

O'HANLON, DEMERATH & CASTILLO

ATTORNEYS AND COUNSELORS AT LAW

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March 26, 2020

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

RE: Application to the Paint Creek Independent School District from Azure Sky Solar Project, LLC

To the Local Government Assistance & Economic Analysis Division:

By copy of this letter transmitting the application for review to the Comptroller's Office, the Paint Creek Independent School District is notifying Azure Sky Solar Project, LLC of its intent to consider the application for appraised value limitation on qualified property should a positive certificate be issued by the Comptroller. Please prepare the Economic Impact Report.

The Applicant submitted the Application to the school district on March 16, 2020. The Board voted to accept the application on March 16, 2020. The application has been determined complete as of March 26, 2020. The Applicant has provided the schedules in both electronic format and paper copies. The electronic copy is identical to the hard copy that will be hand delivered.

A copy of the application will be submitted to the Haskell County Appraisal District.

Sincerely,



Kevin O'Hanlon
School District Consultant

Cc: Haskell County Appraisal District
Azure Sky Solar Project, LLC



February 19, 2020

Paint Creek Independent School District
ATT: Dr. Cheryl Floyd
4485 FM 600
Haskell, Texas 79512-8611

RE: Azure Sky Solar Project, LLC Application for Appraised Value Limitation on Qualified Property

Dr. Cheryl Floyd:

In accordance with Section 313 of the Texas Property Tax Code, please find attached an application for an appraised value limitation on qualified property between Azure Sky Solar Project, LLC and Paint Creek Independent School District.

Azure Sky Solar Project, LLC is a 225 MW/AC solar energy generation facility that will feature an additional 77 MW of battery storage. The project will be located across a proposed reinvestment zone in southeast Haskell County in Paint Creek Independent School District.

Enclosed are additional details and further information regarding the description, location, qualified investment, and job creation associated with the development of Azure Sky Solar Project, LLC

If you have any questions or would like to request further information, please do not hesitate to contact us.

Sincerely,

Mike Fry-Director, Energy Services
mfry@keatax.com



Azure Sky Solar Project, LLC

***Application for Appraised Value Limitation on Qualified
Property with Paint Creek Independent School District***



Tab 1: Pages 1 through 11 of Application

Application for Appraised Value Limitation on Qualified Property

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

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, as indicated on page 9 of this application, separating each section of the documents. 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, and has determined that all assertions of confidentiality are appropriate, the Comptroller will publish all submitted non-confidential 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 comptroller.texas.gov/economy/local/ch313/. 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

March 16, 2020

Date Application Received by District

Dr. Cheryl

First Name

Superintendent

Title

Paint Creek Independent School District

School District Name

4485 FM 600, Haskell, Texas 79521-8611

Street Address

4485 FM 600

Mailing Address

N/A

City

940-864-2868

Phone Number

Mobile Number (optional)

Floyd

Last Name

Texas

State

N/A

Fax Number

cfloyd@paintcreek.esc14.net

Email Address

79521-8611

ZIP

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)

Kevin <hr/> First Name Partner <hr/> Title O'Hanlon, Demerath, & Castillo <hr/> Firm Name 512-494-9949 <hr/> Phone Number <hr/> Mobile Number (optional)	O'Hanlon <hr/> Last Name <hr/> 512-494-9919 <hr/> Fax Number kohanlon@808west.com <hr/> Email Address <hr/> March 26, 2020
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4. On what date did the district determine this application complete? **March 26, 2020**
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)

Benjamin <hr/> First Name Director, Business Development <hr/> Title 16105 West 113th Street, Suite 105, Lenexa, KS 66219 <hr/> Street Address 16105 West 113th Street, Suite 105 <hr/> Mailing Address Lenexa <hr/> City 978-681-1900 <hr/> Phone Number <hr/> Mobile Number (optional)	Branch <hr/> Last Name Enel Green Power North America, Inc. <hr/> Organization <hr/> KS <hr/> State N/A <hr/> Fax Number <hr/> 66219 <hr/> ZIP <hr/> Business Email Address
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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.

Clark <hr/> First Name Development Manager <hr/> Title 16105 West 113th Street, Suite 105, Lenexa, KS 66219 <hr/> Street Address 16105 West 113th Street, Suite 105 <hr/> Mailing Address Lenexa <hr/> City 580-430-5601 <hr/> Phone Number <hr/> Mobile Number (optional)	Bixler <hr/> Last Name Tradewind Energy, Inc. <hr/> Organization <hr/> Kansas <hr/> State N/A <hr/> Fax Number cbixler@tradewindenergy.com <hr/> Business Email Address <hr/> 66219 <hr/> ZIP
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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)

Mike	Fry
First Name	Last Name
Director-Energy Services	
Title	
KE Andrews	
Firm Name	
469-298-1618	469-298-1617
Phone Number	Fax Number
mfry@keatax.com	
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, include all transaction information below. Include proof of application fee paid to the school district in Tab 2. Any confidential banking information provided will not be publicly posted.

\$75,000	Check
Payment Amount	Transaction Type
Tradewind Energy, INC.	Paint Creek Independent School District
Payor	Payee
Mach 16, 2020	
Date Transaction was processed	

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? Azure Sky Solar Project, LLC

2. List the Texas Taxpayer I.D. number of entity subject to Tax Code, Chapter 171 (11 digits) 32070132389

3. Parent Company Name Tradewind Energy, INC

4. Parent Company Tax ID 32053763705

5. List the NAICS code 221114

6. Is the applicant a party to any other pending or active Chapter 313 agreements? Yes No

6a. 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) Limited Liability Company

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.

2b. List the Texas Franchise Tax Reporting Entity Taxpayer name

Tradewind Energy INC

2c. List the Reporting Entity Taxpayer Number

32053763705

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)

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. If the project is an amendment or a reapplication please specify and provide details regarding the original project.
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

NOTE: Only construction beginning after the application review start date (the date the Texas Comptroller of Public Accounts deems the application complete) can be considered qualified property and/or qualified investment.

- 1. Estimated school board ratification of final agreement September 1, 2020
- 2. Estimated commencement of construction August 15, 2020
- 3. Beginning of qualifying time period(MM/DD/YYYY)..... 01/01/2021
- 4. First year of limitation(MM/DD/YYYY) 01/01/2022
- 4a. For the beginning of the limitation period, notate which one of the following will apply according to provision of 313.027(2): "A" "B" or "C":
 - A. January 1 following the application date
 - B. January 1 following the end of QTP
 - C. January 1 following the commencement of commercial operations
- 5. Commencement of commercial operations June 1, 2021

SECTION 10: The Property

- 1. Identify county or counties in which the proposed project will be located Haskell County
- 2. Identify Central Appraisal District (CAD) that will be responsible for appraising the property Haskell CAD
- 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:

M&O (ISD): <u>Paint Creek ISD, .97 100%</u> <small>(Name, tax rate and percent of project)</small>	I&S (ISD): <u>Paint Creek ISD, .22 100%</u> <small>(Name, tax rate and percent of project)</small>
County: <u>Haskell County .502648 100%</u> <small>(Name, tax rate and percent of project)</small>	City: <u>N/A</u> <small>(Name, tax rate and percent of project)</small>
Hospital District: <u>Haskell Hospital District .194291 100%</u> <small>(Name, tax rate and percent of project)</small>	Water District: _____ <small>(Name, tax rate and percent of project)</small>
Other (describe): <u>N/A</u> <small>(Name, tax rate and percent of project)</small>	Other (describe): <u>N/A</u> <small>(Name, tax rate and percent of project)</small>

5. List all taxing entities that have jurisdiction for the property, the portion of project within each entity and tax rates for each entity:

County: Abatement 65% 2022-2031 City: N/A
(Incentive type, percentage, start and end year) (Incentive type, percentage, start and end year)

Hospital District: Abatement 65% 2022-2031 Water District: N/A
(Incentive type, percentage, start and end year) (Incentive type, percentage, start and end year)

Other (describe): N/A Other (describe): N/A
(Incentive type, percentage, start and end year) (Incentive type, percentage, start and end year)

6. Is the project located entirely within the ISD listed in Section 1? Yes No
 6a. If no, attach in Tab 6 additional information on the project scope and size to assist in the economic analysis.
7. 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
 7a. If yes, attach in Tab 6 supporting documentation from the Office of the Governor.

SECTION 11: Texas Tax Code 313.021(1) Qualified 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 comptroller.texas.gov/economy/local/ch313/.

1. At the time of application, what is the estimated minimum qualified investment required for this school district? 20,000,000

2. What is the amount of appraised value limitation for which you are applying? 25,000,000

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 within the project boundary 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: Texas Tax Code 313.021(2) Qualified Property

1. Attach a detailed description of the qualified property. [See §313.021(2)] 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 or site plan of the proposed qualified property showing the location of the new buildings or new improvements inside the project area boundaries within a vicinity map that includes school district, county and RZ boundaries (Tab 11).
 - 1d. Will any of the proposed qualified property be used to renovate, refurbish, upgrade, maintain, modify, improve, or functionally replace existing buildings or existing improvements inside or outside the project area? Yes No
- NOTE: property used to renovate, refurbish, upgrade, maintain, modify, improve, or functionally replace existing buildings or existing improvements inside or outside the project area cannot be considered qualified property and will not be eligible for a limitation. See TAC §9.1051(16).
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?
3a. If yes, attach the applicable supporting documentation:
3b. If no, submit detailed description of proposed reinvestment zone or enterprise zone with a map indicating the boundaries of the 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 within the project boundary. This includes buildings and improvements existing as of the application review start date...
2. In Tab 10, attach a specific and detailed description of all proposed new property within the project boundary that will not become new improvements as defined by TAC 9.1051...
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:
4. Total estimated market value of existing property (that property described in response to question 1): \$ 0.00
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): \$ 0.00
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 number of new qualifying jobs you are committing to create? 2
2. What is the number of new non-qualifying jobs you are estimating you will create?(See TAC 9.1051(14)) 0
3. 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) and TAC 9.1051(b)(1)?
3a. 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.
4. 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...
a. Non-qualified job wages - average weekly wage for all jobs (all industries) in the county is 642.75
b. Qualifying job wage minimum option §313.021(5)(A) - 110% of the average weekly wage for manufacturing jobs in the county is 805.48
c. Qualifying job wage minimum option §313.021(5)(B) - 110% of the average weekly wage for manufacturing jobs in the region is 961.04

- 5. 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)
- 6. What is the minimum required annual wage for each qualifying job based on the qualified property? 49,974.08
- 7. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? 49,974.08
- 8. Will the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? Yes No
- 9. 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
 - 9a. If yes, attach in Tab 12 supporting documentation from the TWC, pursuant to §313.021(3)(F).
- 10. 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
 - 10a. 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, and C 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.

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 → Cheryl Floyd Title Superintendent
Print Name (Authorized School District Representative)

sign here → Cheryl Floyd Date 3-16-20
Signature (Authorized School District Representative)

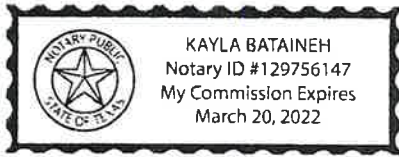
2. Authorized Company Representative (Applicant) Signature and Notarization

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 → Benjamin Branch Title Director
Print Name (Authorized Company Representative (Applicant))

sign here → [Signature] Date 3/10/2020
Signature (Authorized Company Representative (Applicant))



(Notary Seal)

GIVEN under my hand and seal of office this, the

10th day of March, 2022

K Bataineh
Notary Public in and for the State of Texas

My Commission expires: 3/20/2022

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 of the application including the signature and certification page, signed and dated by Authorized School District Representative and Authorized Company Representative. Sections 1-16
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 (if applicable)
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 (if applicable)
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 (if applicable)
11	<p>Maps that clearly show:</p> <ul style="list-style-type: none"> a) Project boundary and project vicinity, including county and school district boundaries 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) Any existing property within the project area e) Any facilities owned or operated by the applicant having interconnections to the proposed project f) Location of project, and related nearby projects within vicinity map g) Reinvestment or Enterprise Zone within vicinity map, showing the actual or proposed boundaries and size <p>Note: Electronic maps should be high resolution files. Include map legends/markers.</p>
12	Request for Waiver of Job Creation Requirement and supporting information (if applicable)
13	Calculation of non-qualifying wage target and two possible qualifying job wage requirements with TWC documentation
14	Schedules A1, A2, B, and C completed and signed Economic Impact (if applicable)
15	Economic Impact Analysis, other payments made in the state or other economic information (if applicable)
16	<p>Description of Reinvestment or Enterprise Zone, including:</p> <ul style="list-style-type: none"> 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* <p>* To be submitted with application or before date of final application approval by school board</p>
17	Signature and Certification page, signed and dated by Authorized School District Representative and Authorized Company Representative (applicant)



Tab 2: Proof of Payment 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 (7), history of tax default, delinquencies and/or material litigation (if applicable)

Texas Franchise Tax Extension Affiliate List

Tcode 13298

Reporting entity taxpayer number Report year Reporting entity taxpayer name

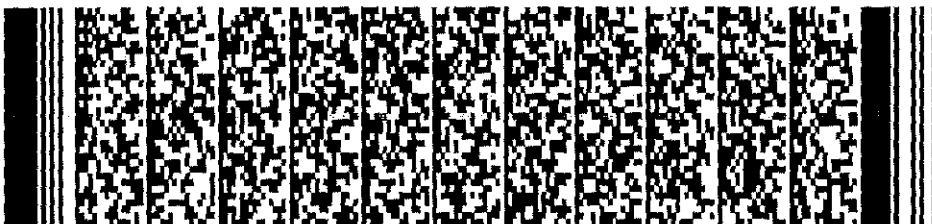
461244130 2019 TRADEWIND ENERGY, INC.

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. AUGLAIZE COUNTY SOLAR PROJECT, LLC	352644143	<input checked="" type="checkbox"/>
2. AZURE SKY SOLAR PROJECT, LLC	000000005	<input type="checkbox"/>
3. AZURE SKY WIND PROJECT, LLC	611888302	<input type="checkbox"/>
4. BRAZORIA WEST SOLAR PROJECT, LLC	352626332	<input type="checkbox"/>
5. CANE FLATS SOLAR PROJECT, LLC	364912787	<input type="checkbox"/>
6. CLERMONT COUNTY SOLAR PROJECT, LLC	611905716	<input checked="" type="checkbox"/>
7. COMANCHE CREST RANCH, LLC	833629404	<input type="checkbox"/>
8. COW CREEK WIND PROJECT, LLC	300997493	<input checked="" type="checkbox"/>
9. DEFIANCE COUNTY SOLAR PROJECT, LLC	384090691	<input checked="" type="checkbox"/>
10. DUNKLIN COUNTY SOLAR PROJECT, LLC	320567940	<input checked="" type="checkbox"/>
11. ELKHART COUNTY SOLAR PROJECT, LLC	384082928	<input checked="" type="checkbox"/>
12. ENERGY STORAGE DEVELOPMENT, LLC	320584012	<input checked="" type="checkbox"/>
13. FLAG CITY SOLAR PROJECT, LLC	320581366	<input type="checkbox"/>
14. FLICKERTRAIL SOLAR PROJECT, LLC	301062005	<input checked="" type="checkbox"/>
15. FULTON COUNTY SOLAR PROJECT, LLC	371913658	<input checked="" type="checkbox"/>
16. GRIMES COUNTY SOLAR PROJECT, LLC	364904096	<input type="checkbox"/>
17. GSD FARMING CO. LLC	301062973	<input checked="" type="checkbox"/>
18. GUSTY HILL WIND PROJECT, LLC	364899024	<input type="checkbox"/>
19. HEARTLAND FARMS WIND PROJECT, LLC	320563519	<input checked="" type="checkbox"/>
20. HILL TUCKER SOLAR PROJECT, LLC	320552849	<input checked="" type="checkbox"/>
21. HOPE RIDGE WIND PROJECT, LLC	611871087	<input checked="" type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

Texas Comptroller Official Use Only



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Tab 4: Detailed Description of the Project

Azure Sky Solar Project, LLC is a 225 MW-AC solar electric generation facility that will feature an additional 77 MW of battery storage. The facility will be located in southeastern Haskell County in Paint Creek Independent School District.

The project will be comprised of approximately 678,000 photovoltaic panels and 82 central inverters and is being developed by Tradewind Energy, Inc.

Tradewind Energy, Inc. is a leader in renewable energy development with projects located throughout 24 states and 31 countries. They are focused on providing the best in engineering, construction, and operational excellence, leading to a greater speed and efficiency of development.



Tab 5: Documentation to Assist in Determining if Limitation is a Determining Factor

Throughout the United States the production of renewable energy has been increasing as the cost of these systems has decreased and technological advancements have improved efficiency. In 2019, Texas ranked 4th in installed solar capacity.¹ The state's geographic position and containment of several large population centers has made Texas a favorable location for renewable energy development.

Renewable energy developers face many challenges in the determination of project location—one of these factors being the selection of an area where the greatest return on investment can be achieved. There are several factors that contribute to Texas favorability for development, one however that does not is the state's notoriously high property tax burden—ranking in the top 10 across the United States.

An appraised value limitation on qualified property allows developers to significantly diminish the property tax liability that composes a substantial ongoing cost of operation that directly impacts the economic rate of return for the project. In the absence of an appraised value limitation, the development of renewable energy facilities becomes financially uncertain as the rate of return often fails to meet the minimum return required to proceed. In the event an appraised value limitation agreement is not received by Azure Sky Solar Project, LLC it is rather certain that the capitol allotted for the development of this project will be reallocated for use in another state where either the property tax burden is lower or economic incentives can be secured, namely any of the 31 states in which Tradewind Energy, Inc. is active but specifically North Dakota, Colorado, Illinois, Kansas, Missouri, Nebraska, Iowa, or Oklahoma. Thus, an appraised value limitation agreement between Azure Sky Solar Project, LLC and Paint Creek Independent School District is the determining factor in the decision to locate this facility within the state of Texas. Please Note: This project applied to ERCOT and was assigned IGNR #21INR0477 on 12/12/2019.

¹ U.S. Energy Information Administration



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 (if applicable)

Azure Sky Solar Project, LLC is located within the following jurisdictions:

<i>Jurisdiction</i>	<i>Tax Rate</i>	<i>Percentage of Project Located in Jurisdiction</i>
<i>Haskell County</i>	<i>.502648</i>	<i>100%</i>
<i>Paint Creek Independent School District</i>	<i>1.19</i>	<i>100%</i>
<i>Haskell Hospital District</i>	<i>.194291</i>	<i>100%</i>



Tab 7: Description of Qualified Investment

Azure Sky Solar Project, LLC requests that the limitation covers all qualified investment and qualified property located within Paint Creek ISD. It is our request that the limitation includes all eligible and axillary equipment including the following:

- Substation
- Transmission Line
- Inverter Boxes
- Foundations
- Roadways, Paving, & Fencing
- Racking & Mounting Structures
- Meteorological Towers & Equipment
- Interconnection Facilities
- Solar Modules & Panels
- Associated Towers
- Combiner Boxes
- Operation & Maintenance Buildings
- Underground Electrical Collection Cables
- Access Roads



Tab 8: Description of Qualified Property

Azure Sky Solar Project, LLC requests that the limitation covers all qualified investment and qualified property located within Paint Creek ISD. It is our request that the limitation includes all eligible and axillary equipment including the following:

- Substation
- Transmission Line
- Inverter Boxes
- Foundations
- Roadways, Paving, & Fencing
- Racking & Mounting Structures
- Meteorological Towers & Equipment
- Interconnection Facilities
- Solar Modules & Panels
- Associated Towers
- Combiner Boxes
- Operation & Maintenance Buildings
- Underground Electrical Collection Cables
- Access Roads



Tab 9: Description of Land

Not Applicable.



*Tab 10: Description of All Property Not Eligible to Become
Qualified Property (if applicable)*

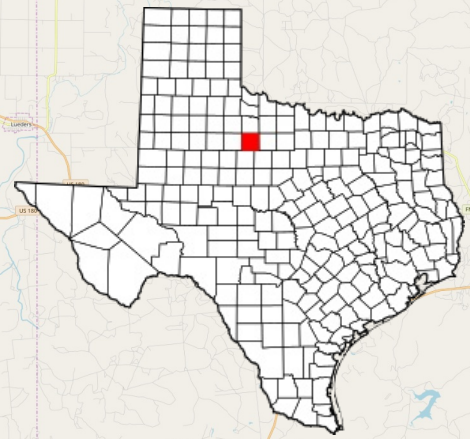
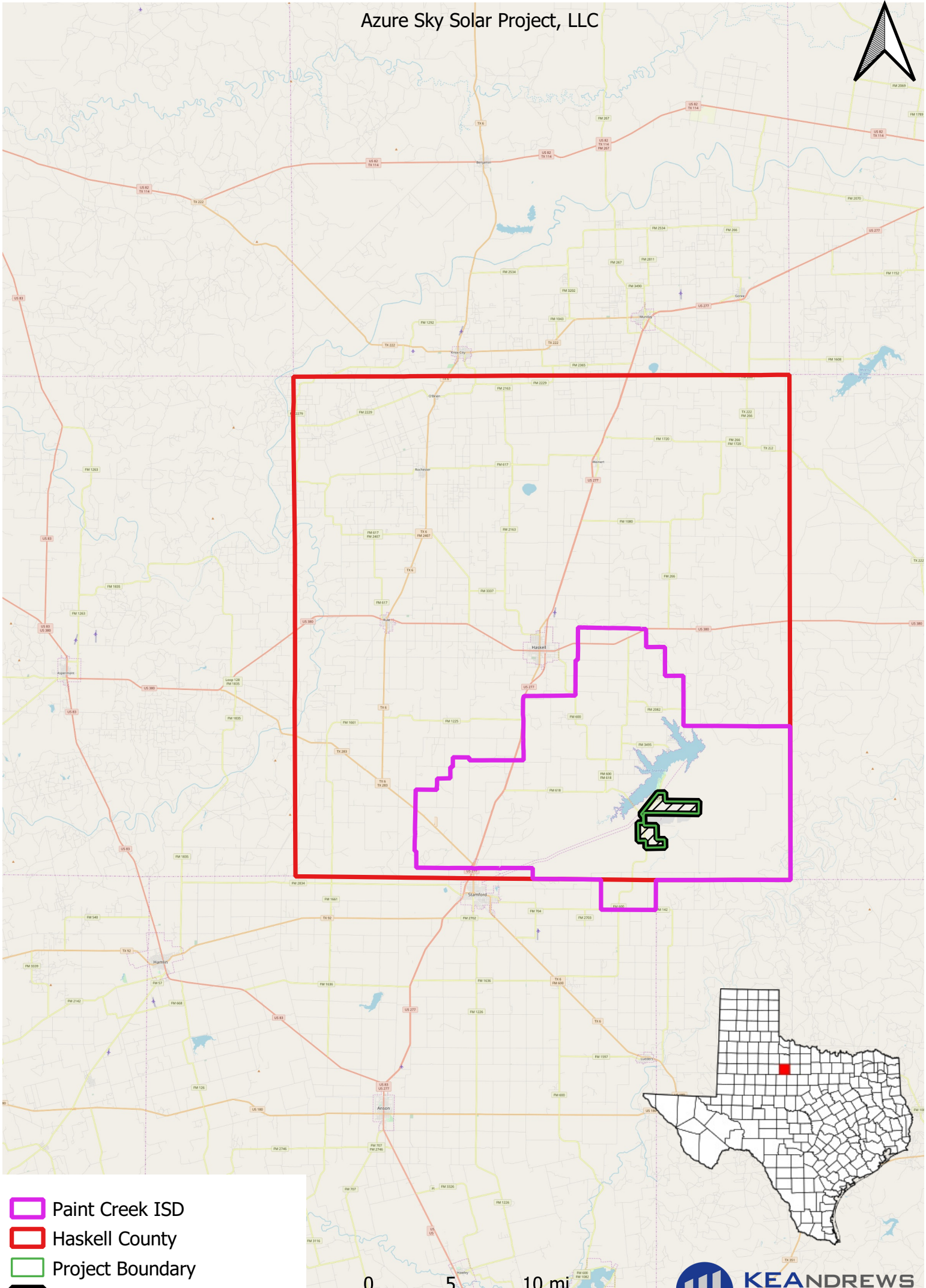
Not Applicable.







Tab 11: Maps

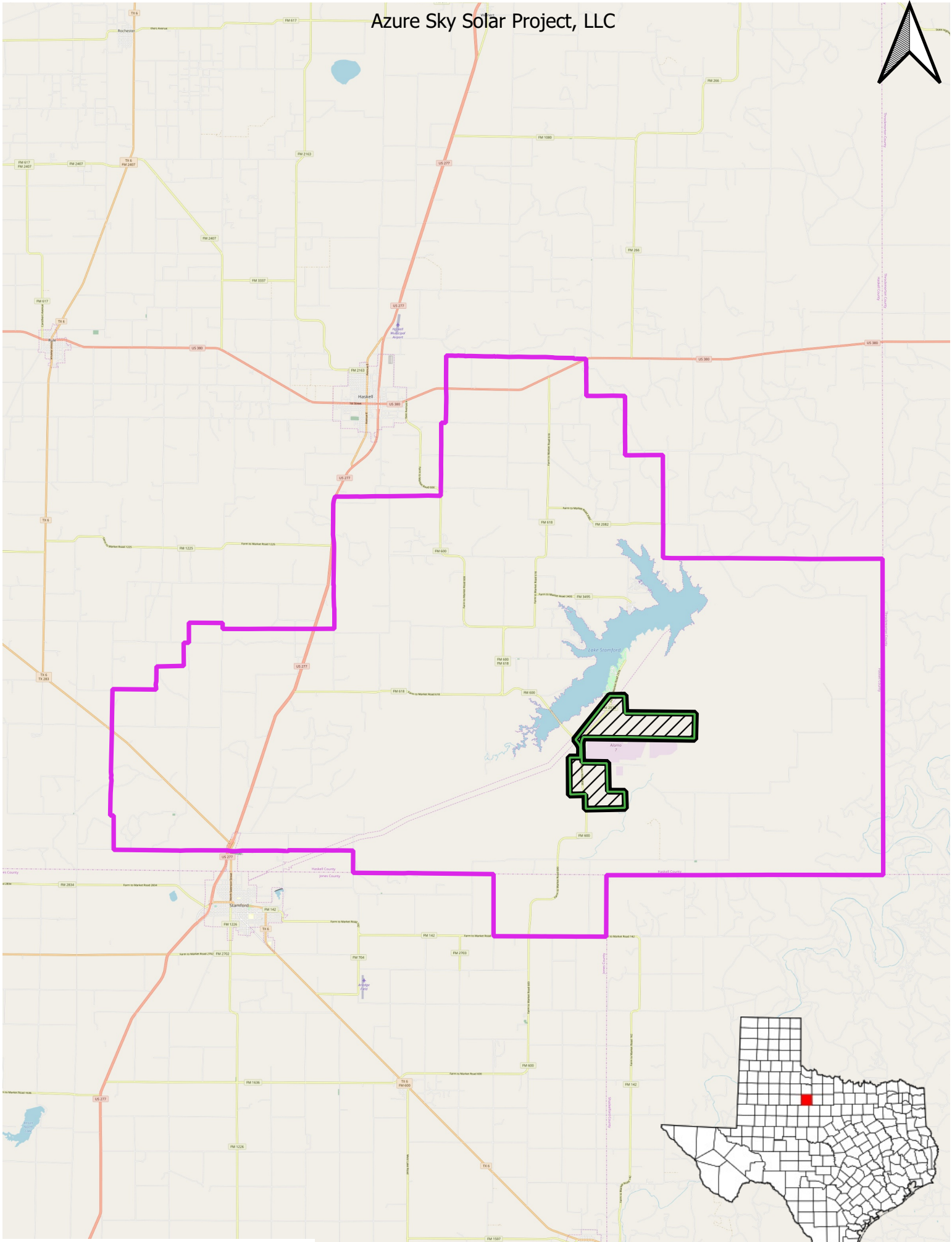
Please See Attached.




Azure Sky Solar Project, LLC



-  Paint Creek ISD
-  Haskell County
-  Project Boundary
-  Proposed Reinvestment Zone

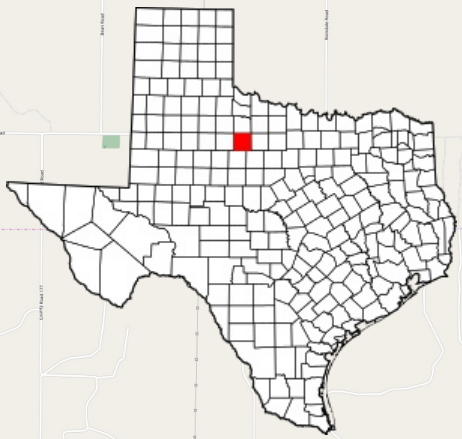
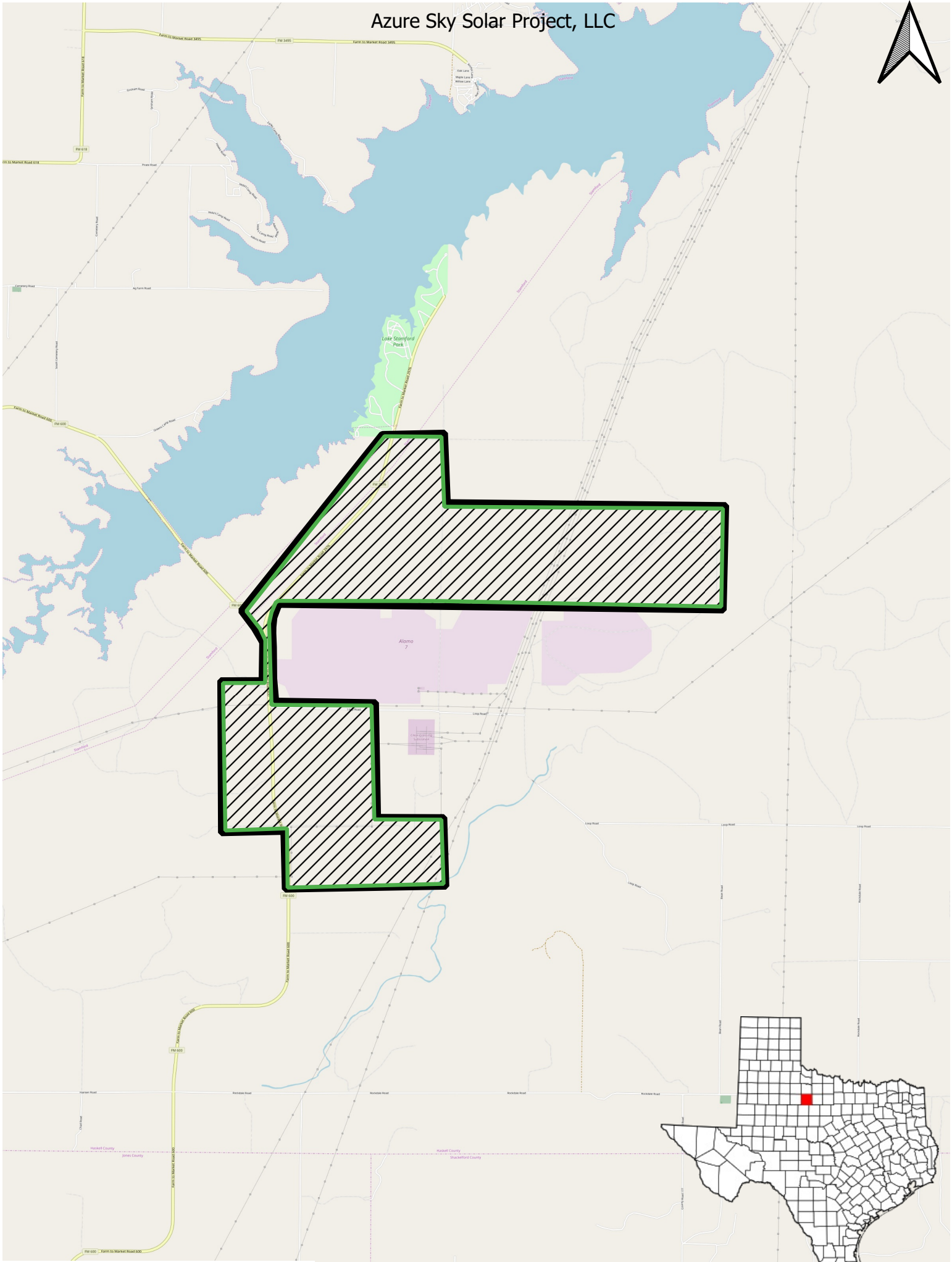
Azure Sky Solar Project, LLC





-  Paint Creek ISD
-  Project Boundary
-  Proposed Reinvestment Zone



Azure Sky Solar Project, LLC



-  Project Boundary
-  Proposed Reinvestment Zone

0 0.5 1 mi



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*Tab 12: Request for Waiver of Job Creation Requirement and
Supporting Information (if applicable)*

Please See Attached.



February 19, 2020

Paint Creek Independent School District
ATT: Dr. Cheryl Floyd
4485 FM 600
Haskell, Texas 79521-8611

RE: Azure Sky Solar Project, LLC Application for Appraised Value Limitation on Qualified Property Job Waiver Request

Dear Dr. Cheryl Floyd:

Azure Sky Solar Project, LLC is requesting that Paint Creek ISD's Board of Trustees waive the job requirement provision as allowed by Section 313.025 (f-1) of the Texas Property Tax Code. This waiver would be based on the school district's board findings that the jobs creation requirement exceeds the industry standard for the number of employees reasonably necessary for the operation of this facility.

Azure Sky Solar Project, LLC requests that Paint Creek ISD makes such finding and waive the job creation requirement for 10 permanent jobs. Azure Sky Solar Project, LLC has committed to create 2 full time permanent positions for the operation and maintenance of the facility. These positions will be compensated at the rate of 110% of the regional manufacturing wage as well as offer full benefits.

Renewables energy project create many jobs during the development of the facility. It is anticipated that 400 construction jobs will be created; however, once construction is complete the facility will require a relatively low number of permanent workers. The number of jobs (2) that Azure Sky Solar Project, LLC has committed to create is congruent with industry standards for renewable energy facilities. The current industry standard for solar energy sites is 1 worker per 115 MW.

Azure Sky Solar Project, LLC kindly requests that you consider the approval of the job waiver request for this project. Undoubtedly, the establishment of this facility will be very beneficial to Paint Creek ISD, Haskell County, and the advancement of renewable energy in Texas.

Your consideration of this request is greatly appreciated. If you have any questions, please contact us.

Mike Fry
Director, Energy Services
mfry@keatax.com



Tab 13: Calculation of Three Possible Wage Requirements and Supporting Information (if applicable)

Calculation 1: Haskell County Average Weekly Wage: \$642.75

Quarter	Area	Ownership	Industry	Average Weekly Wage
Q4 2018	Haskell County, TX	Total All	All Industries	\$722.00
Q1 2019	Haskell County, TX	Total All	All Industries	\$611.00
Q2 2019	Haskell County, TX	Total All	All Industries	\$618.00
Q3 2019	Haskell County, TX	Total All	All Industries	\$620.00

Quarterly Census of Employment and Wages (QCEW) Report

[Customize the report/Help with Accessibility](#)

Drag a column header and drop it here to group by that column

Year	Period	Area	Ownership	Industry	Average Weekly Wage
2018	01	Haskell	Total All	Total, All Industries	709
2018	02	Haskell	Total All	Total, All Industries	706
2018	03	Haskell	Total All	Total, All Industries	678
2018	04	Haskell	Total All	Total, All Industries	722
2019	01	Haskell	Total All	Total, All Industries	611
2019	02	Haskell	Total All	Total, All Industries	618
2019	03	Haskell	Total All	Total, All Industries	620



Calculation 2: 110% Haskell County Average Manufacturing Weekly Wage: \$805.48

Quarter	Area	Ownership	Industry	Average Weekly Wage
Q4 2017	Haskell County, TX	Private	Manufacturing	\$823.00
Q1 2018	Haskell County, TX	Private	Manufacturing	\$653.00
Q2 2018	Haskell County, TX	Private	Manufacturing	\$679.00
Q1 2019	Haskell County, TX	Private	Manufacturing	\$774.00

Quarterly Census of Employment and Wages (QCEW) Report

[Customize the report/Help with Accessibility](#)

Drag a column header and drop it here to group by that column

Year	Period	Area	Ownership	Industry	Average Weekly Wage
2017	01	Haskell	Private	Manufacturing	645
2017	02	Haskell	Private	Manufacturing	787
2017	03	Haskell	Private	Manufacturing	685
2017	04	Haskell	Private	Manufacturing	823
2018	01	Haskell	Private	Manufacturing	653
2018	02	Haskell	Private	Manufacturing	679
2019	01	Haskell	Private	Manufacturing	774



Calculation 3: 110% Regional Manufacturing Wage: \$961.04 weekly or \$49,974.08 annually

2018 Manufacturing Average Wages by Council of Government Region Wages for All Occupations

COG	COG Number	Wages	
		Hourly	Annual
Texas		\$27.04	\$56,240
Alamo Area Council of Governments	18	\$22.80	\$47,428
Ark-Tex Council of Governments	5	\$18.73	\$38,962
Brazos Valley Council of Governments	13	\$18.16	\$37,783
Capital Area Council of Governments	12	\$32.36	\$67,318
Central Texas Council of Governments	23	\$19.60	\$40,771
Coastal Bend Council of Governments	20	\$28.52	\$59,318
Concho Valley Council of Governments	10	\$21.09	\$43,874
Deep East Texas Council of Governments	14	\$18.28	\$38,021
East Texas Council of Governments	6	\$21.45	\$44,616
Golden Crescent Regional Planning Commission	17	\$28.56	\$59,412
Heart of Texas Council of Governments	11	\$22.71	\$47,245
Houston-Galveston Area Council	16	\$29.76	\$61,909
Lower Rio Grande Valley Development Council	21	\$17.21	\$35,804
Middle Rio Grande Development Council	24	\$20.48	\$42,604
NORTEX Regional Planning Commission	3	\$25.14	\$52,284
North Central Texas Council of Governments	4	\$27.93	\$58,094
Panhandle Regional Planning Commission	1	\$24.19	\$50,314
Permian Basin Regional Planning Commission	9	\$25.90	\$53,882
Rio Grande Council of Governments	8	\$18.51	\$38,493
South East Texas Regional Planning Commission	15	\$36.26	\$75,430
South Plains Association of Governments	2	\$20.04	\$41,691
South Texas Development Council	19	\$17.83	\$37,088
Texoma Council of Governments	22	\$21.73	\$45,198
West Central Texas Council of Governments	7	\$21.84	\$45,431

Calculated by the Texas Workforce Commission Labor Market and Career Information Department.

Data published: July 2019

Data published annually, next update will be July 31, 2020

Annual wage figure assumes a 40-hour work week.

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

Wage data is produced from Texas Occupational Employment Statistics (OES) data, and is not to be compared to BLS estimates.

Data intended only for use in implementing Chapter 313, Tax Code.



*Tab 14: Schedules A1, A2, B, C and D completed and signed
Economic Impact (if applicable)*

Please See Attached.

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

Date **2/19/2020**
 Applicant Name **Azure Sky Solar Project, LLC**
 ISD Name **Paint Creek ISD**

Form 50-296A
 Revised May 2014

PROPERTY INVESTMENT AMOUNTS									
(Estimated Investment in each year. Do not put cumulative totals.)									
	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	Column A New investment (original cost) in tangible personal property placed in service during this year that will become Qualified Property	Column B New investment made during this year in buildings or permanent nonremovable components of buildings that will become Qualified Property	Column C Other new investment made during this year that will <u>not</u> become Qualified Property [SEE NOTE]	Column D Other new investment made during this year that may become Qualified Property [SEE NOTE]	Column E Total Investment (Sum of Columns A+B+C+D)	
Investment made before filing complete application with district	--	2020-2021	2020	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						\$ 80,000,000.00			\$ 80,000,000.00
Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period									
Complete tax years of qualifying time period	QTP1	2021-2022	2021	\$ 209,500,000.00	\$ 500,000.00			\$ 210,000,000.00	
	QTP2	2022-2023	2022						
Total Investment through Qualifying Time Period [ENTER this row in Schedule A2]				\$ 289,500,000.00	\$ 500,000.00			\$ 290,000,000.00	
				Enter amounts from TOTAL row above in Schedule A2					
Total Qualified Investment (sum of green cells)				\$ 290,000,000.00					

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)

Date **2/19/2020**
 Applicant Name **Azure Sky Solar Project, LLC**
 ISD Name **Paint Creek ISD**

Form 50-296A
 Revised May 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		\$ 289,500,000.00	\$ 500,000.00			\$ 290,000,000.00
Each year prior to start of value limitation period	0	2020-2021	2020	\$ 80,000,000.00				\$ 80,000,000.00
Each year prior to start of value limitation period	0	2021-2022	2021	\$ 209,500,000.00	\$ 500,000.00			\$ 210,000,000.00
Value limitation period***	1	2022-2023	2022					
	2	2023-2024	2023					
	3	2024-2025	2024					
	4	2025-2026	2025					
	5	2026-2027	2026					
	6	2027-2028	2027					
	7	2028-2029	2028					
	8	2029-2030	2029					
	9	2030-2031	2030					
10	2031-2032	2031						
Total Investment made through limitation				\$ 289,500,000.00	\$ 500,000.00			\$ 290,000,000.00
Continue to maintain viable presence	11	2032-2033	2032					
	12	2033-2034	2033					
	13	2034-2035	2034					
	14	2035-2036	2035					
	15	2036-2037	2036					
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2037-2038	2037					
	17	2038-2039	2038					
	18	2039-2040	2039					
	19	2040-2041	2040					
	20	2041-2042	2041					
	21	2042-2043	2042					
	22	2043-2044	2043					
	23	2044-2045	2044					
	24	2045-2046	2045					
	25	2046-2047	2046					

* 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)

Date 2/19/2020
 Applicant Name Azure Sky Solar Project, LLC
 ISD Name Paint Creek ISD

Form 50-296A

Revised May 2014

	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	2020-2021	2020						
Each year prior to start of Value Limitation Period	0	2021-2022	2021			\$ 40,000,000.00	\$ 40,000,000.00	\$ 40,000,000.00	\$ 40,000,000.00
Value Limitation Period	1	2022-2023	2022		\$ 500,000.00	\$ 252,154,500.00	\$ 252,654,500.00	\$ 252,654,500.00	\$ 25,000,000.00
	2	2023-2024	2023		\$ 485,000.00	\$ 230,442,000.00	\$ 230,927,000.00	\$ 230,927,000.00	\$ 25,000,000.00
	3	2024-2025	2024		\$ 470,000.00	\$ 207,282,000.00	\$ 207,752,000.00	\$ 207,752,000.00	\$ 25,000,000.00
	4	2025-2026	2025		\$ 455,000.00	\$ 182,095,500.00	\$ 182,550,500.00	\$ 182,550,500.00	\$ 25,000,000.00
	5	2026-2027	2026		\$ 440,000.00	\$ 154,882,500.00	\$ 155,322,500.00	\$ 155,322,500.00	\$ 25,000,000.00
	6	2027-2028	2027		\$ 425,000.00	\$ 142,897,200.00	\$ 143,322,200.00	\$ 143,322,200.00	\$ 25,000,000.00
	7	2028-2029	2028		\$ 410,000.00	\$ 111,196,950.00	\$ 111,606,950.00	\$ 111,606,950.00	\$ 25,000,000.00
	8	2029-2030	2029		\$ 395,000.00	\$ 76,949,100.00	\$ 77,344,100.00	\$ 77,344,100.00	\$ 25,000,000.00
	9	2030-2031	2030		\$ 380,000.00	\$ 57,900,000.00	\$ 58,280,000.00	\$ 58,280,000.00	\$ 25,000,000.00
	10	2031-2032	2031		\$ 365,000.00	\$ 57,900,000.00	\$ 58,265,000.00	\$ 58,265,000.00	\$ 25,000,000.00
Continue to maintain viable presence	11	2032-2033	2032		\$ 350,000.00	\$ 57,900,000.00	\$ 58,250,000.00	\$ 58,250,000.00	\$ 58,250,000.00
	12	2033-2034	2033		\$ 335,000.00	\$ 57,900,000.00	\$ 58,235,000.00	\$ 58,235,000.00	\$ 58,235,000.00
	13	2034-2035	2034		\$ 320,000.00	\$ 57,900,000.00	\$ 58,220,000.00	\$ 58,220,000.00	\$ 58,220,000.00
	14	2035-2036	2035		\$ 305,000.00	\$ 57,900,000.00	\$ 58,205,000.00	\$ 58,205,000.00	\$ 58,205,000.00
	15	2036-2037	2036		\$ 290,000.00	\$ 57,900,000.00	\$ 58,190,000.00	\$ 58,190,000.00	\$ 58,190,000.00
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2037-2038	2037		\$ 275,000.00	\$ 57,900,000.00	\$ 58,175,000.00	\$ 58,175,000.00	\$ 58,175,000.00
	17	2038-2039	2038		\$ 260,000.00	\$ 57,900,000.00	\$ 58,160,000.00	\$ 58,160,000.00	\$ 58,160,000.00
	18	2039-2040	2039		\$ 245,000.00	\$ 57,900,000.00	\$ 58,145,000.00	\$ 58,145,000.00	\$ 58,145,000.00
	19	2040-2041	2040		\$ 230,000.00	\$ 57,900,000.00	\$ 58,130,000.00	\$ 58,130,000.00	\$ 58,130,000.00
	20	2041-2042	2041		\$ 215,000.00	\$ 57,900,000.00	\$ 58,115,000.00	\$ 58,115,000.00	\$ 58,115,000.00
	21	2042-2043	2042		\$ 200,000.00	\$ 57,900,000.00	\$ 58,100,000.00	\$ 58,100,000.00	\$ 58,100,000.00
	22	2043-2044	2043		\$ 185,000.00	\$ 57,900,000.00	\$ 58,085,000.00	\$ 58,085,000.00	\$ 58,085,000.00
	23	2044-2045	2044		\$ 170,000.00	\$ 57,900,000.00	\$ 58,070,000.00	\$ 58,070,000.00	\$ 58,070,000.00
	24	2045-2046	2045		\$ 155,000.00	\$ 57,900,000.00	\$ 58,055,000.00	\$ 58,055,000.00	\$ 58,055,000.00
25	2046-2047	2046		\$ 140,000.00	\$ 57,900,000.00	\$ 58,040,000.00	\$ 58,040,000.00	\$ 58,040,000.00	

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

Date 2/19/2020
Applicant Name Azure Sky Solar Project, LLC
ISD Name Paint Creek ISD

Form 50-296A

Revised May 2014

	Year	School Year (YYYY-YYYY)	Tax Year (Actual tax year) YYYY	Construction		Non-Qualifying Jobs	Qualifying Jobs	
				Column A Number of Construction FTE's	Column B Average annual wage rates for construction workers	Column C Number of non-qualifying jobs applicant estimates it will create (cumulative)	Column D Number of new qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Column E Annual wage of new qualifying jobs
Each year prior to start of Value Limitation Period	0	2020-2021	2020	400	\$ 49,974.08			
Each year prior to start of Value Limitation Period	0	2021-2022	2021	400	\$ 49,974.08			
Value Limitation Period <i>The qualifying time period could overlap the value limitation period.</i>	1	2022-2023	2022				2	\$ 49,974.08
	2	2023-2024	2023				2	\$ 49,974.08
	3	2024-2025	2024				2	\$ 49,974.08
	4	2025-2026	2025				2	\$ 49,974.08
	5	2026-2027	2026				2	\$ 49,974.08
	6	2027-2028	2027				2	\$ 49,974.08
	7	2028-2029	2028				2	\$ 49,974.08
	8	2029-2030	2029				2	\$ 49,974.08
	9	2030-2031	2030				2	\$ 49,974.08
	10	2031-2032	2031				2	\$ 49,974.08
Years Following Value Limitation Period	11 through 25	2032-2047	2032-2047				2	\$ 49,974.08

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



Tab 15: Economic Impact Analysis, other payments made in the state or other economic information (if applicable)

Please See Attached.



Tab 16: Description of Reinvestment or Enterprise Zone

Currently, it is anticipated that Haskell County will create the reinvestment zone sometime within the second fiscal quarter of 2020. In the event Haskell County does not create the reinvestment zone it will be requested that Paint Creek Independent School District creates the reinvestment zone at the anticipated execution of the agreement. Upon designation of the reinvestment zone, the ordinance establishing the zone will be submitted to the Texas Comptroller of Public Accounts. Please find attached the guidelines and criteria for a tax abatement agreement in Haskell County.

COMMISSIONERS COURT §
HASKELL COUNTY §
§

RESOLUTION APPROVING THE HASKELL COUNTY
GUIDELINES & CRITERIA FOR CREATING
TAX ABATEMENT AND REINVESTMENT ZONES

WHEREAS, the creation and retention of job opportunities that bring new wealth into HASKELL County is a high priority; and

WHEREAS, new jobs and investments will benefit the area economy, provide needed opportunities, strengthen the real estate market, and generate tax revenue to support local services; and

WHEREAS, the communities within HASKELL County must compete with other localities across the nation currently offering tax inducements to attract jobs and investments; and

WHEREAS, any tax incentives offered in HASKELL County would be strictly limited in application to those new and existing industries that bring new wealth to the community; and

WHEREAS, the abatement of property taxes, when offered to attract primary jobs in industries which bring in revenue from outside a community instead of merely re-circulating dollars within a community, has been shown to be an effective method of enhancing and diversifying an area's economy; and

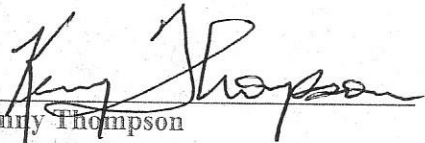
WHEREAS, effective September 1, 1987, Texas law, pursuant to Chapter 312 of the Texas Tax Code, requires any eligible taxing jurisdiction to establish guidelines and criteria as to eligibility for tax abatement agreements prior to granting of any future tax abatement, said guidelines and criteria to be unchanged for a two year period unless amended by a three-quarters vote of Commissioners' Court; and

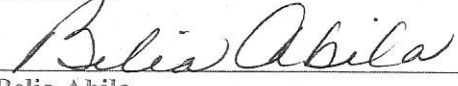
WHEREAS, to assure a common, coordinated effort to promote our communities' economic development, any such guidelines and criteria should be adopted only through the cooperation of affected school districts, cities and HASKELL COUNTY; and

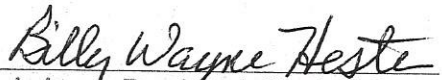
WHEREAS, HASKELL COUNTY'S previous guidelines expired and need to be renewed.


NOW, THEREFORE, BE IT RESOLVED, that HASKELL County Commissioners' Court does hereby adopt these Guidelines and Criteria for granting tax abatement in reinvestment zones in HASKELL County, Texas, and are hereby adopted effective July 23, 2019.


PASSED AND APPROVED on the 23rd day of July, 2019, by Haskell County Commissioners Court.



Kenny Thompson
County Judge

ATTEST:

Belia Abila,
County Clerk


Commissioner, Precinct 1, Haskell County


Commissioner, Precinct 2, Haskell County


Commissioner, Precinct 3, Haskell County


Commissioner, Precinct 4, Haskell County

**HASKELL COUNTY
GUIDELINES AND CRITERIA
FOR GRANTING TAX ABATEMENT
AND REINVESTMENT ZONES**

The Haskell County Guidelines and Criteria for Granting Tax Abatement and Reinvestment Zones (“Guidelines”) were adopted by the Commissioners Court (“Court”) of Haskell County, Texas (“County”) to be effective July 23, 2019 through July 23, 2021.

Haskell County is committed to the promotion of high quality development in all parts of Haskell County, Texas, and to an ongoing improvement in the quality of life for the citizens residing within Haskell County. The County recognizes that these objectives are generally served by an enhancement and expansion of the local economy. Haskell County will, on a case-by-case basis, give consideration to providing tax abatement as stimulation for economic development within the County. It is the policy of Haskell County that said consideration will be provided in accordance with the guidelines and criteria herein set forth and in conformity with the Texas Tax Code and other applicable Statutes. Nothing contained herein shall imply, suggest or be understood to mean that Haskell County is under any obligation to provide tax abatements to any applicant and attention is called to V.T.C.A., Tax Code §312.002(d). All applications for tax abatement will be considered on a case-by-case basis.

DEFINITIONS - Section I

- a. **“Abatement”** means the full or partial exemption from ad valorem taxes of certain real and personal property in a reinvestment or enterprise zone designated by HASKELL County for economic development purposes.
- b. **“Affected jurisdiction”** means HASKELL County and any municipality or school district, the majority of which is located in HASKELL County that levies ad valorem taxes upon and provides services to property located within the proposed or existing reinvestment zone designated by HASKELL County.
- c. **“Agreement”** means a contractual agreement between an applicant (property owner and/or lessee) and HASKELL County for the purposes of tax abatement.
- d. **“Base year value”** means the assessed value of the applicant’s eligible property located in a reinvestment zone on January 1 of the year of execution of the Agreement plus the agreed upon value of eligible property improvements made after January 1, but before the execution of the Agreement.
- e. **“Economic Life”** means the number of years a property is expected to be in service in a facility.
- f. **“Expansion”** means the addition of buildings, structures, fixed machinery or equipment for purposes of increasing production capacity.
- g. **“Facility”** means property improvements completed or in the process of construction which together comprise an integral whole.
- h. **“Hospital”** as defined in Texas Health & Safety Code Section 241.003.

i. **"Manufacturing Facility"** means products, buildings and structures, including machinery and equipment, the primary purpose of which is or will be the manufacture of tangible goods or materials or the processing of such goods or materials by physical or chemical change.

j. **"Modernization"** means a complete or partial demolition of facilities and/or the completion of partial construction, reconstruction, or installation of a facility or facilities of similar or expanded production capacity. Modernization may result from the construction, alteration, or installation of buildings, structures, machinery or equipment. Modernization shall include improvements for the purpose of increasing productivity or updating the technology of machinery and equipment, or both.

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

l. **"Other Basic Industry"** means buildings and structures including fixed machinery and equipment not elsewhere described, used or to be used for the production of products or services, which serve a market primarily outside of HASKELL County, resulting in the creation of new permanent jobs bringing in new wealth.

m. **"Personal Property"** means personal property, as designated by the HASKELL County Appraisal District, which includes but is not limited to any tangible thing (including gasses, steams, and other non-solid state things) that can be removed from real property without destroying or changing such real property. Personal Property also includes, for example, any machinery or equipment that may be bolted to the floor, but has a shorter life than the building and is used in the primary line of business.

n. **"Productive Life"** means the number of years a property improvement is expected to be in service in a facility.

o. **"Real Property"** means real property improvements, as designated by the HASKELL County Appraisal District, which includes but is not limited to any buildings, buildings built on skids, portable buildings, parking areas, and fences attached to land.

p. **"Regional Entertainment/Tourism Facility"** means buildings and structures, including fixed machinery and equipment, used or to be used to provide entertainment through the admission of the general public where the majority of users reside outside any part of HASKELL County.

q. **"Research Facility"** means buildings and structures, including fixed machinery and equipment, used or to be used primarily for research or experimentation to improve or develop new tangible goods or materials or to improve or develop the production processes thereto.

r. **"Regional Service Facility"** means buildings and structures, including fixed machinery and equipment, used or to be used to service goods where a majority of the goods being serviced originate outside any part of HASKELL County.

s. **"Spec Building"** means the new building construction to create an enclosed area of a commercial facility that would normally qualify for abatements built without an occupying tenant at the time the construction is complete.

t. **"Urgent Care Facility"** a facility dedicated to the delivery of unscheduled, walk-in diagnosis and treatment of acute, but non-life threatening injuries and illnesses, outside of a hospital emergency department or doctor's office.

ABATEMENT AUTHORIZED - Section II

a. **Authorized Facility.** An applicant's facility may be eligible for abatement if it is a Manufacturing Facility, Research Facility, Distribution Center, Regional Service Facility, Regional Entertainment Facility, Spec Building, Hospital, Urgent Care Facility or Other Basic Industry.

b. **Creation of New Value.** Abatement may only be granted for the additional value of eligible real property improvements made subsequent to and specified in an abatement Agreement between HASKELL County and the applicant (property owner and/or lessee), subject to such limitations as HASKELL County Commissioners' Court may require.

c. **New and Existing Facilities.** Abatement may be granted for new facilities and improvements to existing facilities for purposes of modernization or expansion.

d. **Eligible Property.** Abatement may be extended to the value of buildings, structures, fixed machinery and equipment, site improvements and related fixed improvements necessary to the primary operation of the facility.

e. **Ineligible Property.** The following types of property shall be fully taxable and ineligible for abatement: land; inventories; supplies; tools; furnishings, and other forms of movable personal property; vehicles; vessels; housing; hotels accommodations; retail facilities; deferred maintenance investments; property to be rented or leased, except as provided in Section II (f); improvements for the generation or transmission of electrical energy not wholly consumed by a new facility or expansion; any improvements, including those to produce, store or distribute natural gas, fluids or gases, which are not integral to the operation of the facility; property which has a productive life of less than 10 years; property owned or used by the State of Texas or its political subdivisions or by any organization owned, operated or directed by a political subdivision of the State of Texas; or any other property for which abatement is not allowed by state law.

f. **Owned/Leased Facilities.** If a leased facility is granted abatement the Agreement shall be executed with the lessor and the lessee.

g. **Value and Term of Abatement.** Abatement shall be granted effective with the January 1 valuation date immediately following the date of execution of the Agreement. The value of new eligible properties shall be abated according to the approved Agreement between applicant and HASKELL County. HASKELL County, in its sole discretion, shall determine the amount of any abatement. The term of any abatement may not exceed ten (10) years. The abatement may be extended through an initial agreement and a subsequent agreement as may be required to comply with state law regarding the term of the reinvestment zone.

h. **Construction in Progress.** If a qualifying facility has not been placed in service within one year after execution of the abatement Agreement, the applicant may apply for a one year extension of the term of abatement, to be granted or denied in accordance with the Agreement. Said extension must be applied for prior to the expiration of the one year anniversary of execution of the abatement Agreement.

i. **Economic Qualification.** In order to be eligible for designation as a reinvestment zone and receive tax abatement for planned improvements:

1. The applicant must complete an economic impact analysis consistent with the requirements of the WCEDP.

2. For projects located within the jurisdiction of any incorporated city or town, the applicant must first be approved for tax abatement by the economic development organization authorized by that respective city or town to act on its behalf before the County can provide assistance.

3. The applicant's facility must be expected to retain or create employment on a permanent basis in HASKELL County.

4. The applicant's facility must not be expected to solely or primarily have the effect of transferring employment from one part of HASKELL County to another.

5. The applicant's facility must be necessary because capacity cannot be provided efficiently by utilizing existing improved property when reasonable allowance is made for necessary improvements.

6. The applicant's facility must have no serious adverse effect on jurisdictions.

7. The applicant's facility must be in an area outside of the taxing jurisdiction of an incorporated city or town, unless the city or town has granted a tax abatement for the planned improvements, and ninety (90) days have not passed since the granting of such abatement.

8. The applicant's facility must have a significantly positive result from the economic impact analysis performed as part of the application process (*i.e.*, the local economic benefit must significantly exceed the amount of anticipated tax revenues foregone by the Agreement).

j. **Standards for Tax Abatement.** The following factors, among others, shall be considered by the County in determining whether to grant Tax Abatement:

1. The value of land and existing improvement, if any.

2. The type and value of the proposed improvements.

3. The expected economic life of the proposed improvements.

4. The number and quality of existing, permanent jobs to be retained by the proposed improvements.

5. The number of new permanent jobs to be created by the proposed improvements.

6. The amount of local payroll to be created or enhanced.

7. Whether the new jobs to be created will be filled by persons residing or projected to reside in the County.

8. The amount the property tax base will be increased during the term of Abatement and after Abatement.

9. The costs to be incurred by the County to provide facilities or services directly resulting from the new improvements. The amount of ad valorem taxes to be paid to the County during the Abatement period - considering (a) existing values, (b) the percentage of new value abated, (c) the Abatement period, and (d) the value after expiration of the Abatement period.

10. The amount of local taxes to be generated directly as a result of the applicant's facility.
11. The population growth of the County that might occur as a direct result of new improvements.
12. The types and values of public improvements, if any, to be made by applicant seeking Abatement.
13. The impact on the business opportunities of existing businesses, including whether local labor, local subcontractors, and local vendors/suppliers will be used in the construction phase of the project.
14. The attraction of other new businesses to the area.
15. Whether the proposed improvements compete with existing businesses to the detriment of the local economy.
16. Whether the project is compatible with the community, particularly with respect to any environmental concerns and any zoning concerns.
17. The applicant's company profile, including business references, principal bank, audited financial statement and Business Plan.
18. The overall economic impact to HASKELL County.

Each application shall be reviewed on its merit, utilizing the factors provided above.

After such review, Abatement may be denied entirely or may be granted to the extent deemed appropriate after full evaluation.

k. **Denial of Abatement.** No Abatement Agreement shall be authorized if:

1. There would be substantial adverse affect on the tax base or costs associated with the providing of government services.
2. The applicant has insufficient financial capacity, which reasonably could be expected to jeopardize the success of the undertaking.
3. The planned or potential use of the property would constitute a hazard to public safety, health or morals.
4. The area considered for abatement lies within the taxing jurisdiction of an incorporated city or town, unless the city or town has already granted abatement to the concerned entity and ninety (90) days have not passed since the granting of such abatement.
5. Granting abatement might lead to the violation of other codes or laws.
6. For any other reason deemed appropriate by Commissioners' Court.

1. **Taxability.** From the execution of the Agreement to the end of the Agreement, taxes shall be payable as follows:

1. The value of ineligible property as provided in Section II (e) shall be fully taxable;
2. The base year value of existing eligible property as determined each year shall be fully taxable; and
3. The additional value of new eligible property shall be taxable in the manner and for the period provided for in the abatement Agreement; and
4. The additional value of new eligible property shall be fully taxable at the end of the abatement period.

APPLICATION - Section III

a. Any present or potential owner of taxable property in HASKELL County may request the creation of a reinvestment zone and tax abatement by filing a written request, along with the application processing fee set forth herein, to the County Judge of HASKELL County (checks should be made payable to HASKELL County).

b. The application shall consist of a completed application form accompanied by:

1. A copy of the executive overview from the economic impact analysis.
2. A general description of the proposed use and the general nature and extent of the modernization, expansion or new improvements to be undertaken.
3. A descriptive list of the improvements which will be a part of the facility;
4. A site map and property description, including a complete legal description of the property;
5. A time schedule for undertaking and completing the planned improvements. In the case of modernization, a statement of the assessed value of the facility, separately stated for real and personal property, shall be given for the tax year immediately preceding the application. The application form may require such financial and other information as the County deems appropriate for evaluating the financial capacity and other factors of the applicant.
6. Certification from the Haskell County Appraisal District verifying that no taxes are past due on applicant's property located in the proposed reinvestment zone
7. Disclosure of any environmental permits required or additional environmental impacts.
8. A \$1,000.00 non-refundable application fee.

c. Upon receipt of a completed application and prior to acting on the application, the County Judge shall notify in writing and provide a copy of the application to each presiding officer of the governing body of each taxing unit in which the property to be subject to the Agreement is located.

d. Upon receipt of a completed application for the creation of a reinvestment zone and application for abatement, the County shall determine whether the application qualifies for a tax abatement under the guidelines and criteria. If it is determined that an application qualifies for abatement, the Commissioners Court shall notify the applicant in writing that subject to a public hearing and approval of a contract by Commissioners Court, the project qualifies for abatement.

e. The Commissioners Court may not adopt a resolution designating a reinvestment zone for the purposes of considering approval of a tax abatement until it has held a public hearing. Notice of the hearing shall (1) be posted no later than the seventh day before the public hearing and (2) published in a newspaper of general circulation within such taxing jurisdiction not later than the seventh day before the public hearing. Before acting upon the application, HASKELL County shall through public hearing afford the applicant and the designated representative of any affected jurisdiction, and any other interested person, opportunity to show cause why the abatement should or should not be granted. Notice of the public hearing shall be clearly identified on Commissioners' Court agenda to be posted at least seven (7) days prior to the hearing.

f. HASKELL County, not more than 60 days after receipt of the application, shall by order either approve or disapprove the application for tax abatement at a regularly scheduled meeting by a majority vote. The county judge shall notify the applicant of approval or disapproval. If disapproved, a Commissioner may request a second review, in which case a new application and hearing shall be required.

g. HASKELL County shall not establish a reinvestment zone for the purpose of abatement if it finds that the request for the abatement was filed after the commencement of construction, alteration, or installation of improvements related to a proposed modernization, expansion, or construction of new facility.

h. **Variance.** Requests for variance from the provisions of Section II may be made in written form to the Commissioners' Court. Such request shall include all the items listed in Section III (b), together with a complete description of the circumstances which prompt the applicant to request a variance. The approval process for a variance request requires a three-fourths (3/4) vote of the governing body and shall be identical to that for a standard application and may be supplemented by such additional requirements as may be deemed necessary by the Commissioners' Court.

i. **Confidentiality Required.** Information that is provided to the County in connection with an application or request for Tax Abatement and that describes the specific processes or business activities to be conducted or the equipment or other property to be located on the property for which Tax Abatement is sought is **confidential and not subject to public disclosure until the Tax Abatement Agreement is executed.** That information in the custody of a taxing unit after the Agreement is executed is Public Record, and not confidential.

PUBLIC HEARING - Section IV

a. Should any affected jurisdiction be able to show cause in the public hearing why the granting of abatement will have a substantial adverse affect on its bonds, tax revenue, service capacity or the provision of service, that showing shall be reason for the Commissioners' Court to deny any designation of the reinvestment zone, the granting of abatement, or both.

b. Neither a reinvestment zone nor abatement Agreement shall be authorized if it is determined that:

1. There would be a substantial adverse affect on the provision of government service or tax base;
 2. The applicant has insufficient financial capacity;
 3. Planned or potential use of the property would constitute a hazard to public safety, health or morals; or,
 4. Planned or potential use of the property violates other codes or laws.
 5. Use of the property as planned does not comply with the overall developmental goals of the county.
- c. Following the public hearing, the Commissioners' Court must make affirmative findings in the minutes of the Court that:
1. Designation of the reinvestment zone would contribute to the retention or expansion of primary employment.
 2. Designation of the zone would attract major investment in the zone that would benefit the property within the zone.
 3. Designation of the zone would contribute to the economic development of the county.

AGREEMENT - Section V

- a. **Notice to Jurisdictions.** Not later than the seventh day before the date on which HASKELL County enters into the Abatement Agreement, the County shall deliver to the presiding officer of the governing body of each other taxing unit in which the property is located a written notice that the County intends to enter into the Agreement, along with a copy of the proposed agreement.
- b. After approval, HASKELL County shall formally pass an order and execute an Agreement with the owner of the facility and lessee as required which shall include:
 1. Estimated value to be abated and the base year value;
 2. Percent of value to be abated each year as provided in Section II;
 3. The commencement date and the termination date of abatement;
 4. The proposed use of the facility; nature of construction, time schedule, survey, property description and improvements list as provided in the abatement application.
 5. Provision for access to and authorization for inspection of the property by HASKELL County to ensure that the improvements or repairs are made according to the specifications and conditions of the Agreement.
 6. Limitations on the uses of the property, consistent with the general purpose of encouraging development or redevelopment of the zone during the abatement period.

7. Contractual obligations in the event of default, violations of terms or conditions, delinquent taxes, recapture, administration and assignment as provided herein and other provisions that may be required for uniformity or by State law and;

8. Amount of investment, increase in assessed value and number of jobs involved for the period of Abatement.

9. A requirement that the applicant annually submit to the Haskell County Judge, a January employee count for the abated facility which corresponds to employment accounts reported in the facility's Employer's Quarterly Report to the Texas Workforce Commission for the quarter most recently ended at calendar year-end, and a separate notarized letter certifying the number of jobs, created or retained as a direct result of the abated improvements and the number of employees in other facilities located in Haskell County. Submission shall be used to determine abatement eligibility for that year and shall be subject to audit if requested by the governing body. Failure to submit will result in the ineligibility to receive abatement for that year.

c. Such agreement shall be executed within sixty (60) days after the applicant has forwarded all necessary information and documentation to HASKELL County.

d. **Mandatory contract provisions.** Any tax abatement entered into by the County must:

1. Include a list of the kind, number, and location of all proposed improvements to the property.

2. Provide access to and authorize inspection of the property by the taxing unit to ensure compliance with the agreement.

3. Limit the use of the property consistent with the taxing unit's development goals.

4. Provide for recapturing property tax revenues that are lost if the applicant fails to make the improvements or create the jobs as provided by the application/agreement.

5. Include each term that was agreed upon with the applicant and require the applicant to annually certify compliance with the terms of the agreement to each taxing unit.

6. Allow the taxing unit to cancel or modify the agreement at any time if the applicant fails to comply with the terms of the agreement.

RECAPTURE - Section VI

a. In the event that the applicant's facility is completed and begins producing products or services, but subsequently discontinues producing a product or service for any reason for a period of one year during the abatement period, other than because of fire, explosion, or other casualty, accident, or natural disaster, then the agreement shall terminate and so shall the abatement of the taxes for the calendar year during which the applicant's facility no longer produces. The taxes otherwise abated for that calendar year shall be paid to the County within sixty (60) days from the date of termination.

b. Should the County determine that the applicant is in default according to the terms and conditions of its agreement, the County shall notify the applicant in writing at the address stated in the agreement, and if such default is not cured within sixty (60) days from the date of such notice ("Cure Period"), then the agreement shall be terminated and all taxes previously abated by virtue of the agreement

may be recaptured, together with interest at 6% per annum calculated from the effective date of the agreement and paid within sixty (60) days of the termination. If the County does not receive full payment within the said sixty (60) days, a penalty may be added, equal to 15% of the total amount abated.

c. In the event that the applicant: (1) allows its ad valorem taxes owed the County or affected jurisdiction to become delinquent (taxes that are not covered by the abatement agreement) and fails to timely and properly follow the legal procedures for their protest and/or contest; or (2) violates any of the terms and conditions of the abatement agreement and fails to cure during the Cure Period, the agreement then may be terminated and all taxes previously abated by virtue of the agreement will be recaptured and paid within sixty (60) days of the termination.

ADMINISTRATION - Section VII

a. The Chief Appraiser of HASKELL County shall annually determine an assessment of the real and personal property within the reinvestment zone. Each year, the applicant receiving abatement shall furnish the Appraiser with such information as may be necessary to determine compliance with the Agreement, including but not limited to the number of new or retained employees associated with the applicant's facility. Once value has been established, the Chief Appraiser shall notify the affected jurisdictions which levy taxes of the amount of the assessment.

b. The Agreement shall stipulate that employees and/or designated representatives of HASKELL County will have access to the applicant's facilities within the reinvestment zone during the term of the abatement to inspect the facility to determine if the terms and conditions of the Agreement are being met. All inspections will be made only after the giving of reasonable notice and will only be conducted in a manner as to not unreasonably interfere with the construction and/or operation of the facility. All inspections will be made with one or more representatives of the applicant, and in accordance with its safety standards.

c. Upon completion of construction, HASKELL County shall annually evaluate each facility receiving abatement to insure compliance with the Agreement and report possible violations of the Agreement to the Commissioner's Court.

d. **Timely Filing.** The County shall timely file, with the appropriate person, agency, department, or board of the State of Texas, all information required by the Tax Code.

ASSIGNMENT - Section VIII

a. Abatement may be transferred and assigned to a new owner or lessee of the applicant's facility upon the approval by written consent of the HASKELL County Commissioners' Court, subject to the financial capacity of the assignee and provided that all conditions and obligations in the abatement Agreement are guaranteed by the execution of a new Agreement with the County.

b. The Agreement with the new owner or lessee shall not exceed the termination date of the abatement Agreement with the original applicant.

c. No assignment or transfer shall be approved if the parties to an existing Agreement, the new owner, or the new lessee is liable to HASKELL County or any affected jurisdiction for outstanding taxes or other obligations.

d. Approval shall not be unreasonably withheld.

SUNSET PROVISION - Section IX

a. These Guidelines and Criteria are effective upon the date of their adoption and will remain in force for two (2) years, unless amended by three-quarters (3/4) vote of the Commissioners' Court of HASKELL County as so provided for in the Tax Code, at which time all Reinvestment Zones and Tax Abatement Agreements, created pursuant to these provisions will be reviewed by the County to determine whether the goals have been achieved. Based on that review, the Guidelines and Criteria may be modified, renewed or eliminated.

b. This policy is mutually exclusive of existing Industrial District Contracts and owners of real property in areas deserving of special attention as agreed by the affected jurisdictions.

c. This policy is effective this 23rd Day of July, 2019, and supersedes any previous policy on Tax Abatement. It will remain in effect until changed by court order.



*Tab 17: Signature and Certification Page, Signed and Dated by
Authorized School District Representative and Authorized
Company Representative (applicant)*

Please See Attached.

- 5. 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)
- 6. What is the minimum required annual wage for each qualifying job based on the qualified property? 49,974.08
- 7. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? 49,974.08
- 8. Will the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? Yes No
- 9. 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
 - 9a. If yes, attach in Tab 12 supporting documentation from the TWC, pursuant to §313.021(3)(F).
- 10. 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
 - 10a. 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, and C 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.

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 → Cheryl Floyd Title Superintendent
Print Name (Authorized School District Representative)

sign here → Cheryl Floyd Date 3-16-20
Signature (Authorized School District Representative)

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 → Benjamin Branch Title Director
Print Name (Authorized Company Representative (Applicant))

sign here → [Signature] Date 3/10/2020
Signature (Authorized Company Representative (Applicant))



(Notary Seal)

GIVEN under my hand and seal of office this, the

10th day of March, 2022

K Bataineh
Notary Public in and for the State of Texas

My Commission expires: 3/20/2022

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 of the application including the signature and certification page, signed and dated by Authorized School District Representative and Authorized Company Representative. Sections 1-16
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 (if applicable)
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 (if applicable)
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 (if applicable)
11	<p>Maps that clearly show:</p> <ul style="list-style-type: none"> a) Project boundary and project vicinity, including county and school district boundaries 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) Any existing property within the project area e) Any facilities owned or operated by the applicant having interconnections to the proposed project f) Location of project, and related nearby projects within vicinity map g) Reinvestment or Enterprise Zone within vicinity map, showing the actual or proposed boundaries and size <p>Note: Electronic maps should be high resolution files. Include map legends/markers.</p>
12	Request for Waiver of Job Creation Requirement and supporting information (if applicable)
13	Calculation of non-qualifying wage target and two possible qualifying job wage requirements with TWC documentation
14	Schedules A1, A2, B, and C completed and signed Economic Impact (if applicable)
15	Economic Impact Analysis, other payments made in the state or other economic information (if applicable)
16	<p>Description of Reinvestment or Enterprise Zone, including:</p> <ul style="list-style-type: none"> 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* <p>* To be submitted with application or before date of final application approval by school board</p>
17	Signature and Certification page, signed and dated by Authorized School District Representative and Authorized Company Representative (applicant)