in Reeves County, Texas.

Tab 7

Description of Qualified Investment

West of the Pecos, LLC anticipates constructing a solar photovoltaic (PV) electric generating facility with an operating capacity of approximately 100 MW. The exact capacity and the specific technology components will be determined during the development and design process.

A 100 MW solar PV generating facility may include a qualified investment consisting of the following improvements:

- PV modules;
- DC-to-AC inverters;
- Medium and high-voltage electric cabling;
- Single-Axis racking system (mounting structures);
- Project substation which will include a high-voltage transformer, switchgear, transmission equipment, telecommunications and SCADA equipment, among other things;
- High-voltage transmission line connecting the project to the grid (gen-tie);
- Operations and maintenance (O&M) building including telecommunications and computing equipment, among other things;
- Meteorological equipment to measure solar irradiance and other weather conditions; and
- Associated equipment to safely operate, maintain and deliver electricity to the grid.

Tab 8

Description of Qualified Property

Please refer to Tab 7.

Tab 9

Description of Land

In Reeves County, Texas, T&P RR Co. Survey, Block 56, Township 2:

All of that part of Section 31 (Abstract 591) lying east of the eastern ROW of US Highway 285 and south of the southern ROW of County Road 440

All of that part of Section 32 (Abstract 2213) lying south of the southern ROW of County Road 440

All of that part of Section 33 (Abstract 592) lying south of the southern ROW of County Road 440

All of that part of Section 34 (Abstract 2216) lying south of the southern ROW of County Road 440

All of that part of Section 35 (Abstract 593) lying south of the southern ROW of County Road 440

All of that part of Section 36 (Abstracts 2749, 1309, 1319, 2741(all), 131(all)) lying south of the southern ROW of County Road 440

All of Section 37 (Abstract 594)

All of Section 38 (abstract unknown)

All of Section 39 (Abstract 595)

All of that part of Section 40 (Abstract 5972) lying east of the eastern ROW of US Highway 285 (Abstract 5972)

All of that part of Section 41 (Abstract 596) lying east of the eastern ROW of US Highway 285

All of that part of Section 45 (Abstract 598) lying east of the eastern ROW of US Highway 285

Tab 10

Description of all property not eligible to become qualified property

Not applicable. Please see attached CAD records.



Property Year 2016	Tax Summary	Information Updated 4/6/2017
Property ID: R000021812 Geo ID: 01570-00531-00000-000000		

Property Details

Ownership	Available Actions
REGAN ROBERTA M TRUST #717	
%HARDING & CARBONE 3903 BELLAIRE BLVD HOUSTON, TX 77025-1119	
Ownership Interest: 1.0000000	

Qualified Exemptions
Not Applicable

Legal Information
Legal: Acres: 320.000, Blk: 56-2, Tract: 32, AB 2213 BLK 56-2 SEC 32 T&P(UND 1/2 INT IN 640 ACS)
Situs: Not Applicable

Property Valuation History

Values by Year		2016	2015	2014	2013	2012	n/a
Improvements	+	\$0	\$0	\$0	\$0	\$0	\$0
Land	+	\$0	\$0	\$0	\$0	\$0	\$0
Production Market	+	\$0	\$14,400	\$14,400	\$14,400	\$14,400	\$0
Personal	+	\$0	\$0	\$0	\$0	\$0	\$0
Mineral	+	\$0	\$0	\$0	\$0	\$0	\$0
Total Market	=	\$0	\$14,400	\$14,400	\$14,400	\$14,400	\$0
Agricultural Loss	-	\$0	\$13,440	\$13,440	\$13,440	\$13,440	\$0
Homestead Cap Loss	-	\$0	\$0	\$0	\$0	\$0	\$0
Total Assessed	=	\$0	\$960	\$960	\$960	\$960	\$0

Improvement / Buildings		Improvement Value: \$0				
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Group Sequence	Code	Building Description	Year Built	Square Footage	Perimeter Footage
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Land Details	Market Value: \$0	Production Market Value: \$0	Production Value: \$0
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Land Code	Acres	Sq. Ft.	Front Ft.	Rear Ft.	Depth	Mkt. Value	Prd. Value
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Property Tax Estimation by Entity / Jurisdiction

Code	Description	Taxable Value	Tax Rate per \$100	Tax Factor applied to Taxable Value	Estimated Tax
01	REEVES COUNTY	0	\$0.49952	0.0049952	\$0.00
30	P-B-T I.S.D.	0	\$1.138	0.01138	\$0.00
65	REEVES COU HOSP DIST	0	\$0.350525	0.00350525	\$0.00
Total Estimation			\$1.988045	0.01988045	\$0.00

The above property tax estimation is not a tax bill. Do not pay.
[Click here to view actual Property Tax Bill.](#)

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Southwest Data Solutions is not responsible for any errors or omissions.



Property Year 2016	Tax Summary	Information Updated 4/6/2017
Property ID: R000014552 Geo ID: 01570-00540-00000-000000		

Property Details

Ownership	Available Actions
TEXAS PACIFIC LAND TRUST	
1700 PACIFIC AVE STE 2770	
DALLAS, TX 75201-4696	
Ownership Interest: 1.0000000	

Qualified Exemptions
Not Applicable

Legal Information
Legal: Acres: 640.000, Blk: 56-2, Tract: 33, AB-592 BLK 56-2 SEC 33T&P
Situs: Not Applicable

Property Valuation History

Values by Year		2016	2015	2014	2013	2012	n/a
Improvements	+	\$0	\$0	\$0	\$0	\$0	\$0
Land	+	\$0	\$0	\$0	\$0	\$0	\$0
Production Market	+	\$28,800	\$28,800	\$28,800	\$28,800	\$28,800	\$0
Personal	+	\$0	\$0	\$0	\$0	\$0	\$0
Mineral	+	\$0	\$0	\$0	\$0	\$0	\$0
Total Market	=	\$28,800	\$28,800	\$28,800	\$28,800	\$28,800	\$0
Agricultural Loss	-	\$26,880	\$26,880	\$26,880	\$26,880	\$26,880	\$0
Homestead Cap Loss	-	\$0	\$0	\$0	\$0	\$0	\$0
Total Assessed	=	\$1,920	\$1,920	\$1,920	\$1,920	\$1,920	\$0

<i>Improvement / Buildings</i>		<i>Improvement Value: \$0</i>			
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Group Sequence	Code	Building Description	Year Built	Square Footage	Perimeter Footage
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<i>Land Details</i>	<i>Market Value: \$0</i>	<i>Production Market Value: \$28,800</i>	<i>Production Value: \$1,920</i>
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Land Code	Acres	Sq. Ft.	Front Ft.	Rear Ft.	Depth	Mkt. Value	Prd. Value
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Property Tax Estimation by Entity / Jurisdiction

Code	Description	Taxable Value	Tax Rate per \$100	Tax Factor applied to Taxable Value	Estimated Tax
01	REEVES COUNTY	1,920	\$0.49952	0.0049952	\$9.59
Total Estimation			\$0.49952	0.0049952	\$9.59

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[Click here to view actual Property Tax Bill.](#)

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Property Year 2016	Tax Summary	Information Updated 4/6/2017
Property ID: R000021813 Geo ID: 01570-00551-00000-000000		

Property Details

Ownership	Available Actions
REGAN ROBERTA M TRUST #717	
901 MAIN ST DALLAS, TX 75202-3714	
Ownership Interest: 1.0000000	

Qualified Exemptions
Not Applicable

Legal Information
Legal: Acres: 320.000, Blk: 56-2, Tract: 34, AB 2216 BLK 56-2 SEC 34 T&P(UND 1/2 INT IN 640 ACS)
Situs: Not Applicable

Property Valuation History

Values by Year		2016	2015	2014	2013	2012	n/a
Improvements	+	\$0	\$0	\$0	\$0	\$0	\$0
Land	+	\$0	\$0	\$0	\$0	\$0	\$0
Production Market	+	\$0	\$14,400	\$14,400	\$14,400	\$14,400	\$0
Personal	+	\$0	\$0	\$0	\$0	\$0	\$0
Mineral	+	\$0	\$0	\$0	\$0	\$0	\$0
Total Market	=	\$0	\$14,400	\$14,400	\$14,400	\$14,400	\$0
Agricultural Loss	-	\$0	\$13,440	\$13,440	\$13,440	\$13,440	\$0
Homestead Cap Loss	-	\$0	\$0	\$0	\$0	\$0	\$0
Total Assessed	=	\$0	\$960	\$960	\$960	\$960	\$0

Improvement / Buildings		Improvement Value: \$0				
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Group Sequence	Code	Building Description	Year Built	Square Footage	Perimeter Footage
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Land Details	Market Value: \$0	Production Market Value: \$0	Production Value: \$0
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Land Code	Acres	Sq. Ft.	Front Ft.	Rear Ft.	Depth	Mkt. Value	Prd. Value
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Deed History

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REGAN ROBERTA M TRUST #717	0	0	n/a

Property Tax Estimation by Entity / Jurisdiction

Code	Description	Taxable Value	Tax Rate per \$100	Tax Factor applied to Taxable Value	Estimated Tax
01	REEVES COUNTY	0	\$0.49952	0.0049952	\$0.00
30	P-B-T I.S.D.	0	\$1.138	0.01138	\$0.00
65	REEVES COU HOSP DIST	0	\$0.350525	0.00350525	\$0.00
Total Estimation			\$1.988045	0.01988045	\$0.00

The above property tax estimation is not a tax bill. Do not pay.
[Click here to view actual Property Tax Bill.](#)

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Property Year 2016	Tax Summary	Information Updated 4/6/2017
Property ID: R000014553 Geo ID: 01570-00560-00000-000000		

Property Details

Ownership	Available Actions
TEXAS PACIFIC LAND TRUST	
1700 PACIFIC AVE STE 2770	
DALLAS, TX 75201-4696	
Ownership Interest: 1.0000000	

Qualified Exemptions
Not Applicable

Legal Information
Legal: Acres: 640.000, Blk: 56-2, Tract: 35, AB-593 BLK 56-2 SEC 35T&P
Situs: Not Applicable

Property Valuation History

Values by Year		2016	2015	2014	2013	2012	n/a
Improvements	+	\$0	\$0	\$0	\$0	\$0	\$0
Land	+	\$0	\$0	\$0	\$0	\$0	\$0
Production Market	+	\$30,080	\$30,080	\$30,080	\$30,080	\$30,080	\$0
Personal	+	\$0	\$0	\$0	\$0	\$0	\$0
Mineral	+	\$0	\$0	\$0	\$0	\$0	\$0
Total Market	=	\$30,080	\$30,080	\$30,080	\$30,080	\$30,080	\$0
Agricultural Loss	-	\$27,900	\$27,900	\$27,900	\$27,900	\$27,900	\$0
Homestead Cap Loss	-	\$0	\$0	\$0	\$0	\$0	\$0
Total Assessed	=	\$2,180	\$2,180	\$2,180	\$2,180	\$2,180	\$0

<i>Improvement / Buildings</i>		<i>Improvement Value: \$0</i>			
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Group Sequence	Code	Building Description	Year Built	Square Footage	Perimeter Footage
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<i>Land Details</i>	<i>Market Value: \$0</i>	<i>Production Market Value: \$30,080</i>	<i>Production Value: \$2,180</i>
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Land Code	Acres	Sq. Ft.	Front Ft.	Rear Ft.	Depth	Mkt. Value	Prd. Value
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Property Tax Estimation by Entity / Jurisdiction

Code	Description	Taxable Value	Tax Rate per \$100	Tax Factor applied to Taxable Value	Estimated Tax
01	REEVES COUNTY	2,180	\$0.49952	0.0049952	\$10.89
Total Estimation			\$0.49952	0.0049952	\$10.89

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[Click here to view actual Property Tax Bill.](#)

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Property Year 2016	Tax Summary	Information Updated 4/6/2017
Property ID: R000002330 Geo ID: 01570-00610-00000-000000		

Property Details

Ownership	Available Actions
LINDSAY JEFF	
PO BOX 133	
PECOS, TX 79772-0133	
Ownership Interest: 1.0000000	

Qualified Exemptions
Not Applicable

Legal Information
Legal: Acres: 180.000, Blk: 56-2, Tract: 36, AB-1309 BLK 56-2 SEC 36T&P NE/PT OF E/2
Situs: Not Applicable

Property Valuation History

Values by Year		2016	2015	2014	2013	2012	n/a
Improvements	+	\$0	\$0	\$0	\$0	\$0	\$0
Land	+	\$9,000	\$9,000	\$9,000	\$9,000	\$9,000	\$0
Production Market	+	\$0	\$0	\$0	\$0	\$0	\$0
Personal	+	\$0	\$0	\$0	\$0	\$0	\$0
Mineral	+	\$0	\$0	\$0	\$0	\$0	\$0
Total Market	=	\$9,000	\$9,000	\$9,000	\$9,000	\$9,000	\$0
Agricultural Loss	-	\$0	\$0	\$0	\$0	\$0	\$0
Homestead Cap Loss	-	\$0	\$0	\$0	\$0	\$0	\$0
Total Assessed	=	\$9,000	\$9,000	\$9,000	\$9,000	\$9,000	\$0

Improvement / Buildings		Improvement Value: \$0			
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Group Sequence	Code	Building Description	Year Built	Square Footage	Perimeter Footage
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Land Details	Market Value: \$9,000	Production Market Value: \$0	Production Value: \$0
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Land Code	Acres	Sq. Ft.	Front Ft.	Rear Ft.	Depth	Mkt. Value	Prd. Value
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GRAHAM RANDY	634	712	4/27/2001
LINDSAY JEFF	751	736	6/30/2006

Property Tax Estimation by Entity / Jurisdiction

Code	Description	Taxable Value	Tax Rate per \$100	Tax Factor applied to Taxable Value	Estimated Tax
01	REEVES COUNTY	9,000	\$0.49952	0.0049952	\$44.96
Total Estimation			\$0.49952	0.0049952	\$44.96

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[Click here to view actual Property Tax Bill.](#)

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Property Year 2016	Tax Summary	Information Updated 4/6/2017
Property ID: R000007529 Geo ID: 01570-00620-00000-000000		

Property Details

Ownership	Available Actions
CHIMNEY HILL RESOURCES LLC	
PO BOX 471732	
FORT WORTH, TX 76147-1408	
Ownership Interest: 1.0000000	

Qualified Exemptions
Not Applicable

Legal Information
Legal: Acres: 60.000, Blk: 56-2, Tract: 36, AB 2741 BLK 56-2 SEC 36 T&P
Situs: Not Applicable

Property Valuation History

Values by Year		2016	2015	2014	2013	2012	n/a
Improvements	+	\$0	\$0	\$0	\$0	\$0	\$0
Land	+	\$0	\$0	\$0	\$0	\$0	\$0
Production Market	+	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$0
Personal	+	\$0	\$0	\$0	\$0	\$0	\$0
Mineral	+	\$0	\$0	\$0	\$0	\$0	\$0
Total Market	=	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$0
Agricultural Loss	-	\$2,760	\$2,760	\$2,760	\$2,760	\$2,760	\$0
Homestead Cap Loss	-	\$0	\$0	\$0	\$0	\$0	\$0
Total Assessed	=	\$240	\$240	\$240	\$240	\$240	\$0

Improvement / Buildings	Improvement Value: \$0				
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Group Sequence	Code	Building Description	Year Built	Square Footage	Perimeter Footage
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Land Details	Market Value: \$0	Production Market Value: \$3,000	Production Value: \$240
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Land Code	Acres	Sq. Ft.	Front Ft.	Rear Ft.	Depth	Mkt. Value	Prd. Value
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WINSTEAD SE CH REST & MINCK	644	195	11/30/2001
B F JOPLIN TO B LEBARRON ETAL	542	110	10/7/1994
B LEBARRON;L BROWN;TOM JOPLIN	542	107	10/7/1994

Property Tax Estimation by Entity / Jurisdiction

Code	Description	Taxable Value	Tax Rate per \$100	Tax Factor applied to Taxable Value	Estimated Tax
01	REEVES COUNTY	240	\$0.49952	0.0049952	\$1.20
30	P-B-T I.S.D.	240	\$1.138	0.01138	\$2.73
65	REEVES COU HOSP DIST	240	\$0.350525	0.00350525	\$0.84
Total Estimation			\$1.988045	0.01988045	\$4.77

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[Click here to view actual Property Tax Bill.](#)

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Property Year 2016	Tax Summary	Information Updated 4/6/2017
Property ID: R000001661 Geo ID: 01570-00590-00000-000000		

Property Details

Ownership	Available Actions
BOLINGER WILLIAM M	
1905 RODNEY ST BOSSIER CITY, LA 71112-2037	
Ownership Interest: 1.0000000	

Qualified Exemptions
Not Applicable

Legal Information
Legal: Acres: 79.270, Blk: 56-2, Tract: 36, AB 2749 BLK 56-2 SEC 36T&P W/2-1/4 INT
Situs: Not Applicable

Property Valuation History

Values by Year		2016	2015	2014	2013	2012	n/a
Improvements	+	\$0	\$0	\$0	\$0	\$0	\$0
Land	+	\$3,960	\$3,960	\$3,960	\$3,960	\$3,960	\$0
Production Market	+	\$0	\$0	\$0	\$0	\$0	\$0
Personal	+	\$0	\$0	\$0	\$0	\$0	\$0
Mineral	+	\$0	\$0	\$0	\$0	\$0	\$0
Total Market	=	\$3,960	\$3,960	\$3,960	\$3,960	\$3,960	\$0
Agricultural Loss	-	\$0	\$0	\$0	\$0	\$0	\$0
Homestead Cap Loss	-	\$0	\$0	\$0	\$0	\$0	\$0
Total Assessed	=	\$3,960	\$3,960	\$3,960	\$3,960	\$3,960	\$0

Improvement / Buildings		Improvement Value: \$0			
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Group Sequence	Code	Building Description	Year Built	Square Footage	Perimeter Footage
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Land Details	Market Value: \$3,960	Production Market Value: \$0	Production Value: \$0
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Land Code	Acres	Sq. Ft.	Front Ft.	Rear Ft.	Depth	Mkt. Value	Prd. Value
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Property Tax Estimation by Entity / Jurisdiction

Code	Description	Taxable Value	Tax Rate per \$100	Tax Factor applied to Taxable Value	Estimated Tax
01	REEVES COUNTY	3,960	\$0.49952	0.0049952	\$19.78
Total Estimation			\$0.49952	0.0049952	\$19.78

The above property tax estimation is not a tax bill. Do not pay.
[Click here to view actual Property Tax Bill.](#)

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Southwest Data Solutions is not responsible for any errors or omissions.



Property Year 2016	Tax Summary	Information Updated 4/6/2017
Property ID: R000014554 Geo ID: 01570-00640-00000-000000		

Property Details

Ownership	Available Actions
TEXAS PACIFIC LAND TRUST	
1700 PACIFIC AVE STE 2770	
DALLAS, TX 75201-4696	
Ownership Interest: 1.0000000	

Qualified Exemptions
Not Applicable

Legal Information
Legal: Acres: 576.000, Blk: 56-2, Tract: 37, AB-594 BLK 56-2 SEC 37T&P
Situs: Not Applicable

Property Valuation History

Values by Year		2016	2015	2014	2013	2012	n/a
Improvements	+	\$0	\$0	\$0	\$0	\$0	\$0
Land	+	\$0	\$0	\$0	\$0	\$0	\$0
Production Market	+	\$28,800	\$28,800	\$28,800	\$28,800	\$28,800	\$0
Personal	+	\$0	\$0	\$0	\$0	\$0	\$0
Mineral	+	\$0	\$0	\$0	\$0	\$0	\$0
Total Market	=	\$28,800	\$28,800	\$28,800	\$28,800	\$28,800	\$0
Agricultural Loss	-	\$26,500	\$26,500	\$26,500	\$26,500	\$26,500	\$0
Homestead Cap Loss	-	\$0	\$0	\$0	\$0	\$0	\$0
Total Assessed	=	\$2,300	\$2,300	\$2,300	\$2,300	\$2,300	\$0

Improvement / Buildings		Improvement Value: \$0			
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Group Sequence	Code	Building Description	Year Built	Square Footage	Perimeter Footage
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Land Details	Market Value: \$0	Production Market Value: \$28,800	Production Value: \$2,300
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Land Code	Acres	Sq. Ft.	Front Ft.	Rear Ft.	Depth	Mkt. Value	Prd. Value
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Property Tax Estimation by Entity / Jurisdiction

Code	Description	Taxable Value	Tax Rate per \$100	Tax Factor applied to Taxable Value	Estimated Tax
01	REEVES COUNTY	2,300	\$0.49952	0.0049952	\$11.49
Total Estimation			\$0.49952	0.0049952	\$11.49

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[Click here to view actual Property Tax Bill.](#)

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Property Year 2016	Tax Summary	Information Updated 4/6/2017
Property ID: R000013879 Geo ID: 01570-00644-00000-000000		

Property Details

Ownership	Available Actions
STATE OF TEXAS	
Ownership Interest: 1.0000000	
Qualified Exemptions	
Const Exempt	
* For property owner confidentiality reasons not all exemption details are available online.	

Legal Information
Legal: Acres: 640.000, Blk: 56-2, Tract: 38, AB 2526 SEC 38 BLK 56-2 T&P
Situs: Not Applicable

Property Valuation History

Values by Year		2016	2015	2014	2013	2012	n/a
Improvements	+	\$0	\$0	\$0	\$0	\$0	\$0
Land	+	\$28,800	\$28,800	\$28,800	\$28,800	\$28,800	\$0
Production Market	+	\$0	\$0	\$0	\$0	\$0	\$0
Personal	+	\$0	\$0	\$0	\$0	\$0	\$0
Mineral	+	\$0	\$0	\$0	\$0	\$0	\$0
Total Market	=	\$28,800	\$28,800	\$28,800	\$28,800	\$28,800	\$0
Agricultural Loss	-	\$0	\$0	\$0	\$0	\$0	\$0
Homestead Cap Loss	-	\$0	\$0	\$0	\$0	\$0	\$0
Total Assessed	=	\$28,800	\$28,800	\$28,800	\$28,800	\$28,800	\$0

<i>Improvement / Buildings</i>		<i>Improvement Value: \$0</i>			
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Group Sequence	Code	Building Description	Year Built	Square Footage	Perimeter Footage
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<i>Land Details</i>	<i>Market Value: \$28,800</i>	<i>Production Market Value: \$0</i>	<i>Production Value: \$0</i>
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Land Code	Acres	Sq. Ft.	Front Ft.	Rear Ft.	Depth	Mkt. Value	Prd. Value
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<i>Deed History</i>			
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Property Tax Estimation by Entity / Jurisdiction

Code	Description	Taxable Value	Tax Rate per \$100	Tax Factor applied to Taxable Value	Estimated Tax
01	REEVES COUNTY	0	\$0.49952	0.0049952	\$0.00
Total Estimation			\$0.49952	0.0049952	\$0.00

The above property tax estimation is not a tax bill. Do not pay.
[Click here to view actual Property Tax Bill.](#)

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Property Year 2016	Tax Summary	Information Updated 4/6/2017
Property ID: R000014555 Geo ID: 01570-00650-00000-000000		

Property Details

Ownership	Available Actions
TEXAS PACIFIC LAND TRUST	
1700 PACIFIC AVE STE 2770 DALLAS, TX 75201-4696	
Ownership Interest: 1.0000000	

Qualified Exemptions
Not Applicable

Legal Information
Legal: Acres: 640.000, Blk: 56-2, Tract: 39, AB-595 BLK 56-2 SEC 39T&P
Situs: Not Applicable

Property Valuation History

Values by Year		2016	2015	2014	2013	2012	n/a
Improvements	+	\$0	\$0	\$0	\$0	\$0	\$0
Land	+	\$0	\$0	\$0	\$0	\$0	\$0
Production Market	+	\$28,800	\$28,800	\$28,800	\$28,800	\$28,800	\$0
Personal	+	\$0	\$0	\$0	\$0	\$0	\$0
Mineral	+	\$0	\$0	\$0	\$0	\$0	\$0
Total Market	=	\$28,800	\$28,800	\$28,800	\$28,800	\$28,800	\$0
Agricultural Loss	-	\$26,880	\$26,880	\$26,880	\$26,880	\$26,880	\$0
Homestead Cap Loss	-	\$0	\$0	\$0	\$0	\$0	\$0
Total Assessed	=	\$1,920	\$1,920	\$1,920	\$1,920	\$1,920	\$0

Improvement / Buildings		Improvement Value: \$0			
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Group Sequence	Code	Building Description	Year Built	Square Footage	Perimeter Footage
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Land Details	Market Value: \$0	Production Market Value: \$28,800	Production Value: \$1,920
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Land Code	Acres	Sq. Ft.	Front Ft.	Rear Ft.	Depth	Mkt. Value	Prd. Value
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Deed History					
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Sold By	Volume	Page	Deed Date Instrument
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Property Tax Estimation by Entity / Jurisdiction

Code	Description	Taxable Value	Tax Rate per \$100	Tax Factor applied to Taxable Value	Estimated Tax
01	REEVES COUNTY	1,920	\$0.49952	0.0049952	\$9.59
Total Estimation			\$0.49952	0.0049952	\$9.59

The above property tax estimation is not a tax bill. Do not pay.
[Click here to view actual Property Tax Bill.](#)

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Southwest Data Solutions is not responsible for any errors or omissions.



Property Year 2016	Tax Summary	Information Updated 4/6/2017
Property ID: R000013880 Geo ID: 01570-00655-00000-000000		

Property Details

Ownership	Available Actions
STATE OF TEXAS	
Ownership Interest: 1.0000000	

Qualified Exemptions
Const Exempt
* For property owner confidentiality reasons not all exemption details are available online.

Legal Information
Legal: Acres: 640.000, Blk: 56-2, Tract: 40, AB 2527 SEC 40 BLK 56-2 T&P
Situs: Not Applicable

Property Valuation History

Values by Year		2016	2015	2014	2013	2012	n/a
Improvements	+	\$0	\$0	\$0	\$0	\$0	\$0
Land	+	\$28,800	\$28,800	\$28,800	\$28,800	\$28,800	\$0
Production Market	+	\$0	\$0	\$0	\$0	\$0	\$0
Personal	+	\$0	\$0	\$0	\$0	\$0	\$0
Mineral	+	\$0	\$0	\$0	\$0	\$0	\$0
Total Market	=	\$28,800	\$28,800	\$28,800	\$28,800	\$28,800	\$0
Agricultural Loss	-	\$0	\$0	\$0	\$0	\$0	\$0
Homestead Cap Loss	-	\$0	\$0	\$0	\$0	\$0	\$0
Total Assessed	=	\$28,800	\$28,800	\$28,800	\$28,800	\$28,800	\$0

<i>Improvement / Buildings</i>		<i>Improvement Value: \$0</i>				
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Group Sequence	Code	Building Description	Year Built	Square Footage	Perimeter Footage
----------------	------	----------------------	------------	----------------	-------------------

<i>Land Details</i>	<i>Market Value: \$28,800</i>	<i>Production Market Value: \$0</i>	<i>Production Value: \$0</i>
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Land Code	Acres	Sq. Ft.	Front Ft.	Rear Ft.	Depth	Mkt. Value	Prd. Value
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<i>Deed History</i>					
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Sold By	Volume	Page	Deed Date Instrument
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Property Tax Estimation by Entity / Jurisdiction

Code	Description	Taxable Value	Tax Rate per \$100	Tax Factor applied to Taxable Value	Estimated Tax
01	REEVES COUNTY	0	\$0.49952	0.0049952	\$0.00
Total Estimation			\$0.49952	0.0049952	\$0.00

The above property tax estimation is not a tax bill. Do not pay.
[Click here to view actual Property Tax Bill.](#)

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Southwest Data Solutions is not responsible for any errors or omissions.



Property Year 2016	Tax Summary	Information Updated 4/6/2017
Property ID: R000014558 Geo ID: 01570-00700-00000-000000		

Property Details

Ownership	Available Actions
TEXAS PACIFIC LAND TRUST	
1700 PACIFIC AVE STE 2770	
DALLAS, TX 75201-4696	
Ownership Interest: 1.0000000	

Qualified Exemptions
Not Applicable

Legal Information
Legal: Acres: 640.000, Blk: 56-2, Tract: 45, AB-598 BLK 56-2 SEC 45T&P
Situs: Not Applicable

Property Valuation History

Values by Year		2016	2015	2014	2013	2012	n/a
Improvements	+	\$0	\$0	\$0	\$0	\$0	\$0
Land	+	\$0	\$0	\$0	\$0	\$0	\$0
Production Market	+	\$28,800	\$28,800	\$28,800	\$28,800	\$28,800	\$0
Personal	+	\$0	\$0	\$0	\$0	\$0	\$0
Mineral	+	\$0	\$0	\$0	\$0	\$0	\$0
Total Market	=	\$28,800	\$28,800	\$28,800	\$28,800	\$28,800	\$0
Agricultural Loss	-	\$26,880	\$26,880	\$26,880	\$26,880	\$26,880	\$0
Homestead Cap Loss	-	\$0	\$0	\$0	\$0	\$0	\$0
Total Assessed	=	\$1,920	\$1,920	\$1,920	\$1,920	\$1,920	\$0

Improvement / Buildings		Improvement Value: \$0			
-------------------------	--	------------------------	--	--	--

Group Sequence	Code	Building Description	Year Built	Square Footage	Perimeter Footage
----------------	------	----------------------	------------	----------------	-------------------

Land Details	Market Value: \$0	Production Market Value: \$28,800	Production Value: \$1,920
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Land Code	Acres	Sq. Ft.	Front Ft.	Rear Ft.	Depth	Mkt. Value	Prd. Value
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Deed History			
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Sold By	Volume	Page	Deed Date Instrument
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Property Tax Estimation by Entity / Jurisdiction

Code	Description	Taxable Value	Tax Rate per \$100	Tax Factor applied to Taxable Value	Estimated Tax
01	REEVES COUNTY	1,920	\$0.49952	0.0049952	\$9.59
Total Estimation			\$0.49952	0.0049952	\$9.59

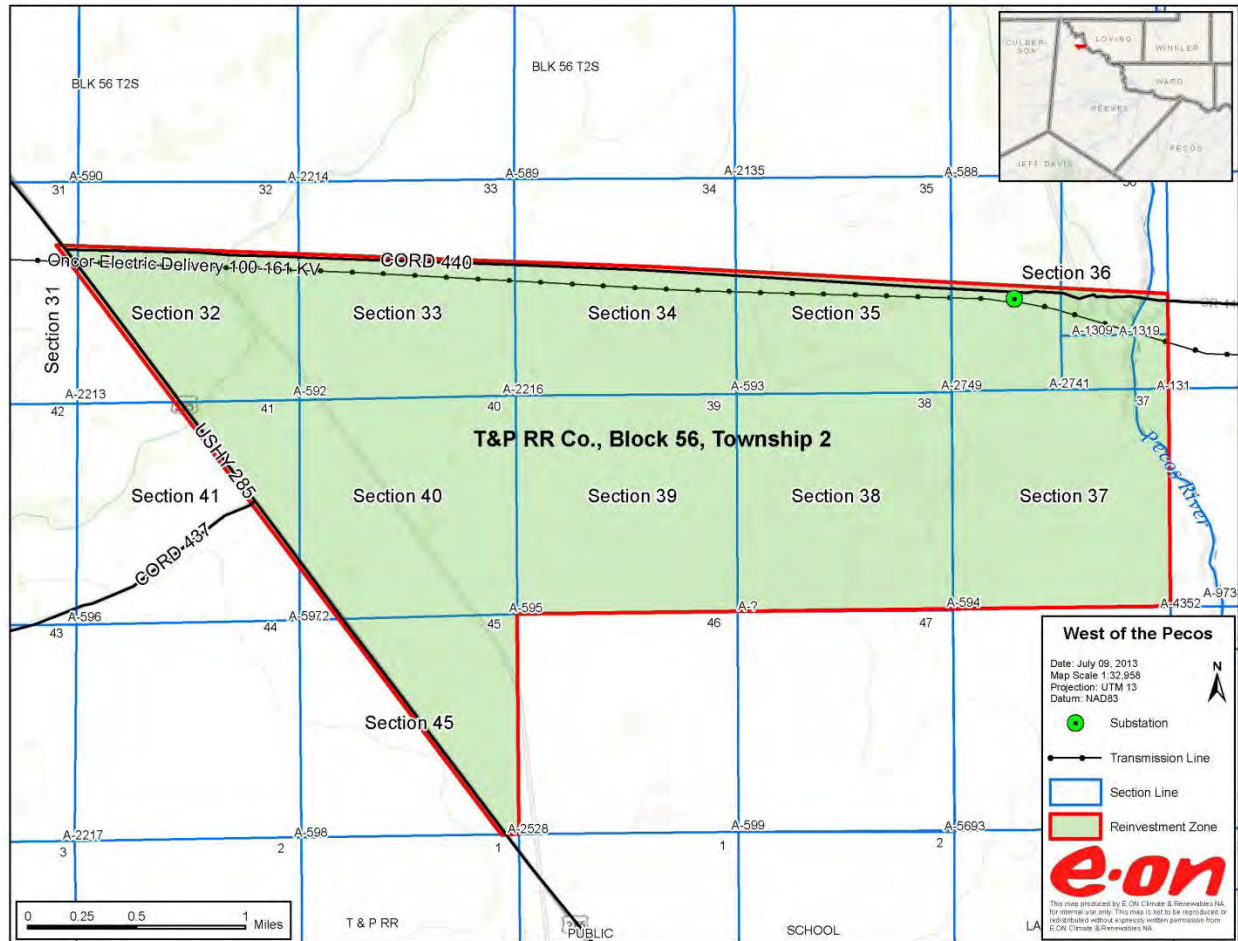
The above property tax estimation is not a tax bill. Do not pay.
[Click here to view actual Property Tax Bill.](#)

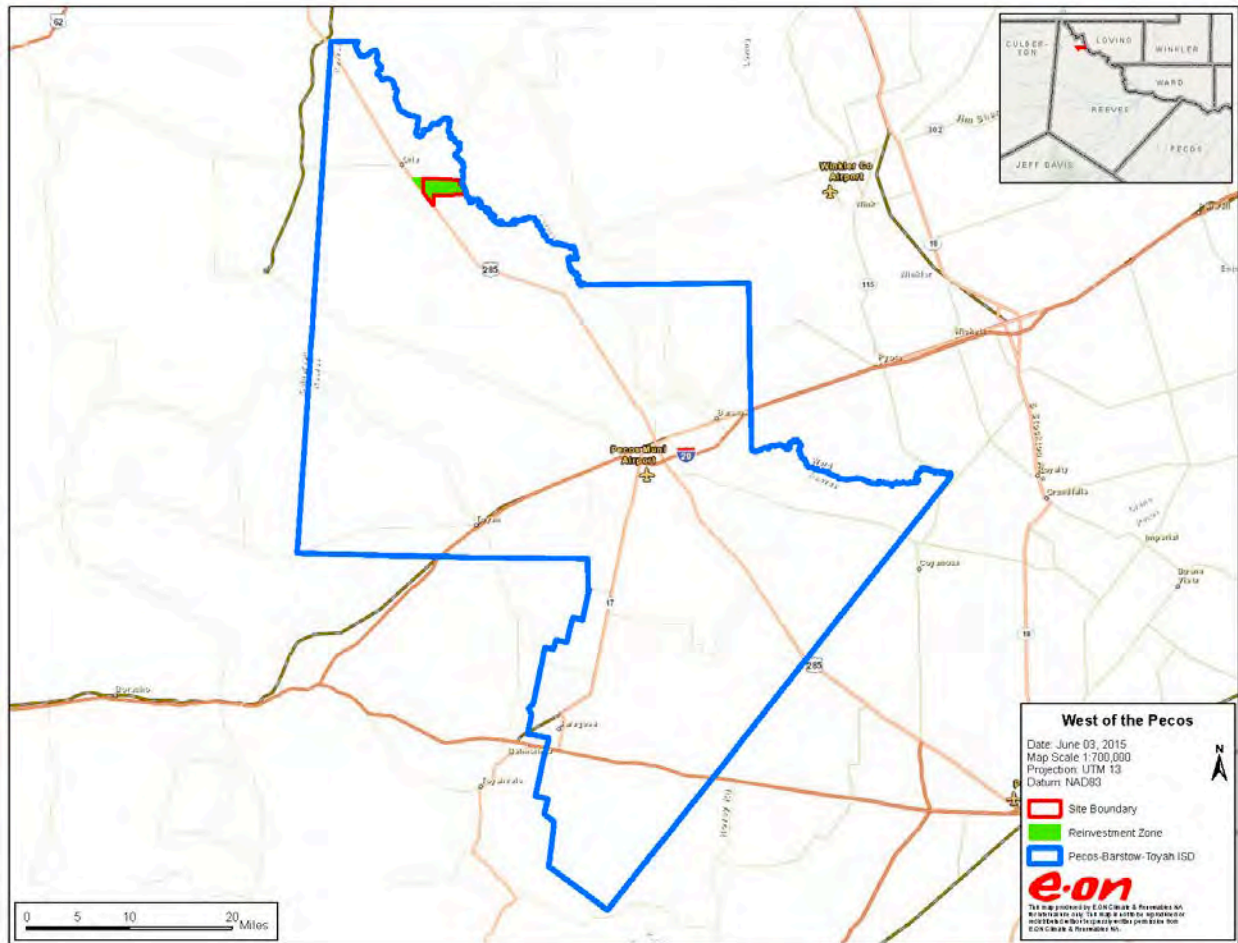
Southwest Data Solutions provides this information "as is" without warranty of any kind.
Southwest Data Solutions is not responsible for any errors or omissions.

Tab 11

Maps that clearly show: (a) Project vicinity; (b) Qualified investment including location of tangible personal property to be placed in service during the qualifying time period and buildings to be constructed during the qualifying time period; (c) Qualified property including location of new buildings or new improvements; (d) Existing property; (e) Land location within vicinity map; (f) Reinvestment or Enterprise Zone within vicinity map, showing the actual or proposed boundaries and size

Please see attached maps.





T&P RR Co., Block 56, Township 2

CR 440

Section 33

Section 34

Section 35

Section 40

Section 39

Section 38

Section 37

285

West of the Pecos

Date: December 02, 2016
Map Scale 1:26,000
Projection: UTM 13
Datum: NAD83



 E.on Footprint

e-on

This map produced by E.ON Climate & Renewables NA for internal use only. This map is not to be reproduced or redistributed without expressly written permission from E.ON Climate & Renewables NA.

0 0.5 1 2 Miles

Tab 12

Request for Waiver of Job Creation Requirement and supporting information

Please see next page.

April 12, 2017

Mr. Jim Haley, Superintendent
Pecos-Barstow-Toyah Independent School District
1301 South Eddy Street
Pecos, Texas 79772

Re: Chapter 313 Job Waiver Request

Dear Mr. Haley,

Please consider this letter to be West of the Pecos, LLC's formal request to waive the minimum new job creation requirement, as provided under Texas Tax Code 313.025(f-1).

Based upon knowledge of staffing requirements West of the Pecos, LLC requests the job creation requirement under Chapter 313 of the Texas Tax Code be waived. In line with solar industry standards for job requirements, West of the Pecos, LLC has committed to create two (2) new permanent jobs.

Solar projects create a large number of full-time, temporary jobs during the construction phase (1st year), but require a small number of highly skilled technicians to operate the solar project once construction operations end and commercial operations begin.

These permanent employees of a solar energy project maintain and service solar panels, mounting infrastructure, underground electrical connections, substations and other infrastructure associated with the safe and reliable operation of the project. In addition to the onsite employee described above, there also may be asset managers or technicians who supervise, monitor, and support solar project operations from offsite locations.

The waiver request herein is in line with industry standards for the number of jobs specifically relegated to a solar generation facility of this size. This is evidenced by previously filed limitation agreement applications by solar developers who similarly requested a waiver of the job requirements and in addition, by readily available documentation and education materials related to the development of solar generation facilities.

Sincerely,


MARK A. FRIGO

West of the Pecos Solar, LLC

Tab 13

Calculation of three possible wage requirements with TWC documentation

AVERAGE WEEKLY WAGES FOR ALL JOBS, ALL INDUSTRIES IN REEVES COUNTY

FOUR MOST RECENT QUARTERS

COUNTY	YEAR	QUARTER	Avg. Weekly Wage
Reeves	2015	Q4	\$778
Reeves	2016	Q1	\$776
Reeves	2016	Q2	\$743
Reeves	2016	Q3	\$808
SUM:			\$3,105
CALCULATION:			\$3,105/4 = \$776.25

AVERAGE WEEKLY WAGES FOR MANUFACTURING JOBS IN REEVES COUNTY

FOUR MOST RECENT QUARTERS

COUNTY	YEAR	QUARTER	Avg. Weekly Wage
Reeves	2015	Q4	\$783
Reeves	2016	Q1	\$648
Reeves	2016	Q2	\$518
Reeves	2016	Q3	\$524
SUM:			\$2,473
CALCULATION:			(\$2,473/4) * 1.1 = \$680.08

AVERAGE WEEKLY WAGES FOR MANUFACTURING JOBS IN THE PERMIAN BASIN REGION (WDA)

FOUR MOST RECENT QUARTERS

REGION / WDA	YEAR	Hourly/Annual	Avg. Weekly Wage
Permian Basin	2015	\$25.18/\$52,382	\$1,007.35
CALCULATION			\$1,007.35 * 1.1 = \$1,108.08

Please refer to the attached TWC & Council of Governments documentation below.

Quarterly Employment and Wages (QCEW)

Page 1 of 1 (40 results/page)

Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2016	3rd Qtr	Reeves County	Total All	00	0	10	Total, All Industries	\$808
2016	1st Qtr	Reeves County	Total All	00	0	10	Total, All Industries	\$776
2016	2nd Qtr	Reeves County	Total All	00	0	10	Total, All Industries	\$743

Quarterly Employment and Wages (QCEW)

 Year	 Period	 Area	 Ownership	 Division	 Level	 Ind Code	 Industry	 Avg Weekly Wages
2015	4th Qtr	Reeves County	Total All	00	0	10	Total, All Industries	\$778

Quarterly Employment and Wages (QCEW)

 Year	 Period	 Area	 Ownership	 Division	 Level	 Ind Code	 Industry	 Avg Weekly Wages
2016	3rd Qtr	Reeves County	Total All	31	2	31-33	Manufacturing	\$524
2016	1st Qtr	Reeves County	Total All	31	2	31-33	Manufacturing	\$648
2016	2nd Qtr	Reeves County	Total All	31	2	31-33	Manufacturing	\$518

Quarterly Employment and Wages (QCEW)

 Year	 Period	 Area	 Ownership	 Division	 Level	 Ind Code	 Industry	 Avg Weekly Wages
2015	4th Qtr	Reeves County	Total All	31	2	31-33	Manufacturing	\$783

2015 Manufacturing Average Wages by Council of Government Region
Wages for All Occupations

COG	Wages	
	Hourly	Annual
Texas	\$24.41	\$50,778
1. Panhandle Regional Planning Commission	\$20.64	\$42,941
2. South Plains Association of Governments	\$17.50	\$36,408
3. NORTEX Regional Planning Commission	\$23.28	\$48,413
4. North Central Texas Council of Governments	\$25.03	\$52,068
5. Ark-Tex Council of Governments	\$18.46	\$38,398
6. East Texas Council of Governments	\$19.84	\$41,270
7. West Central Texas Council of Governments	\$19.84	\$41,257
8. Rio Grande Council of Governments	\$18.32	\$38,109
9. Permian Basin Regional Planning Commission	\$25.18	\$52,382
10. Concho Valley Council of Governments	\$18.80	\$39,106
11. Heart of Texas Council of Governments	\$21.41	\$44,526
12. Capital Area Council of Governments	\$29.98	\$62,363
13. Brazos Valley Council of Governments	\$18.78	\$39,057
14. Deep East Texas Council of Governments	\$17.30	\$35,993
15. South East Texas Regional Planning Commission	\$30.41	\$63,247
16. Houston-Galveston Area Council	\$26.44	\$54,985
17. Golden Crescent Regional Planning Commission	\$23.73	\$49,361
18. Alamo Area Council of Governments	\$19.96	\$41,516
19. South Texas Development Council	\$15.87	\$33,016
20. Coastal Bend Council of Governments	\$25.97	\$54,008
21. Lower Rio Grande Valley Development Council	\$16.17	\$33,634
22. Texoma Council of Governments	\$19.04	\$39,595
23. Central Texas Council of Governments	\$18.04	\$37,533
24. Middle Rio Grande Development Council	\$22.24	\$46,263

Source: Texas Occupational Employment and Wages

Data published: July 2016

Data published annually, next update will be July 31, 2017

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.

Tab 14

Schedules A1, A2, B, C, and D completed and signed Economic Impact

Please see attached Excel Spreadsheets.

Schedule A1: Total Investment for Economic Impact (through the Qualifying Time Period)

Applicant Name West of the Pecos Solar, LLC
ISD Name Pecos - Barstow - Toyah ISD

Form 50-296A
Revised Feb 2014

PROPERTY INVESTMENT AMOUNTS								
(Estimated Investment in each year. Do not put cumulative totals.)								
				Column A	Column B	Column C	Column D	Column E
	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	New investment (original cost) in tangible personal property placed in service during this year that will become Qualified Property	New investment made during this year in buildings or permanent nonremovable components of buildings that will become Qualified Property	Other new investment made during this year that will <u>not</u> become Qualified Property [SEE NOTE]	Other new investment made during this year that may become Qualified Property [SEE NOTE]	Total Investment (Sum of Columns A+B+C+D)
Investment made before filing complete application with district	Year preceding the first complete tax year of the qualifying time period (assuming no deferrals of qualifying time period)	2017-2018		Not eligible to become Qualified Property			[The only other investment made before filing complete application with district that may become Qualified Property is land.]	
Investment made after filing complete application with district, but before final board approval of application								
Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period				\$ 20,000,000.00	\$ -	\$ -	\$ -	\$ 20,000,000.00
Complete tax years of qualifying time period	QTP1	2018-2019	2018	\$ 70,000,000.00	\$ -	\$ -	\$ -	\$ 70,000,000.00
	QTP2	2019-2020	2019	\$ -	\$ -	\$ -	\$ -	\$ -
Total Investment through Qualifying Time Period [ENTER this row in Schedule A2]								
				\$ 90,000,000.00	\$ -	\$ -	\$ -	\$ 90,000,000.00
				Enter amounts from TOTAL row above in Schedule A2				
Total Qualified Investment (sum of green cells)								
				\$ 90,000,000.00				

For All Columns: List amount invested each year, not cumulative totals.

Column A: This represents the total dollar amount of planned investment in tangible personal property. Only include estimates of investment for "replacement" property if the property is specifically described in the application.
Only tangible personal property that is specifically described in the application can become qualified property.

Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings.

Column C: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that will not become qualified property include investment meeting the definition of 313.021(1) but not creating a new improvement as defined by TAC 9.1051. This is proposed property that functionally replaces existing property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property—described in SECTION 13, question #5 of the application.

Column D: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that may result in qualified property are land or professional services.

Total Investment: Add together each cell in a column and enter the sum in the blue total investment row. Enter the data from this row into the first row in Schedule A2.

Qualified Investment: For the green qualified investment cell, enter the sum of all the green-shaded cells.

Schedule A2: Total Investment for Economic Impact (including Qualified Property and other investments)

Applicant Name West of the Pecos Solar, LLC
ISD Name Pecos - Barstow - Toyah ISD

Form 50-296A
Revised Feb 2014

PROPERTY INVESTMENT AMOUNTS								
(Estimated Investment in each year. Do not put cumulative totals.)								
				Column A	Column B	Column C	Column D	Column E
	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	New investment (original cost) in tangible personal property placed in service during this year that will become Qualified Property	New investment made during this year in buildings or permanent nonremovable components of buildings that will become Qualified Property	Other investment made during this year that will <u>not</u> become Qualified Property [SEE NOTE]	Other investment made during this year that will become Qualified Property {SEE NOTE]	Total Investment (A+B+C+D)
Total Investment from Schedule A1*	--	TOTALS FROM SCHEDULE A1		\$ 90,000,000.00				\$ 90,000,000.00
Each year prior to start of value limitation period** <i>Insert as many rows as necessary</i>	0	2017-2018	2017	\$ 20,000,000.00				\$ 20,000,000.00
Each year prior to start of value limitation period** <i>Insert as many rows as necessary</i>	0	2018-2019	2018	\$ 70,000,000.00				\$ 70,000,000.00
Value limitation period***	1	2019-2020	2019					
	2	2020-2021	2020					
	3	2021-2022	2021					
	4	2022-2023	2022					
	5	2023-2024	2023					
	6	2024-2025	2024					
	7	2025-2026	2025					
	8	2026-2027	2026					
	9	2027-2028	2027					
	10	2028-2029	2028					
Total Investment made through limitation				\$ 90,000,000.00				\$ 90,000,000.00
Continue to maintain viable presence	11	2029-2030	2029					
	12	2030-2031	2030					
	13	2031-2032	2031					
	14	2032-2033	2032					
	15	2033-2034	2033					
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2034-2035	2034					
	17	2035-2036	2035					
	18	2036-2037	2036					
	19	2037-2038	2037					
	20	2038-2039	2038					
	21	2039-2040	2039					
	22	2040-2041	2040					
	23	2041-2042	2041					
	24	2042-2043	2042					
	25	2043-2044	2043					

* All investments made through the qualifying time period are captured and totaled on Schedule A1 [blue box] and incorporated into this schedule in the **first row**.
** Only investment made during deferrals of the start of the limitation (after the end of qualifying time period but before the start of the Value Limitation Period) should be included in the "year prior to start of value limitation period" row(s). If the limitation starts at the end of the qualifying time period or the qualifying time period overlaps the limitation, no investment should be included on this line.
*** If your qualifying time period will overlap your value limitation period, do not also include investment made during the qualifying time period in years 1 and/or 2 of the value limitation period, depending on the overlap. Only include investments/years that were **not** captured on Schedule A1.

For All Columns: List amount invested each year, not cumulative totals. Only include investments in the remaining rows of Schedule A2 that were not captured on Schedule A1.
Column A: This represents the total dollar amount of planned investment in tangible personal property. Only include estimates of investment for "replacement" property if the property is specifically described in the application.
Only tangible personal property that is specifically described in the application can become qualified property.
Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings.
Column C: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that will not become qualified property include investment meeting the definition of 313.021(1) but not creating a new improvement as defined by TAC 9.1051. This is proposed property that functionally replaces existing property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property—described in SECTION 13, question #5 of the application.
Column D: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that may result in qualified property are land or professional services.

Schedule B: Estimated Market And Taxable Value (of Qualified Property Only)

	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Qualified Property			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 buildings or "in or on the new improvements"	Market Value less any exemptions (such as pollution control) and before limitation	Final taxable value for I&S after all reductions	Final taxable value for M&O after all reductions
Each year prior to start of Value Limitation Period	0	2017-2018	2017	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Each year prior to start of Value Limitation Period	0	2018-2019	2018	\$ -	\$ -	\$ 15,000,000.00	\$ 15,000,000.00	\$ 15,000,000.00	\$ 15,000,000.00
Value Limitation Period	1	2019-2020	2019	\$ -	\$ -	\$ 90,000,000.00	\$ 90,000,000.00	\$ 90,000,000.00	\$ 30,000,000.00
	2	2020-2021	2020	\$ -	\$ -	\$ 81,000,000.00	\$ 81,000,000.00	\$ 81,000,000.00	\$ 30,000,000.00
	3	2021-2022	2021	\$ -	\$ -	\$ 72,000,000.00	\$ 72,000,000.00	\$ 72,000,000.00	\$ 30,000,000.00
	4	2022-2023	2022	\$ -	\$ -	\$ 63,000,000.00	\$ 63,000,000.00	\$ 63,000,000.00	\$ 30,000,000.00
	5	2023-2024	2023	\$ -	\$ -	\$ 54,000,000.00	\$ 54,000,000.00	\$ 54,000,000.00	\$ 30,000,000.00
	6	2024-2025	2024	\$ -	\$ -	\$ 45,000,000.00	\$ 45,000,000.00	\$ 45,000,000.00	\$ 30,000,000.00
	7	2025-2026	2025	\$ -	\$ -	\$ 36,000,000.00	\$ 36,000,000.00	\$ 36,000,000.00	\$ 30,000,000.00
	8	2026-2027	2026	\$ -	\$ -	\$ 27,000,000.00	\$ 27,000,000.00	\$ 27,000,000.00	\$ 27,000,000.00
	9	2027-2028	2027	\$ -	\$ -	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00
	10	2028-2029	2028	\$ -	\$ -	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00
Continue to maintain viable presence	11	2029-2030	2029	\$ -	\$ -	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00
	12	2030-2031	2030	\$ -	\$ -	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00
	13	2031-2032	2031	\$ -	\$ -	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00
	14	2032-2033	2032	\$ -	\$ -	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00
	15	2033-2034	2033	\$ -	\$ -	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2034-2035	2034	\$ -	\$ -	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00
	17	2035-2036	2035	\$ -	\$ -	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00
	18	2036-2037	2036	\$ -	\$ -	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00
	19	2037-2038	2037	\$ -	\$ -	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00
	20	2038-2039	2038	\$ -	\$ -	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00
	21	2039-2040	2039	\$ -	\$ -	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00
	22	2040-2041	2040	\$ -	\$ -	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00
	23	2041-2042	2041	\$ -	\$ -	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00
	24	2042-2043	2042	\$ -	\$ -	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00
	25	2043-2044	2043	\$ -	\$ -	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00	\$ 18,000,000.00

Notes: Market value in future years is good faith estimate of future taxable value for the purposes of property taxation.
Only include market value for eligible property on this schedule.

Schedule C: Employment Information

Applicant Name West of the Pecos Solar, LLC
ISD Name Pecos - Barstow - Toyah ISD

Form 50-296A
Revised Feb 2014

				Construction		Non-Qualifying Jobs	Qualifying Jobs	
				Column A	Column B	Column C	Column D	Column E
	Year	School Year (YYYY-YYYY)	Tax Year (Actual tax year) YYYY	Number of Construction FTE's or man-hours (specify)	Average annual wage rates for construction workers	Number of non-qualifying jobs applicant estimates it will create (cumulative)	Number of new qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Average annual wage of new qualifying jobs
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	0	2017-2018	2017	120FTE	\$ 35,364.16	N/A	0	N/A
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	0	2018-2019	2018	120FTE	\$ 35,364.16	N/A	2	\$ 36,000.00
Value Limitation Period <i>The qualifying time period could overlap the value limitation period.</i>	1	2019-2020	2019			N/A	2	\$ 36,000.00
	2	2020-2021	2020			N/A	2	\$ 36,000.00
	3	2021-2022	2021			N/A	2	\$ 36,000.00
	4	2022-2023	2022			N/A	2	\$ 36,000.00
	5	2023-2024	2023			N/A	2	\$ 36,000.00
	6	2024-2025	2024			N/A	2	\$ 36,000.00
	7	2025-2026	2025			N/A	2	\$ 36,000.00
	8	2026-2027	2026			N/A	2	\$ 36,000.00
	9	2027-2028	2027			N/A	2	\$ 36,000.00
	10	2028-2029	2028			N/A	2	\$ 36,000.00
Years Following Value Limitation Period	11 through 26	2029-2044	2029-2044			N/A	2	\$ 36,000.00

Notes: See TAC 9.1051 for definition of non-qualifying jobs.
Only include jobs on the project site in this school district.

C1.

Are the cumulative number of qualifying jobs listed in Column D less than the number of qualifying jobs required by statute? (25 qualifying jobs in Subchapter B districts, 10 qualifying jobs in Subchapter C districts)
If yes, answer the following two questions:

X

Yes

No

C1a.

Will the applicant request a job waiver, as provided under 313.025(f-1)?

X

Yes

No

C1b.

Will the applicant avail itself of the provision in 313.021(3)(F)?

Yes

X

No

Schedule D: Other Incentives (Estimated)

Applicant Name West of the Pecos Solar, LLC
ISD Name Pecos - Barstow - Toyah ISD

Form 50-296A
Revised Feb 2014

State and Local Incentives for which the Applicant intends to apply (Estimated)						
Incentive Description	Taxing Entity (as applicable)	Beginning Year of Benefit	Duration of Benefit	Annual Tax Levy without Incentive	Annual Incentive	Annual Net Tax Levy
Tax Code Chapter 311	County:					
	City:					
	Other:					
Tax Code Chapter 312	County: Reeves County	2019	2019-2028	\$ 251,759.00	Avg 100% Per Yr w/\$100k PIL	\$ -
	City:					
	Other:					
Local Government Code Chapters 380/381	County:					
	City:					
	Other:					
Freeport Exemptions						
Non-Annexation Agreements						
Enterprise Zone/Project						
Economic Development Corporation						
Texas Enterprise Fund						
Employee Recruitment						
Skills Development Fund						
Training Facility Space and Equipment						
Infrastructure Incentives						
Permitting Assistance						
Other:						
Other:						
Other:						
Other:						
TOTAL				\$ 251,759.00		\$ -

Additional information on incentives for this project:

Tab 15

Economic Impact Analysis, other payments made in the state or other economic information

West of the Pecos LLC will not be including an Economic Impact Report.

Tab 16

Description of Reinvestment or Enterprise Zone, including: (a) evidence that the area qualifies as an enterprise zone as defined by the Governor's Office; (b) legal description of reinvestment zone; (c) order, resolution or ordinance establishing the reinvestment zone; (d) guidelines and criteria for creating the zone

22

**RESOLUTION OF THE
REEVES COUNTY COMMISSIONERS COURT**

A RESOLUTION DESIGNATING A CERTAIN AREA AS A REINVESTMENT ZONE FOR TEXAS TAX CODE CHAPTER 312 TAX ABATEMENT IN PORTIONS OF REEVES COUNTY, TEXAS, TO BE KNOWN AS THE "WEST OF THE PECOS" REINVESTMENT ZONE; ESTABLISHING THE BOUNDARIES THEREOF; PROVIDING FOR AN EFFECTIVE DATE; AND ACCEPTING THE APPLICATION FOR TAX ABATEMENT SUBMITTED BY WEST OF THE PECOS, LLC.

WHEREAS, Reeves County, Texas, desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a reinvestment zone as authorized by the Property Redevelopment and Tax Abatement Act, as amended (V.T.C.A. Texas Tax Code § 312.401), for the purpose of authorizing a Tax Abatement Agreement, as authorized by Chapter 312 of the Texas Tax Code; and,

WHEREAS, Reeves County, Texas, (the "County") desires to encourage the retention or expansion of primary employment and to attract major investment in the County that would be a benefit to property in a reinvestment zone created by the County and that would contribute to the economic development of the County;

WHEREAS, on March 9, 2015, the Reeves County Commissioners Court held a hearing, such date being at least seven (7) days after the date of publication of the notice of such public hearing, and the delivery of written notice to the respective presiding officers of each taxing entity which includes within its boundaries real property that is to be included in the proposed reinvestment zone as described on EXHIBIT A and mapped on EXHIBIT B; and,

WHEREAS, the Reeves County Commissioners Court at such public hearing invited any interested person to appear and speak for or against (1) the creation of the reinvestment zone, and whether all or part of the territory described should be included in the proposed reinvestment zone, and (2) acceptance of an Application for Tax Abatement by West of the Pecos Solar, LLC, for Reeves County to consider entering into a Tax Abatement Agreement;

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

WHEREAS, the County wishes to (1) create a reinvestment zone consisting of the same real property as described on EXHIBIT A and mapped on EXHIBIT B, and (2) accept the Application for Tax Abatement by West of the Pecos, LLC.

NOW THEREFORE, BE IT RESOLVED BY THE REEVES COUNTY COMMISSIONERS COURT:

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

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

- (a) That the public hearing on the adoption of the "West of the Pecos" Reinvestment Zone has been properly called, held, and conducted, and that notices of such hearing have been published as required by law and mailed to the respective presiding officers of the governing bodies of all taxing units overlapping the territory inside the proposed reinvestment zone; and,
- (b) That the boundaries of the "West of the Pecos" Reinvestment Zone be and, by the adoption of this Resolution, are declared and certified to be, the area as described in the description attached hereto as "EXHIBIT A"; and,
- (c) That the map attached hereto as "EXHIBIT B" is declared to be and (by the adoption of this Resolution) is certified to depict and to show accurately the boundaries of the "West of the Pecos" Reinvestment Zone, which is normatively described in "EXHIBIT A", and further certifies that the property described in "EXHIBIT A" is inside the boundaries shown on "EXHIBIT B"; and,
- (d) That creation of the "West of the Pecos" Reinvestment Zone with boundaries as described in "EXHIBIT A" and "EXHIBIT B" will result in benefits to Reeves County and to land included in the zone, and that the improvements sought are feasible and practical; and,
- (e) That the "West of the Pecos" Reinvestment Zone described in "EXHIBIT A" and "EXHIBIT B" meets the criteria set forth in Texas Tax Code §312.401 for the creation of a reinvestment zone as set forth in the Property Redevelopment and Tax Abatement Act, as amended, in that it is reasonably likely that the designation will contribute to the retention or expansion of primary employment, and/or will attract major investment in the zone that will be a benefit to the property to be included in the reinvestment zone and would contribute to the economic development of Reeves County, Texas.

SECTION 3. That pursuant to the Property Redevelopment and Tax Abatement Act, as amended, the Reeves County Commissioners Court, hereby creates a reinvestment zone under the provisions of Texas Tax Code § 312.401, encompassing the area described by the descriptions in "EXHIBIT A" and "EXHIBIT B", and such reinvestment zone is hereby designated and shall hereafter be referred to as the *West of the Pecos Reinvestment Zone*.

SECTION 4. That the *West of the Pecos Reinvestment Zone* shall take effect upon adoption by the County Commissioners Court and shall remain designated as a commercial-industrial reinvestment zone for a period of five (5) years from such date of such designation.

SECTION 5. That the Reeves County Commissioners Court already has found and resolved that Reeves County is eligible to enter into tax abatement agreements.

SECTION 6. That the Reeves County Commissioners Court accepts the Application for Tax Abatement submitted by West of the Pecos, LLC.

SECTION 7. That if any section, paragraph, clause, or provision of this resolution shall for any reason beheld to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this resolution.

SECTION 8. That it is hereby found, determined, and declared that a sufficient notice of the date, hour, place, and subject of the meeting of the Reeves County Commissioners Court, at which this resolution was adopted, was posted at a place convenient and readily accessible at all times, as required by the Texas Open Government Act, Texas Government Code, Chapter 551, as amended; and that a public hearing was held prior to the designation of such reinvestment zone, and that proper notice of the hearing was published in newspapers of general circulation in Reeves County of the State of Texas; and that, furthermore, such notice was in fact delivered to the presiding officer of any effected taxing entity as prescribed by the Property Redevelopment and Tax Abatement Act.

PASSED, APPROVED, AND ADOPTED on this 9th day of March, 2015.

REEVES COUNTY, TEXAS

By:



The Honorable W. J. Bang
County Judge

By:



Rojelio Alvarado
Commissioner, Precinct 1

By:



Louise Moore
Commissioner, Precinct 2

By:



Paul Hinojos
Commissioner, Precinct 3

By:



Tony Trujillo
Commissioner, Precinct 4



Dianne O. Florez
Reeves County Clerk 5/8/15

EXHIBIT A
LEGAL DESCRIPTION OF "WEST OF THE PECOS"
REINVESTMENT ZONE

In Reeves County, Texas, T&P RR Co. Survey, Block 56, Township 2:

All of that part of Section 31 (Abstract 591) lying east of the eastern ROW of US Highway 285 and south of the southern ROW of County Road 440

All of that part of Section 32 (Abstract 2213) lying south of the southern ROW of County Road 440

All of that part of Section 33 (Abstract 592) lying south of the southern ROW of County Road 440

All of that part of Section 34 (Abstract 2216) lying south of the southern ROW of County Road 440

All of that part of Section 35 (Abstract 593) lying south of the southern ROW of County Road 440

All of that part of Section 36 (Abstracts 2749, 1309, 1319, 2741(all), 131(all)) lying south of the southern ROW of County Road 440

All of Section 37 (Abstract 594)

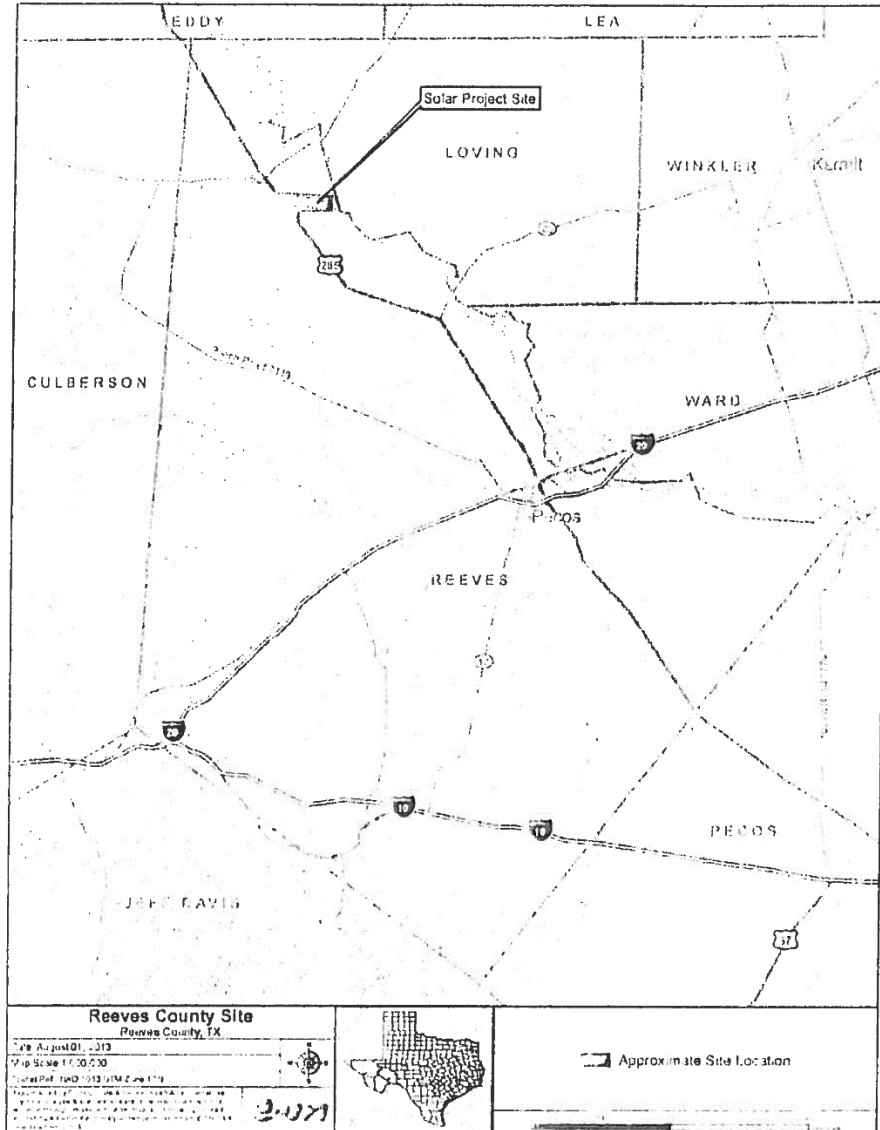
All of Section 38 (abstract unknown)

All of Section 39 (Abstract 595)

All of that part of Section 40 (Abstract 5972) lying east of the eastern ROW of US Highway 285 (Abstract 5972)

All of that part of Section 41 (Abstract 596) lying east of the eastern ROW of US Highway 285

All of that part of Section 45 (Abstract 598) lying east of the eastern ROW of US Highway 285



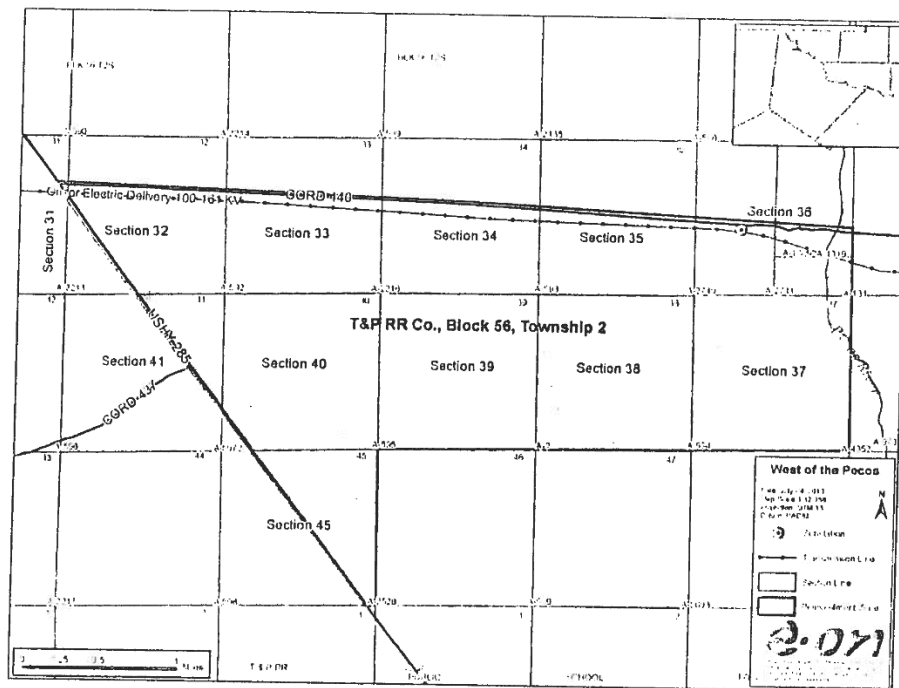


EXHIBIT "C"
DESCRIPTION OF EXISTING IMPROVEMENTS

1. The land on which the new improvements will be constructed is leased land and does not contain any existing improvements.

***GUIDELINES AND
CRITERIA FOR GRANTING
TAX ABATEMENT IN
REINVESTMENT ZONES
CREATED BY
REEVES COUNTY, TEXAS
UPDATED FOR
2017***

**GUIDELINES AND CRITERIA FOR GRANTING TAX ABATEMENT IN
REINVESTMENT ZONES CREATED BY REEVES COUNTY**

WHEREAS, taxing units for Texas and the nation now use Tax Abatement to successfully attract industry to their localities and Reeves County deems it necessary to compete with these localities by having the ability to offer Tax Abatements, and

WHEREAS, Tax Abatement is a useful tool to attract new wealth and employment into Reeves County and is the highest civic priority, and

WHEREAS, any tax Incentive offered by Reeves County will be limited to new and existing businesses that bring added wealth and employment into the community, and

WHEREAS, an eligible taxing jurisdiction, under Texas law, must establish Guidelines and Criteria to be eligible to offer Tax Abatement prior to granting Tax Abatement, and said Guidelines and Criteria to be unchanged for a two year period unless amended by a three-fourths vote of the governing body, and

WHEREAS, all applicants for Tax Abatement will be considered on a case-by-case basis and established Guidelines and Criteria shall not be construed or implied that Reeves County is under obligation to grant Tax Abatement or other tax incentives to an applicant:

NOW THEREFORE BE IT RESOLVED, in consideration of these premises, the Guidelines and Criteria for granting Tax Abatement in reinvestment zones are hereby established for Reeves County.

SECTION 1 – DEFINITIONS

- A. **ABATEMENT:** The full or partial exemption from ad valorem taxes of certain property in a reinvestment zone for economic development purposes.
- B. **ABATEMENT AGREEMENT:** A contract between a property owner and Reeves County for the Abatement of tax on qualified Real Property located within the Reinvestment Zone, or Tangible Personal Property, or both, as authorized by V.T.C.A., Tax Code, Section 312.204.
- C. **BASE YEAR VALUE:** The assessed value of eligible property January 1 preceding the execution of an Abatement Agreement as herein defined, plus (if applicable) the agreed upon value of eligible property improvements made after January 1 but before the execution of an Abatement Agreement.
- D. **DEFERRED MAINTENANCE:** Improvements necessary for continued operation which do not improve productivity or alter the process of technology.
- E. **DISTRIBUTION CENTER FACILITY:** A building or structure including Tangible Personal Property used or to be used primarily to receive, store, service or distribute goods or materials.
- F. **EXPANSION OF EXISTING FACILITIES OR STRUCTURES:** The addition of buildings, structures, machinery or equipment to a Facility after the date of execution of an Abatement Agreement.

- G. **EXISTING FACILITY OR STRUCTURE:** A facility as of the date of execution of the Abatement Agreement, located in or on Real Property eligible for tax abatement.
- H. **FACILITY:** The improvements made to Real Property eligible for tax abatement and including the building or structure erected on such Real Property and/or any Tangible Personal Property to be placed in or on said Real Property.
- I. **IMPROVEMENTS TO REAL PROPERTY OR IMPROVEMENTS:** The construction, addition to, structural upgrading or, replacement of, or completion of any facility located upon, or to be located upon, Real Property, as herein defined, or any Tangible Personal Property placed in or on said Real Property.
- J. **MANUFACTURING FACILITY:** A facility which is or will be used for the primary purpose of the production of goods or materials or the processing or change of goods or materials to a finished product.
- K. **MODERNIZATION** means the complete or partial reconstruction or installation of a facility similar or expanded production capacity. Modernization may result from the construction, alteration or installation of buildings, structures, fixed machinery or equipment. Modernization is not the repair or reconditioning of machinery or building.
- L. **NEW FACILITY:** The construction of a Facility on previously undeveloped Real Property eligible for tax abatement.
- M. **NEW PERMANENT JOB:** A new employment position created by a business that has provided employment to an employee of at least 1,820 hours annually and intended to be an employment position that exists during the life of the abatement.
- N. **OTHER BASIC INDUSTRY:** A facility other than a distribution center facility, a regional service facility or a manufacturing facility which produces goods or services or which creates new or expanded job opportunities and services a market of which fifty percent (50%) of revenues come from outside of Reeves County.
- O. **OWNER:** The record title owner of Real Property or the legal owner of Tangible Personal Property. In the case of land leased from a public entity, the lessee shall be deemed the owner of such leased property together with all improvements and Tangible Personal Property located thereon.
- P. **PRODUCTIVE LIFE:** The number of years a Facility is expected to be in service.
- Q. **REAL PROPERTY:** Land on which Improvements are to be made or fixtures placed.
- R. **REGIONAL SERVICES FACILITY:** A Facility, the primary purpose of which is to service or repair goods or materials and which creates Job opportunities with Reeves County.
- S. **REINVESTMENT ZONE:** Real Property designated as a Reinvestment Zone under the provisions of V.T.C.A., Tax Code, Section 312.
- T. **RENEWABLE POWER FACILITY AND FIXTURES** A facility and fixtures associated therewith which is or will be used for the primary purpose of the production of electricity from a renewable fuel source such as wind and solar.
- U. **TANGIBLE PERSONAL PROPERTY:** Any Personal Property, not otherwise defined herein and which is necessary for the proper operation of any type of Facility

SECTION 2 - ABATEMENT AUTHORIZED

- A. **ELIGIBLE FACILITIES** Upon application, eligible facilities shall be considered for Tax Abatement as hereinafter provided:
- 1) Distribution Center Facilities;
 - 2) Manufacturing Facilities;
 - 3) Regional Services Facilities;
 - 4) Oil & Gas Processing Facilities and Field Services Facilities;
 - 5) Renewable Energy Facilities and Fixtures;
 - 6) Any other industry that Reeves County determines will add to the County's economic base and result in the creation of new permanent jobs within Reeves County
- B. **CREATION OF NEW VALUE** Abatement may be granted for the additional value of eligible property improvements made subsequent to and specified in an abatement agreement between the property owner or lessee and Reeves County subject to such limitations as Reeves County may require.
- C. **EXISTING AND NEW FACILITIES** for the purpose of modernization or expansion, existing or new facilities may be granted Tax Abatement.
- D. **ELIGIBLE PROPERTY** Abatement may be granted to the value of buildings, structures, fixed machinery and equipment, size improvements and related fixed improvements necessary to the operation and administration of the facility.
- E. **PARTIALLY ELIGIBLE** Partially eligible for abatements are modernization projects which are intended to replace existing equipment or facilities when the existing equipment and facilities will be removed, thus eliminating existing value from the tax rolls. In this event, the value of the existing facility and equipment shall be frozen at the time of the abatement agreement and shall be frozen throughout the abatement period. The eligible abatable value of the new project shall be the difference between the total new investment amount and the existing tax value of the equipment and/or facility to be removed.
- F. **INELIGIBLE PROPERTY** The following types of property shall be fully taxable and ineligible for Tax Abatement: land, supplies, inventories, furnishings, and other forms of movable personal property, housing, Deferred Maintenance, property to be rented or leased except for as provided in Section 2 (g) and property with a productive life of less than ten (10) years.
- G. **LEASED FACILITIES** If a new facility is to be constructed by a third party for lease to an eligible applicant for abatement, then the building owner may also be eligible for abatement or other agreement may be executed and signed by the lessor and lessee.
- H. **ECONOMIC QUALIFICATION** In order to be eligible to receive Tax Abatement, the planned improvement must have an increased ad valorem tax value of \$25,000.000.00 based upon the Reeves County Appraisal District assessment of eligible property and must add at least ten (10) new permanent jobs. It must retain, increase or create payroll on a permanent basis. A company meeting the criteria and guidelines for tax abatement, as set forth herein, shall be eligible for tax abatement as follows:

FOR ELIGIBLE FACILITIES OTHER THAN RENEWABLE ENERGY FACILITIES

Capital Investment	Or	Jobs Created	Max. Term	Abatement
\$25,000,000 — 49,999,999		10-20.	5 Years	20%-30%
\$50,000,000— 100,999,999		21-35	10 Years	20% - 60%
\$101,000,000 or more		36 or more	10 Years	30%- 70%

FOR RENEWABLE ENERGY FACILITIES

Capital Investment	Or	Jobs Created	Max. Term	Abatement
\$10,000,000 or more		1-2	10 Years	30-70%

The foregoing table is intended to be a **general guideline**; however, the Commissioners Court at its discretion may agree to Tax Abatement percentages and maximum terms greater than those set forth above.

- I. Terms of the Abatement shall be granted effective with the January 1 valuation date immediately following the date of execution of the agreement.
- J. **TAX ABATEMENT STANDARDS.** The following factors, among others shall be considered in determining the qualifications for Tax Abatement:
 - 1) Type and value or proposed improvements;
 - 2) Productive life of proposed improvements;
 - 3) Number of existing jobs to be retained by the use of proposed improvements;
 - 4) Type and number of new jobs to be created by the use of improvements;
 - 5) Expected annual payroll to be created;
 - 6) If the projected new jobs will be held by persons residing in the taxing units of Reeves County;
 - 7) Financing structure and the time period and amount of expenditures;
 - 8) If the improvements are compatible with all applicable land use regulations;
 - 9) If the operation will be comparable with environmental laws and will have no negative impact on quality of life; and
 - 10) Ability to provide an upfront financial contribution to Reeves County Road Reconstruction and Maintenance Fund or other projects.
- K. Reeves County may reject an application for Tax Abatement for failure to meet any of the above listed under Section (2J).
- L. **TAXABILITY** From the execution of the Abatement agreement to the end of the Agreement period, the effect on taxes due and payable shall be as follows:
 - 1) the value of ineligible property as provided in section 2 (f) shall be *fully* taxable; and

- 2) the base year value of existing eligible property as determined each year shall be fully taxable; and
 - 3) after the agreement period. All existing property plus the property considered as eligible property in this Agreement shall be fully taxable.
- M. If a property under an Abatement Agreement is sold, the Agreement may be transferred to the new owner upon notice to the Commissioner's Court. However, the Agreement may not be transferred if the new owner owes delinquent taxes in any of the taxing units affected by the abatement.

SECTION 3 – APPLICATION

- A. If a request for Tax Abatement is not in an existing Reinvestment Zone, an application must be made to Reeves County for creating a Reinvestment Zone. The written application must contain a plat with means and bounds or lot and block or section and block description of the Reinvestment Zone. The application shall be accompanied by an application fee of one thousand dollars (\$1,000) as authorized by Section 312.002(e) of the Texas Tax Code.
- B. An application for Tax Abatement must contain the following: a general description of the proposed use and general nature and extent of modernization, expansion or improvements to be undertaken, a description of the improvements, a map and description of the property, and a time schedule for undertaking and completing the improvements, and the investment for each stage of the improvements with proof of adequate financing. The application should contain information contained in Sec 2(1)
- C. Reeves County shall give notice as provided by the Texas Property Tax Code, i.e. (1) written notice shall be given to the presiding officer of the governing body of each taxing unit in which the property to be subject to the agreement is located no later than that seventh day before the public hearing before the Governing Body of Reeves County, and (2) publication shall be made in a newspaper of general circulation within such taxing jurisdiction no later than the seventh day before the public hearing. Reeves County, through public hearing, shall afford the applicant, the designated representatives of the governing bodies, and other interested parties, referenced herein, a chance to show cause why Abatement should or should not be granted.

SECTION 4 - RECAPTURE

- A. In the event that the Owner or its assignee (I) allows its ad valorem taxes owed to Reeves County to become delinquent and fails to timely and properly follow the legal procedures for their process and/or contest; or (2) violates any of the terms and conditions of the Abatement Agreement and fails to cure during the Cure Period in and after described, the agreement then may be terminated and taxes previously abated will be recaptured in the manner provided by the abatement agreement.

- B. Should Reeves County determine that the company or individual is in default according to the terms and conditions of its agreement, Reeves County shall notify the company or individual of such default in writing at the address stated in the Agreement, and if such is not cured within thirty (30) days from the date of such notice ("Cure Period"), then the Agreement may be terminated.
- C. In the event that the Owner or Its assignee sells, leases, transfers, or otherwise conveys property subject to a tax abatement agreement to a governmental entity or other tax-exempt organization, the Owner will be considered to be in default and will be subject to the recapture provisions established by these guidelines and by the governing tax abatement agreement.

SECTION 5 – ADMINISTRATION

- A. The Reeves County Appraisal District appraiser shall annually determine an assessment of the real and personal property comprising the reinvestment zone.
- B. The property owner shall each year certify to the County, compliance with all terms of the agreement. The County may cancel or modify the agreement if the owner fails to comply with the terms of the Agreement and shall collect all taxes as 100% of the assessed value of the property before entering into the Tax Abatement Agreement.
- C. The owner shall agree to permit the County to inspect the operation to verify compliance with the terms of the Agreement.

SECTION 6 – AGREEMENT

- A. Upon approval, the County shall formally pass a resolution and execute an Agreement with the Applicant and if applicable, the owner of the facility, which shall include: (1) the estimated value of the facility, the base year value; (2) percent of value to be abated each year; (3) the commencement date and termination date of the Abatement; (4) the proposed use of the facility, time schedule of construction, property description and improvement list; and (5) obligations in the event of default violation of terms of the Agreement delinquent taxes, recapture, administration and assignment. Such agreement shall be executed at a date agreed between the applicant and Reeves County.
- B. Applicant agrees to purchase all supplies and equipment locally, if possible.

SECTION 7 - SUNSET PROVISION

These Guidelines and Criteria shall remain in force for two (2) years after their adoption unless amended by three-fourths vote of the Commissioner's Court.

PASSED AND ADOPTED ON THIS THE 23 DAY OF January, 2017.

W. J. Bang, M.D.

W.J. Bang, M.D.
Reeves County Judge

Attest:

Dianne D. Hines, by Norma Garza, deputy clerk

County Clerk

Tab 17

***Signature and Certification page, signed and dated by Authorized School District Representative and
Authorized Company Representative***

Please see the following pages.

SECTION 16: Authorized Signatures and Applicant Certification

After the application and schedules are complete, an authorized representative from the school district and the business should review the application documents and complete this authorization page. Attach the completed authorization page in Tab 17. NOTE: If you amend your application, you will need to obtain new signatures and resubmit this page, Section 16, with the amendment request.

1. Authorized School District Representative Signature

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.

print
here

Print Name (Authorized School District Representative)

sign
here

Signature (Authorized School District Representative)

Title

Date

2. Authorized Company Representative (Applicant) Signature and Notarization

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 and schedules 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.

print
here

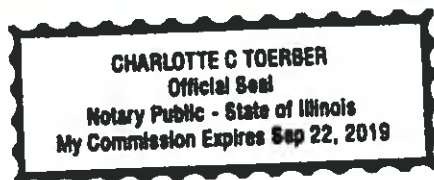
Print Name (Authorized Company Representative (Applicant))

sign
here

Signature (Authorized Company Representative (Applicant))

Title

Date



(Notary Seal)

GIVEN under my hand and seal of office this, the

24th day of April 2017

Notary Public in and for the State of Texas

My Commission expires:

9/22/19

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.