

Attachment A

Application



# Application for Appraised Value Limitation on Qualified Property (Tax Code, Chapter 313, Subchapter B or C)

**Form 50-296**  
(Revised May 2010)

**INSTRUCTIONS:** This application must be completed and filed with the school district. In order for an application to be processed, the governing body (school board) must elect to consider an application, but — by Comptroller rule — the school board may elect to consider the application only after the school district has received a completed application. Texas Tax Code, Section 313.025 requires that any completed application and any supplemental materials received by the school district must be forwarded within seven days to the Comptroller of Public Accounts.

If the school board elects to consider the application, the school district must:

- notify the Comptroller that the school board has elected to consider the application.

This notice must include:

- the date on which the school district received the application;
- the date the school district determined that the application was complete;
- the date the school board decided to consider the application; and
- a request that the comptroller prepare an economic impact analysis of the application;
- provide a copy of the notice to the appraisal district;
- must complete the sections of the application reserved for the school district and provide information required in the Comptroller rules located at 34 Texas Administrative Code (TAC) Section 9.1054; and
- forward the original completed application to the Comptroller in a three-ring binder with tabs separating each section of the documents, in addition to an electronic copy on CD. See 34 TAC Chapter 9, Subchapter F.

The governing body may, at its discretion, allow the applicant to supplement or amend the application after the filing date, subject to the restrictions in 34 TAC Chapter 9, Subchapter F.

When the Comptroller receives the notice and required information from the school district, the Comptroller will publish all submitted application materials on its Web site. The Comptroller is authorized to treat some application information as confidential and withhold it from publication on the Internet. To do so, however, the information must be segregated and comply with the other requirements set out in the Comptroller rules as explained in the Confidentiality Notice below.

The Comptroller will independently determine whether the application has been completed according to the Comptroller's rules (34 TAC Chapter 9, Subchapter F). If the Comptroller finds the application is not complete, the Comptroller will request additional materials from the school district. When the Comptroller determines that the application is complete, it will send the school district a notice indicating so. The Comptroller will determine the eligibility of the project, make a recommendation to the school board regarding the application and prepare an economic impact evaluation by the 90th day after the Comptroller receives a complete application—as determined by the Comptroller.

The school board must approve or disapprove the application before the 151st day after the application review start date (the date the application is finally determined to be complete), unless an extension is granted. The Comptroller and school district are authorized to request additional information from the applicant that is reasonably necessary to complete the recommendation, economic impact evaluation or consider the application at any time during the application review period.

Please visit the Comptroller's Web site to find out more about the program at <http://www.window.state.tx.us/taxinfo/proptax/hb1200/index.html>. There are links on this Web page to the Chapter 313 statute, rules and forms. Information about minimum limitation values for particular districts and wage standards may also be found at that site.

## SCHOOL DISTRICT INFORMATION - CERTIFICATION OF APPLICATION

Date application received by district

July 28, 2010

### Authorized School District Representative

First Name

Joe

Last Name

Ripple

Title

Superintendent

School District Name

Brazosport ISD

Street Address

301 W. Brazoswood Dr., Clute TX 77531

Mailing Address

P.O. Drawer Z

City

Freeport

State

TX

ZIP

77542

Phone Number

979-730-7000

Fax Number

979-266-2486

Mobile Number (optional)

E-mail Address

jripple@brazosportisd.net

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

Will consultant be primary contact? .....  Yes  No



Application for Appraised Value Limitation on Qualified Property

SCHOOL DISTRICT INFORMATION - CERTIFICATION OF APPLICATION (CONTINUED)

Authorized School District Consultant (If Applicable)

First Name

Dan

Last Name

Casey

Title

Partner

Firm Name

Moak, Casey & Associates

Street Address

400 W. 15th Street, Suite 1410

Mailing Address

same

City

Austin

State

TX

ZIP

78701-1648

Phone Number

512-485-7878

Fax Number

512-485-7888

Mobile Number (Optional)

E-mail Address

dcasey@moakcasey.com

I am the authorized representative for the school district to which this application is being submitted. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code.

Signature (Authorized School District Representative)

*Joe K. Ripstein*

Date

8/9/10

Has the district determined this application complete?  Yes  No

If yes, date determined complete. August 3, 2010

Have you completed the school finance documents required by TAC 9.1054(c)(3)?  Yes  No

SCHOOL DISTRICT CHECKLIST AND REQUESTED ATTACHMENTS

Checklist	Page X of 16	Check Completed
1 Date application received by the ISD	1 of 16	✓
2 Certification page signed and dated by authorized school district representative	2 of 16	✓
3 Date application deemed complete by ISD	2 of 16	✓
4 Certification pages signed and dated by applicant or authorized business representative of applicant	4 of 16	✓
5 Completed company checklist	12 of 16	✓
6 School finance documents described in TAC 9.1054(c)(3) (Due within 20 days of district providing notice of completed application)	2 of 16	✓

APPLICANT INFORMATION - CERTIFICATION OF APPLICATION

Authorized Business Representative (Applicant)

First Name

Chaney

Last Name

Moore

Title

Sr. Tax Specialist

Organization

The Dow Chemical Company

Street Address

2301 N. Brazosport Blvd.

Mailing Address

2301 N. Brazosport Blvd.

City

Freeport

State

TX

ZIP

77541

Phone Number

979.238.5576

Fax Number

979.238.0207

Mobile Number (optional)

979.236.7479

Business e-mail Address

CTMoore@Dow.com

Will a company official other than the authorized business representative be responsible for responding to future information requests?

Yes

No

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

First Name

Last Name

Title

Organization

Street Address

Mailing Address

City

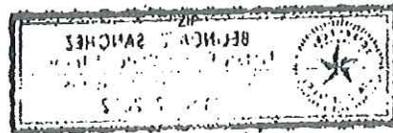
State

Fax Number

Phone Number

Mobile Number (optional)

E-mail Address



I authorize the consultant to provide and obtain information related to this application.

Yes

No

Will consultant be primary contact?

Yes

No

**FEES AND PAYMENTS**

Enclosed is proof of application fee paid to the school district.

For the purpose of this question, "payments to the school district" include any and all payments or transfers of things of value made to the school district or to any person or persons in any form if such payment or transfer of thing of value being provided is in recognition of, anticipation of, or consideration for the agreement for limitation on appraised value.

Please answer only either A OR B:

A. Will any "payments to the school district" that you may make in order to receive a property tax value limitation agreement result in payments that are not in compliance with Tax Code, 313.027(i)?  Yes  No

B. If "payments to the school district" will only be determined by a formula or methodology without a specific amount being specified, could such method result in "payments to the school district" that are not in compliance with Tax Code §313.027(i)?  Yes  No

**BUSINESS APPLICANT INFORMATION**

Legal Name under which application is made

The Dow Chemical Company

Texas Taxpayer I.D. Number of entity subject to Tax Code, Chapter 171 (11 digits)

13812851288

NAICS code

325000 Chemical Manufacturing

Is the applicant a party to any other Chapter 313 agreements?  Yes  No

If yes, please list name of school district and year of agreement.

Brazosport ISD 2002

**APPLICANT BUSINESS STRUCTURE**

Registered to do business in Texas with the Texas Secretary of State?  Yes  No

Identify business organization of applicant (corporation, limited liability corporation, etc.)

Corporation

1. Is the applicant a combined group, or comprised of members of a combined group, as defined by Texas Tax Code Chapter 171.0001(7)?  Yes  No  
If so, please attach documentation of the combined group membership and contact information.

2. Is the applicant current on all tax payments due to the State of Texas?  Yes  No

3. Are all applicant members of the combined group current on all tax payments due to the State of Texas?  NA  Yes  No

If the answer to either question is no, please explain and/or disclose any history of default, delinquencies and/or any material litigation, including litigation involving the State of Texas. (Use attachment if necessary.)



Application for Appraised Value Limitation on Qualified Property

ELIGIBILITY UNDER TAX CODE CHAPTER 313.024

- Are you an entity to which Tax Code, Chapter 171 applies?
The property will be used as an integral part, or as a necessary auxiliary part, in one of the following activities:
(1) manufacturing
(2) research and development
(3) a clean coal project, as defined by Section 5.001, Water Code
(4) an advanced clean energy project, as defined by Section 382.003, Health and Safety Code
(5) renewable energy electric generation
(6) electric power generation using integrated gasification combined cycle technology
(7) nuclear electric power generation
(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)
Are you requesting that any of the land be classified as qualified investment?
Will any of the proposed qualified investment be leased under a capitalized lease?
Will any of the proposed qualified investment be leased under an operating lease?
Are you including property that is owned by a person other than the applicant?
Will any property be pooled or proposed to be pooled with property owned by the applicant in determining the amount of your qualified investment?

PROJECT DESCRIPTION

Provide a detailed description of the scope of the proposed project, including, at a minimum, the type and planned use of real and tangible personal property, the nature of the business, a timeline for property construction or installation, and any other relevant information. (Use attachments as necessary)

See Attached Description

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

See Attached Description

PROJECT CHARACTERISTICS (CHECK ALL THAT APPLY)

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

PROJECTED TIMELINE

Begin Construction 2011, Begin Hiring New Employees 2013, Construction Complete 2013, Fully Operational 2013, Purchase Machinery & Equipment 2011-2013

Do you propose to construct a new building or to erect or affix a new improvement after your application review start date (date your application is finally determined to be complete)?

When do you anticipate the new buildings or improvements will be placed in service? 2013

**ECONOMIC INCENTIVES**

Identify state programs the project will apply for:

State Source

Amount

None

_____	_____
_____	_____
_____	_____
Total	_____

Will other incentives be offered by local units of government?  Yes  No

Please use the following box for additional details regarding incentives. (Use attachments if necessary.)

Tax Abatements with the County, Port, Drainage District, College and IDAs.

**THE PROPERTY**

Identify county or counties in which the proposed project will be located Brazoria County

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

Will this CAD be acting on behalf of another CAD to appraise this property?  Yes  No

List all taxing entities that have jurisdiction for the property and the portion of project within each entity

County: Brazoria 100% City: Industrial District Agreement 100% (not in city limits)  
(Name and percent of project) (Name and percent of project)

Hospital District: \_\_\_\_\_ Water District: Velasco Drainage District 100%  
(Name and percent of project) (Name and percent of project)

Other (describe): Port of Freeport 100% Other (describe): Brazosport College 100%  
(Name and percent of project) (Name and percent of project)

Is the project located entirely within this ISD?  Yes  No  
 If not, please provide additional information on the project scope and size to assist in the economic analysis.



Application for Appraised Value Limitation on Qualified Property

INVESTMENT

NOTE: The minimum amount of qualified investment required to qualify for an appraised value limitation and the minimum amount of appraised value limitation vary depending on whether the school district is classified as rural, and the taxable value of the property within the school district. For assistance in determining estimates of these minimums, access the Comptroller's Web site at www.window.state.tx.us/taxinfo/proptax/hb1200/values.html.

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

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

What is your total estimated qualified investment? \$96,000,000

NOTE: See 313.021(1) for full definition. Generally, Qualified Investment is the sum of the investment in tangible personal property and buildings and new improvements made between beginning of the qualifying time period (date of application final approval by the school district) and the end of the second complete tax year.

What is the anticipated date of application approval? 1/2/2001

What is the anticipated date of the beginning of the qualifying time period? 1/2/2013

What is the total estimated investment for this project for the period from the time of application submission to the end of the limitation period? \$768,000,000

Describe the qualified investment. (See 313.021(1).)

Attach the following items to this application:

- (1) a specific and detailed description of the qualified investment you propose to make on the property for which you are requesting an appraised value limitation as defined by Tax Code §313.021,
(2) a description of any new buildings, proposed improvements or personal property which you intend to include as part of your minimum qualified investment and
(3) a map of the qualified investment showing location of new buildings or new improvements with vicinity map.

Do you intend to make at least the minimum qualified investment required by Tax Code §313.023 (or 313.053 for rural school districts) for the relevant school district category during the qualifying time period? Yes No

Except for new equipment described in Tax Code §151.318(q) or (q-1), is the proposed tangible personal property to be placed in service for the first time:

(1) in or on the new building or other new improvement for which you are applying? Yes No

(2) if not in or on the new building or other new improvement for which you are applying for an appraised value limitation, is the personal property necessary and ancillary to the business conducted in the new building or other new improvement? Yes No

(3) on the same parcel of land as the building for which you are applying for an appraised value limitation? Yes No

("First placed in service" means the first use of the property by the taxpayer.)

Will the investment in real or personal property you propose be counted toward the minimum qualified investment required by Tax Code §313.023, (or 313.053 for rural school districts) be first placed in service in this state during the applicable qualifying time period? Yes No

Does the investment in tangible personal property meet the requirements of Tax Code §313.021(1)? Yes No

If the proposed investment includes a building or a permanent, non-removable component of a building, does it house tangible personal property? Yes No

QUALIFIED PROPERTY

Describe the qualified property. [See 313.021(2)] (If qualified investment describes qualified property exactly you may skip items (1), (2) and (3) below.)

Attach the following items to this application:

- (1) a specific and detailed description of the qualified property for which you are requesting an appraised value limitation as defined by Tax Code §313.021,
(2) a description of any new buildings, proposed improvements or personal property which you intend to include as part of your qualified property and
(3) a map of the qualified property showing location of new buildings or new improvements - with vicinity map.

Land

Is the land on which you propose new construction or improvements currently located in an area designated as a reinvestment zone under Tax Code Chapter 311 or 312 or as an enterprise zone under Government Code Chapter 2303? Yes No

If you answered "no" to the question above, what is the anticipated date on which you will submit proof of a reinvestment zone with boundaries encompassing the land on which you propose new construction or improvements? January 2011

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

Will the project be on leased land? Yes No

**WAGE AND EMPLOYMENT INFORMATION (CONTINUED)**

For the following three wage calculations please include on an attachment the four most recent quarters of data for each wage calculation. Show the average and the 110% calculation. Include documentation from TWC Web site. The final actual statutory minimum annual wage requirement for the applicant for each qualifying job — which may differ slightly from this estimate — will be based on information from the four quarterly periods for which data were available at the time of the application review start date (date of a completed application). See TAC §9.1051(7).

110% of the county average weekly wage for all jobs (all industries) in the county is 841.50

110% of the county average weekly wage for manufacturing jobs in the county is 1558.75

110% of the county average weekly wage for manufacturing jobs in the region is 1007.54

Please identify which Tax Code section you are using to estimate the wage standard required for this project:

§313.021(5)(A) or  §313.021(5)(B) or  §313.021(3)(E)(ii), or  §313.051(b)?

What is the estimated minimum required annual wage for each qualifying job based on the qualified property? 89,160.50

What is the estimated minimum required annual wage you are committing to pay for each of the qualifying jobs you create on the qualified property? 89,160.50

- Will 80% of all new jobs created by the owner be qualifying jobs as defined by 313.021(3)?  Yes  No
- Will each qualifying job require at least 1,600 of work a year?  Yes  No
- Will any of the qualifying jobs be jobs transferred from one area of the state to another?  Yes  No
- Will any of the qualifying jobs be retained jobs?  Yes  No
- Will any of the qualifying jobs be created to replace a previous employee?  Yes  No
- Will any required qualifying jobs be filled by employees of contractors?  Yes  No

If yes, what percent? \_\_\_\_\_

Does the applicant or contractor of the applicant offer to pay at least 80% of the employee's health insurance premium for each qualifying job?  Yes  No

Describe each type of benefits to be offered to qualifying jobholders. (Use attachments as necessary.)

**See attached**

**ECONOMIC IMPACT**

- Is an Economic Impact Analysis attached (If supplied by other than the Comptroller's office)?  Yes  No
- Is Schedule A completed and signed for all years and attached?  Yes  No
- Is Schedule B completed and signed for all years and attached?  Yes  No
- Is Schedule C (Application) completed and signed for all years and attached?  Yes  No
- Is Schedule D completed and signed for all years and attached?  Yes  No

Note: Excel spreadsheet versions of schedules are available for download and printing at URL listed below.

If there are any other payments made in the state or economic information that you believe should be included in the economic analysis, please attach a separate schedule showing the amount for each year affected, including an explanation.

Application for Appraised Value Limitation on Qualified Property



**QUALIFIED PROPERTY (CONTINUED)**

If the land upon which the new building or new improvement is to be built is part of the qualified property described by §313.021(2)(A), please attach complete documentation, including:

1. Legal description of the land
2. Each existing appraisal parcel number of the land on which the improvements will be constructed, regardless of whether or not all of the land described in the current parcel will become qualified property
3. Owner
4. The current taxable value of the land. Attach estimate if land is part of larger parcel.
5. A detailed map (with a vicinity map) showing the location of the land

Attach a map of the reinvestment zone boundaries, certified to be accurate by either the governmental entity creating the zone, the local appraisal district, or a licensed surveyor. (With vicinity map)

Attach the order, resolution or ordinance establishing the zone, and the guidelines and criteria for creating the zone, if applicable.

Miscellaneous  
Is the proposed project a building or new improvement to an existing facility?  Yes  No

Attach a description of any existing improvements and include existing appraisal district account numbers.

List current market value of existing property at site as of most recent tax year. N/A (Market Value) (Tax Year)

Is any of the existing property subject to a value limitation agreement under Tax Code 313?  Yes  No

Will all of the property for which you are requesting an appraised value limitation be free of a tax abatement agreement entered into by a school district for the duration of the limitation?  Yes  No

**WAGE AND EMPLOYMENT INFORMATION**

What is the estimated number of permanent jobs (more than 1,600 hours a year), with the applicant or a contractor of the applicant, on the proposed qualified property during the last complete quarter before the application review start date (date your application is finally determined to be complete)? 0

The last complete calendar quarter before application review start date is the:  
 First Quarter  Second Quarter  Third Quarter  Fourth Quarter of 2010 (Year)

What were the number of permanent jobs (more than 1,600 hours a year) this applicant had in Texas during the most recent quarter reported to the TWC?  
4,749

Note: For job definitions see TAC §9.1051(14) and Tax Code 313.021(3). If the applicant intends to apply a definition for "new job" other than TAC §9.1051(14)(C), then please provide the definition of "new job" as used in this application.

Total number of new jobs that will have been created when fully operational 10 new jobs, 26 additional jobs will be retained (Brazoria Count is an SIA per 313.051(a)(1))

Do you plan to create at least 25 new jobs (at least 10 new jobs for rural school districts) on the land and in connection with the new building or other improvement?  Yes  No

Do you intend to request that the governing body waive the minimum new job creation requirement, as provided under Tax Code §313.025(f-1)?  Yes  No

If you answered "yes" to the question above, attach evidence documenting that the new job creation requirement above exceeds the number of employees necessary for the operation, according to industry standards. Note: Even if a minimum new job waiver is provided, 80% of all new jobs must be qualifying jobs pursuant to Texas Tax Code, §313.024(d).

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

If this project creates more than 1,000 new jobs, the minimum required wage for this project is 110% of the average county weekly wage for all jobs as described by 313.021(3)(E)(ii).

If this project creates less than 1,000 new jobs, does this district have territory in a county that meets the demographic characteristics of 313.051(2)? (see table of information showing this district characteristic at <http://www.window.state.tx.us/taxinfo/proptax/hb1200/values.html>)

If yes, the applicant must meet wage standard described in 313.051(b) (110% of the regional average weekly wage for manufacturing)

If no, the applicant shall designate one of the wage standards set out in §§313.021(5)(A) or 313.021(5)(B).

**CONFIDENTIALITY NOTICE**

**Property Tax Limitation Agreement Applications  
Texas Government Code Chapter 313  
Confidential Information Submitted to the Comptroller**

Generally, an application for property tax value limitation, the information provided therein, and documents submitted in support thereof, are considered public information subject to release under the Texas Public Information Act.

There is an exception, outlined below, by which information will be withheld from disclosure.

The Comptroller's office will withhold information from public release if:

- 1) It describes the specific processes or business activities to be conducted or the specific tangible personal property to be located on real property covered by the application;
- 2) the information has been segregated in the application from other information in the application; and
- 3) the party requesting confidentiality provides the Comptroller's office a list of the documents for which confidentiality is sought and for each document lists the specific reasons, including any relevant legal authority, stating why the material is believed to be confidential.

All applications and parts of applications which are not segregated and marked as confidential as outlined above will be considered public information and will be posted on the Internet.

Such information properly identified as confidential will be withheld from public release unless and until the governing body of the school district acts on the application, or we are directed to do so by a ruling from the Attorney General.

Other information in the custody of a school district or the comptroller submitted in connection with the application, including information related to the economic impact of a project or the essential elements of eligibility under Texas Tax Code, Chapter 313, such as

the nature and amount of the projected investment, employment, wages, and benefits, will not be considered confidential business information and will be posted on the Internet.

All documents submitted to the Comptroller, as well as all information in the application once the school district acts thereon, are subject to public release unless specific parts of the application or documents submitted with the application are identified as confidential. Any person seeking to limit disclosure of such submitted records is advised to consult with their legal counsel regarding disclosure issues and also to take the appropriate precautions to safeguard copyrighted material, trade secrets, or any other proprietary information. The Comptroller assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by respondents. A person seeking to limit disclosure of information must submit in writing specific detailed reasons, including any relevant legal authority, stating why that person believes the material to be confidential.

The following outlines how the Comptroller's office will handle requests for information submitted under the Texas Public Information Act for application portions and submitted records appropriately identified as confidential.

- This office shall forward the request for records and a copy of the documents at issue to the Texas Attorney General's office for an opinion on whether such information may be withheld from disclosure under the Texas Public Information Act.
- The Comptroller will notify the person who submitted the application/documents when the information is forwarded to the Attorney General's office.
- Please be aware that this Office is obligated to comply with an Attorney General's decision, including release of information ruled public even if it was marked confidential.



Application for Appraised Value Limitation on Qualified Property

COMPANY CHECKLIST AND REQUESTED ATTACHMENTS

	Checklist	Page X of 16	Check Completed
1	Certification pages signed and dated by Authorized Business Representative (applicant)	4 of 16	✓
2	Proof of Payment of Application Fee (Attachment)	5 of 16	✓
3	For applicant members, documentation of Combined Group membership under Texas Tax Code 171.0001(7) (if Applicable) (Attachment)	5 of 16	✓
4	Detailed description of the project	6 of 16	✓
5	If project is located in more than one district, name other districts and list percentage in each district (Attachment)	7 of 16	
6	Description of Qualified Investment (Attachment)	8 of 16	✓
7	Map of qualified investment showing location of new buildings or new improvements with vicinity map.	8 of 16	✓
8	Description of Qualified Property (Attachment)	8 of 16	✓
9	Map of qualified property showing location of new buildings or new improvements with vicinity map.	8 of 16	✓
10	Description of Land (Attachment)	9 of 16	✓
11	A detailed map showing location of the land with vicinity map.	9 of 16	✓
12	A description of all existing (if any) improvements (Attachment)	9 of 16	
13	Request for Waiver of Job Creation Requirement (if applicable) (Attachment)	9 of 16	
14	Calculation of three possible wage requirements with TWC documentation. (Attachment)	10 of 16	✓
15	Description of Benefits	10 of 16	✓
16	Economic Impact (if applicable)	10 of 16	
17	Schedule A completed and signed	13 of 16	✓
18	Schedule B completed and signed	14 of 16	✓
19	Schedule C (Application) completed and signed	15 of 16	✓
20	Schedule D completed and signed	16 of 16	✓
21	Map of Reinvestment Zone (Attachment) (Showing the actual or proposed boundaries and size, Certified to be accurate by either the government entity creating the zone, the local appraisal district, or a licensed surveyor, with vicinity map)*	9 of 16	✓
22	Order, Resolution, or Ordinance Establishing the Zone (Attachment)*	9 of 16	✓
23	Legal Description of Reinvestment Zone (Attachment)*	9 of 16	✓
24	Guidelines and Criteria for Reinvestment Zone(Attachment)*	9 of 16	✓

\*To be submitted with application or before date of final application approval by school board.



Application for Appraised Value Limitation on Qualified Property

APPLICANT INFORMATION - CERTIFICATION OF APPLICATION (CONTINUED)

Authorized Company Consultant (If Applicable)

Form fields for Authorized Company Consultant: First Name, Last Name, Title, Firm Name, Street Address, Mailing Address, City, State, ZIP, Phone Number, Fax Number, Business email Address.

I am the authorized representative for the business entity for the purpose of filing this application. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code. The information contained in this application is true and correct to the best of my knowledge and belief. I hereby certify and affirm that the business entity I represent is in good standing under the laws of the state in which the business entity was organized and that no delinquent taxes are owed to the State of Texas.

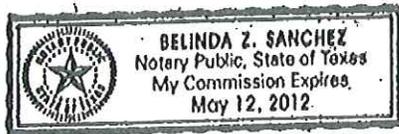
Signature (Authorized Business Representative (Applicant))

Handwritten signature of Belinda Z. Sanchez

Date

7/20/10

GIVEN under my hand and seal of office this 20 day of July, 2010



(Notary Seal)

Belinda Z. Sanchez
Notary Public, State of Texas

My commission expires 5-12-12

If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code § 37.10.

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)*

TEXAS FRANCHISE TAX  
 EXTENSION REQUEST

Taxpayer number: 13812851288  
 Report year: 2010  
 Due date: 05/17/2010

Taxpayer name THE DOW CHEMICAL COMPANY				Secretary of State file number or Comptroller file number	
Mailing address 2030 DOW CENTER TAX DEPARTMENT					
City MIDLAND	State MI	Country US	ZIP Code 48674	Plus 4	Check box if the address has changed <input type="checkbox"/>
Check box if this is a combined report <input checked="" type="checkbox"/>					

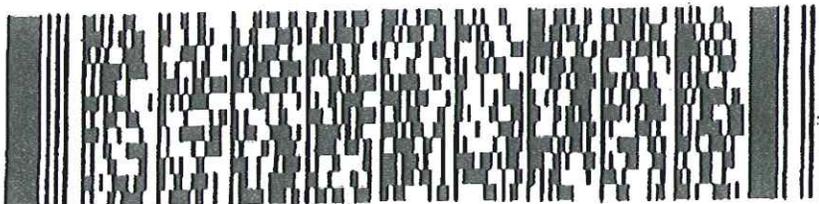
- Check this box if you will be using your 2008 Temporary Credit for Business Loss Carryforward for the report year for which you are requesting this extension (See instructions) 1.
- Check this box if you will begin using your 1992 Temporary Credit for the report year for which you are requesting this extension (See instructions) 2.
- Extension payment (Dollars and cents) 3.  0.00

If this extension is for a combined group, you must also complete and submit Form 05-165.

Print or type name MARK W. KLOPFENSTEIN		Area code and phone number 909-638-6890
I declare that the information in this document and any attachments is true and correct to the best of my knowledge and belief		
Sign here <i>Mark Klopfenstein</i>	Date 4-28-10	Mall original to: COMPTROLLER OF PUBLIC ACCOUNTS P.O. Box 149348 Austin, TX 78714-9348

If you have any questions regarding franchise tax, you may contact the Texas State Comptroller's field office in your area or call (800) 252-1381, toll free nationwide. The Austin number is (512) 463-4600. For instructions on completing the franchise tax report forms, see Form 05-393.

Texas Comptroller Official Use Only



VE/DE	<input type="checkbox"/>
PM Date	



**TEXAS FRANCHISE TAX  
EXTENSION AFFILIATE LIST**

■ Reporting entity taxpayer number

13812851288

■ Report year

2010

Reporting entity taxpayer name

THE DOW CHEMICAL COMPANY

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. PROJECT ALPENA		<input checked="" type="checkbox"/>
2. DOW SOUTH AFRICA HOLDINGS (0877)	38-1285127	<input checked="" type="checkbox"/>
3. WARBLER 1 LLC (1081)	38-3594985	<input checked="" type="checkbox"/>
4. DOW TRENT LIMITED (1075)		<input checked="" type="checkbox"/>
5. DOW UK LIMITED (1076)		<input checked="" type="checkbox"/>
6. BUILDSCAPE LLC (1050)	59-3681220	<input checked="" type="checkbox"/>
7. ESSEX SPECIALTY PRODUCTS LLC (POST 2	22-2425568	<input checked="" type="checkbox"/>
8. CHEMARS III LLC (RFGL 1161)	76-0732339	<input checked="" type="checkbox"/>
9. DMM FINANCIAL LLC (RFGL 1159)	52-2144735	<input checked="" type="checkbox"/>
10. DW DEXCO INVESTMENT LLC (RFGL 1170)	38-1285124	<input checked="" type="checkbox"/>
11. TEXAS LNG HOLDINGS LLC (RFGL 1193)	13-4290705	<input checked="" type="checkbox"/>
12. DOW PACIFIC HOLDINGS B.V.		<input checked="" type="checkbox"/>
13. SPHERIC DEVELOPMENT LLC (RFGL 1240)	13-4356383	<input checked="" type="checkbox"/>
14. WALSRODER PACKAGING LLC	20-5007928	<input checked="" type="checkbox"/>
15. GNS TECHNOLOGIES, LLC	27-0050101	<input checked="" type="checkbox"/>
16. DOW HOLDINGS LLC	38-3021197	<input checked="" type="checkbox"/>
17. DOW HYDROCARBONS AND RESOURCES LLC	38-3008322	<input type="checkbox"/>
18. HALTERMANN BRANCH		<input checked="" type="checkbox"/>
19. DOW CAPITAL INTERNATIONAL LLC	90-0404459	<input checked="" type="checkbox"/>
20. DOW ROOFING SYSTEMS LLC	32037816827	<input type="checkbox"/>
21. K-DOW PETROCHEMICALS US LLC	16115679215	<input checked="" type="checkbox"/>

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VE/DE	<input type="checkbox"/>
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1. FILMTEC CORPORATION	13826338363	<input type="checkbox"/>
2. DOW DEUTSCHLAND INC (POST -00)	38-2750231	<input checked="" type="checkbox"/>
3. DOW FINANCIAL SERVICES INC	38-2900737	<input checked="" type="checkbox"/>
4. DOW ENVIRONMENTAL INC	94-3032723	<input checked="" type="checkbox"/>
5. ESSEX CHEMICAL CORPORATION	22-1569963	<input checked="" type="checkbox"/>
6. DOW PIPELINE COMPANY	17417110461	<input type="checkbox"/>
7. CAYUSE PIPELINE INC	17419639491	<input type="checkbox"/>
8. DOW INTRASTATE GAS COMPANY	72-0910103	<input checked="" type="checkbox"/>
9. RAVENWORKS LTD	38-2606901	<input checked="" type="checkbox"/>
10. DOW ENGINEERING INC	74-1691545	<input checked="" type="checkbox"/>
11. DOW ENGINEERING COMPANY	17416535577	<input checked="" type="checkbox"/>
12. GREAT WESTERN PIPELINE CO INC	38-2490880	<input checked="" type="checkbox"/>
13. MIDLAND PIPELINE CORPORATION	38-2051442	<input checked="" type="checkbox"/>
14. DC PARTNERSHIP MGMT INC	38-3021196	<input checked="" type="checkbox"/>
16. ROFAN SERVICES INC	13828538556	<input type="checkbox"/>
16. LIANA LIMITED	38-2720200	<input checked="" type="checkbox"/>
17. DOW CREDIT CORPORATION	13827063036	<input checked="" type="checkbox"/>
18. DOW CHEMICAL DELAWARE CORP	38-2342582	<input checked="" type="checkbox"/>
19. DOFINCO INC	38-2449438	<input checked="" type="checkbox"/>
20. DCOMCO INC	13820515461	<input type="checkbox"/>
21. DIAMOND CAPITAL MGMT INC	38-3082218	<input checked="" type="checkbox"/>

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VE/DE



**TEXAS FRANCHISE TAX  
EXTENSION AFFILIATE LIST**

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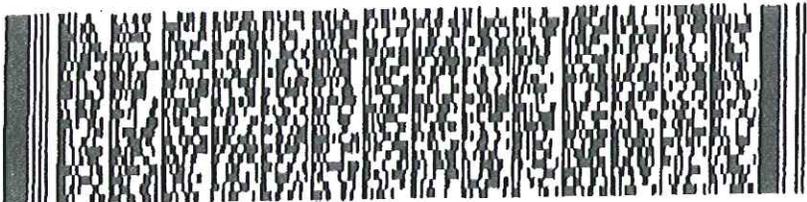
■ Report year  
2010

Reporting entity taxpayer name  
THE DOW CHEMICAL COMPANY

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. RAVEN GROUP LTD	17604561518	<input checked="" type="checkbox"/>
2. MYCOGEN CORPORATION	95-3802654	<input checked="" type="checkbox"/>
3. WENBEN INC	38-3259830	<input checked="" type="checkbox"/>
4. CENTEN AG INC	38-3355904	<input checked="" type="checkbox"/>
5. CD POLYMERS INC	38-3381083	<input checked="" type="checkbox"/>
6. CHEMARS INC	38-3374164	<input checked="" type="checkbox"/>
7. INTARSIA CORPORATION	38-3377901	<input checked="" type="checkbox"/>
8. DSL HOLDINGS INC	93-1233800	<input checked="" type="checkbox"/>
9. TCM TECHNOLOGIES INC	38-3388082	<input checked="" type="checkbox"/>
10. SENTRACHEM US INC	04-3337631	<input checked="" type="checkbox"/>
11. HAMPSHIRE HOLDINGS INC	04-3329141	<input checked="" type="checkbox"/>
12. HAMPSHIRE CHEMICAL CORPORATION	10431657443	<input type="checkbox"/>
13. IFCO INC	98-0133746	<input checked="" type="checkbox"/>
14. DOW GLOBAL TECHNOLOGIES INC	98-0133745	<input checked="" type="checkbox"/>
15. MYCOGEN PLANT SCIENCE INC	80-0050604	<input checked="" type="checkbox"/>
16. MYCOGEN CROP PROTECTION INC	13306687081	<input checked="" type="checkbox"/>
17. ANGUS CHEMICAL COMPANY	13631855577	<input type="checkbox"/>
18. CANSTATES HOLDINGS INC	73-1103605	<input checked="" type="checkbox"/>
19. FLEXIBLE PRODUCTS COMPANY	15808075400	<input type="checkbox"/>
20. AGRIGENETICS INC	13305928635	<input type="checkbox"/>
21. AGRIGENETICS MOLOKAI LLC (0177)	99-0355550	<input checked="" type="checkbox"/>

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VE/DE



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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. RENZE SEEDS LLC	26-3359085	<input checked="" type="checkbox"/>
2. BRODBECK SEEDS LLC	26-3594839	<input checked="" type="checkbox"/>
3. PFISTER SEEDS LLC	27-0534228	<input checked="" type="checkbox"/>
4. MYCOGEN SEEDS-PUERTO RICO CORPORATIO	31-1283941	<input checked="" type="checkbox"/>
5. GENERAL LATEX AND CHEMICAL CORPORATI	04-1360675	<input checked="" type="checkbox"/>
6. DOW INTERNATIONAL HOLDINGS COMPANY	38-3657644	<input checked="" type="checkbox"/>
7. DENNERCO INC. (POST 2002)	38-3418765	<input checked="" type="checkbox"/>
8. AVC HOLDINGS INC	83-0390646	<input checked="" type="checkbox"/>
9. DOW CUSTOMS & TRADE INC.	68-0582252	<input checked="" type="checkbox"/>
10. DOW DEUTSCHLAND MANAGEMENT, INC.	13-4314579	<input checked="" type="checkbox"/>
11. OML HOLDING INC.	13-4316190	<input checked="" type="checkbox"/>
12. GWN HOLDING, INC.	75-3213148	<input checked="" type="checkbox"/>
13. TEXAS TRIUMPH SEED CO., INC.	17511806451	<input checked="" type="checkbox"/>
14. DAIRYLAND SEED CO., INC.	13910298713	<input checked="" type="checkbox"/>
15. MONTEREY SEED COMPANY, INC.	17526639129	<input type="checkbox"/>
16. MYCOGEN FAR EAST ASIA CORPORATION	33-0614300	<input checked="" type="checkbox"/>
17. PARASITIX CORPORATION	33-0497436	<input checked="" type="checkbox"/>
18. UNION CARBIDE CORPORATION	11314217305	<input type="checkbox"/>
19. UCMG LLC (2074)	06-1557912	<input checked="" type="checkbox"/>
20. UNIÓN CARBIDE CHEMICALS & PLASTICS T	06-1258216	<input checked="" type="checkbox"/>
21. PENUELAS TECHNOLOGY PARK LLC (2118)	66-0622283	<input checked="" type="checkbox"/>

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Texas Comptroller Official Use Only

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**TEXAS FRANCHISE TAX  
EXTENSION AFFILIATE LIST**

■ Reporting entity taxpayer number

13812851288

■ Report year

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Reporting entity taxpayer name

THE DOW CHEMICAL COMPANY

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. AMERCHOL CORPORATION	12221799054	<input checked="" type="checkbox"/>
2. UNION CARBIDE ETHYLENE OXIDE GLYCOLS	30113853961	<input checked="" type="checkbox"/>
3. BENEFIT CAPITAL MANAGEMENT CORPORATI	06-1204181	<input checked="" type="checkbox"/>
4. CALIDRIA CORPORATION	06-1102281	<input checked="" type="checkbox"/>
5. CATALYSTS ADSORBENTS & PROCESS SYSTE	19000180828	<input checked="" type="checkbox"/>
6. GLOBAL INDUSTRIAL CORPORATION	11327985344	<input type="checkbox"/>
7. UC FINCO INC.	06-1080439	<input checked="" type="checkbox"/>
8. SOUTH CHARLESTON SEWAGE TREATMENT	55-0462374	<input checked="" type="checkbox"/>
9. SEADRIFT PIPELINE CORPORATION	11361054973	<input type="checkbox"/>
10. UNION CARBIDE POLYOLEFINS DEVELOPMEN	30114205674	<input type="checkbox"/>
11. UNION CARBIDE SUBSIDIARY C, INC.	10610842279	<input checked="" type="checkbox"/>
12. UNION CARBIDE WIRE AND CABLE COMPANY	13-2613538	<input checked="" type="checkbox"/>
13. UCAR EMULSION SYSTEM INTERNATIONAL I	62-1561414	<input checked="" type="checkbox"/>
14. UCAR INTERAM INC	11325848742	<input type="checkbox"/>
16. UCAR LOUISIANA PIPELINE COMPANY	13-2815163	<input checked="" type="checkbox"/>
16. UCAR PIPELINE INC	11326135370	<input type="checkbox"/>
17. UMETCO MINERALS CORPORATION	06-1102283	<input checked="" type="checkbox"/>
18. UMETCO MINERALS EXPLORATION CORPORAT	13-2592312	<input checked="" type="checkbox"/>
19. UNION CARBIDE SUBSIDIARY Q INC.	06-1554525	<input checked="" type="checkbox"/>
20. UNION CARBIDE PAN AMERICA LTD	13-2585077	<input checked="" type="checkbox"/>
21. UNISON TRANSFORMER SERVICES INC	15506567922	<input checked="" type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-184 (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.

Texas Comptroller Official Use Only



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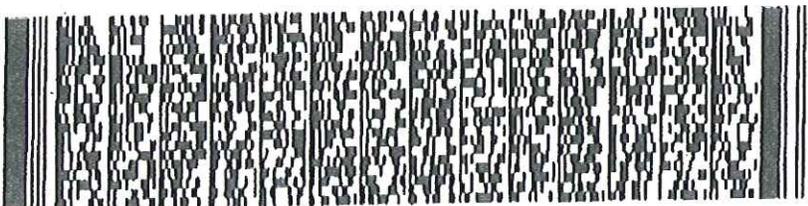


TEXAS FRANCHISE TAX  
EXTENSION AFFILIATE LIST■ Reporting entity taxpayer number  
13812851288■ Report year  
2010Reporting entity taxpayer name  
THE DOW CHEMICAL COMPANY

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. UNION CARBIDE ASIA PACIFIC INC	06-1252149	<input checked="" type="checkbox"/>
2. UNION CARBIDE INTER AMERICA INC (DEL	13-6103754	<input checked="" type="checkbox"/>
3. CHEMICALS MARINE FLEET INC	06-1080440	<input checked="" type="checkbox"/>
4. BLUE CREEK COAL COMPANY INC	06-1102285	<input checked="" type="checkbox"/>
6. UNION CARBIDE MIDDLE EAST LTD	13-6103756	<input checked="" type="checkbox"/>
6. MORTELL COMPANY	13615054858	<input checked="" type="checkbox"/>
7. AMERICAN MORTELL CORPORATION	17413956735	<input checked="" type="checkbox"/>
8. FORBANCO INC	38-2513537	<input checked="" type="checkbox"/>
9. DOW CHEMICAL TELECOMMUNICATIONS CORP	38-2039834	<input checked="" type="checkbox"/>
10. AUSTRALIA & NEW ZEALAND EXPLOR CO	13-2675493	<input checked="" type="checkbox"/>
11. DOW INTERNATIONAL TECHNOLOGY CORPORA	32-0198434	<input checked="" type="checkbox"/>
12. POLY-CARB, INC.	34-1130940	<input checked="" type="checkbox"/>
13. U.S. LABORATORIES, INC.	17511806451	<input checked="" type="checkbox"/>
14. CHEMTECH PORTFOLIO II INC	38-6082028	<input checked="" type="checkbox"/>
15. DOWBRANOS INC	13826259411	<input checked="" type="checkbox"/>
16. DOW AGROSCIENCES INTERNATIONAL LTD	35-1781710	<input checked="" type="checkbox"/>
17. CHEMTECH PORTFOLIO INC	15218697793	<input checked="" type="checkbox"/>
18. DOW AGROSCIENCES LLC	13517811181	<input type="checkbox"/>
19. CHEMTECH II LP	98-0134598	<input checked="" type="checkbox"/>
20. PHYTOGEN SEED COMPANY LLC	13307841430	<input type="checkbox"/>
21. DOW TECHNOLOGY INVESTMENTS LLC	26-0564994	<input checked="" type="checkbox"/>

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VE/DE	<input type="checkbox"/>
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LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECKBOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. KDP UC LLC	32038010941	<input checked="" type="checkbox"/>
2. CALVIN CAPITAL LLC	80-0259683	<input checked="" type="checkbox"/>
3. DOW NETHERLANDS HOLDING LLC	77-0708504	<input checked="" type="checkbox"/>
4. DOW INTERNATIONAL TECHNOLOGY CORPORA	32-0198434	<input checked="" type="checkbox"/>
6. MYCOSUB BH INC	33-0345918	<input checked="" type="checkbox"/>
6. MYCOSUB BA INC	33-0345919	<input checked="" type="checkbox"/>
7. ROHM AND HAAS COMPANY	23-1028370	<input checked="" type="checkbox"/>
8. AGROFRESH INC.	36-4064051	<input type="checkbox"/>
9. ROHM AND HAAS CHEMICALS LLC	75-3175238	<input type="checkbox"/>
10. ROHM AND HAAS CAPITAL CORPORATION	51-0261234	<input checked="" type="checkbox"/>
11. CVD INCORPORATED	06-1113497	<input checked="" type="checkbox"/>
12. ROHM AND HAAS INVESTMENT HOLDINGS IN	23-2849256	<input checked="" type="checkbox"/>
13. ROHM AND HAAS INTERNATIONAL HOLDINGS	20-1591794	<input checked="" type="checkbox"/>
14. ROHM AND HAAS LATIN AMERICA INC.	51-0240844	<input checked="" type="checkbox"/>
16. ROH MONOMER HOLDING COMPANY	51-0406654	<input checked="" type="checkbox"/>
16. ROHM AND HAAS ELECTRONIC MATERIALS C	51-0107908	<input checked="" type="checkbox"/>
17. ROHM AND HAAS ELECTRONIC MATERIALS C	52-2069283	<input checked="" type="checkbox"/>
18. ROHM AND HAAS SOUTHEAST ASIA INC.	51-0255710	<input checked="" type="checkbox"/>
19. ROHM AND HAAS ELECTRONIC MATERIALS L	04-3252691	<input type="checkbox"/>
20. ROHM AND HAAS ELECTRONIC MATERIALS H	52-2046864	<input checked="" type="checkbox"/>
21. SILICON VALLEY CHEMICAL LABORATORIES	77-0258051	<input checked="" type="checkbox"/>

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1. ROHM AND HAAS TEXAS INCORPORATED	17417037615	<input checked="" type="checkbox"/>
2. MORTON INTERNATIONAL INC.	36-4140798	<input checked="" type="checkbox"/>
3. GLC TRUCKING COMPANY	95-3783831	<input checked="" type="checkbox"/>
4. MORTON INTERMEDIATE COMPANY	20-2003547	<input checked="" type="checkbox"/>
5.		<input type="checkbox"/>
6.		<input type="checkbox"/>
7.		<input type="checkbox"/>
8.		<input type="checkbox"/>
9.		<input type="checkbox"/>
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16.		<input type="checkbox"/>
17.		<input type="checkbox"/>
18.		<input type="checkbox"/>
19.		<input type="checkbox"/>
20.		<input type="checkbox"/>
21.		<input type="checkbox"/>

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Texas Comptroller Official Use Only

VE/DE	<input type="checkbox"/>
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## Project Description

This project will build a new 1.802 B lb/yr chlorine facility utilizing membrane cell technology. The facility will be located in Block B-800 at Freeport, Tx. Ops. Membrane Cell MET is defined based on Asahi ML60NCH high current density (HCD) cells. A membrane cell module/train is defined as a set of electrolyzers with single anolyte & catholyte circulation systems. CI7 will consist of 2 trains with each train made up of 10 membrane electrolyzers. The membrane cell process utilizes a selective membrane that separates the Chlorine and Sodium ions. The membrane allows the Sodium ion to 'migrate' across the membrane while keeping the Chlorine gas and salt (brine) solution in a compartment on the other side of the membrane. The solution produced by the membrane cell process is nominally 33-35 weight %. Evaporation is utilized to raise the concentration up to the nominal 50 weight % solution suitable for shipments.

The scope of this project includes the design of the ISBL portion of a membrane plant which includes brine purification, electrolyzers and circulation systems, Chlorine Cooling, Drying, and Compression, Hydrogen, anolyte dechlorination, anolyte treatment, CI2 vent scrubber, 32% caustic evaporation, 50% caustic storage, anhydrous HCL headers, Stratton Ridge anolyte systems and utilities .

The project also includes, as an integral part, and necessary auxiliary part of the manufacturing process, surface equipment, valves, and instrumentation to control the mining of the salt cavern which is also located on the property and within the reinvestment zone.

The salt cavern operation is used to produce brine which is necessary feed stock for chlorine production for the Chlorine 7 Plant. As a part of the process, depleted brine from the production of chlorine is recycled from the Chlorine Plant to the Stratton Ridge Salt Dome site, The depleted brine will be pumped at high pressures into the salt cavern to dissolve the salt. The depleted brine dissolves the salt, and the resulting product will become raw brine. The raw brine will then be treated on the manufacturing site to remove the solids and hardness. The resulting product, treated brine will then be pumped to the main chlorine plant for final processing, completing the manufacturing process,

ATTACHMENT 5

N/A

## Qualified Investment

This project will build a new 1.802 B lb/yr chlorine facility utilizing membrane cell technology. The facility will be located in Block B-800 at Freeport, Tx. Ops. Membrane Cell MET is defined based on Asahi ML60NCH high current density (HCD) cells. A membrane cell module/train is defined as a set of electrolyzers with single anolyte & catholyte circulation systems. C17 will consist of 2 trains with each train made up of 10 membrane electrolyzers.

The scope of this project includes the design of the ISBL portion of a membrane plant which includes brine purification, electrolyzers and circulation systems, Chlorine Cooling, Drying, and Compression, Hydrogen, anolyte dechlorination, anolyte treatment, C12 vent scrubber, 32% caustic evaporation, 50% caustic storage, anhydrous HCL headers, Stratton Ridge anolyte systems and utilities .

**CONFIDENTIAL**

## Qualified Property

This project will build a new 1.802 B lb/yr chlorine facility utilizing membrane cell technology. The facility will be located in Block B-800 at Freeport, Tx. Ops. Membrane Cell MET is defined based on Asahi ML60NCH high current density (HCD) cells. A membrane cell module/train is defined as a set of electrolyzers with single anolyte & catholyte circulation systems. C17 will consist of 2 trains with each train made up of 10 membrane electrolyzers.

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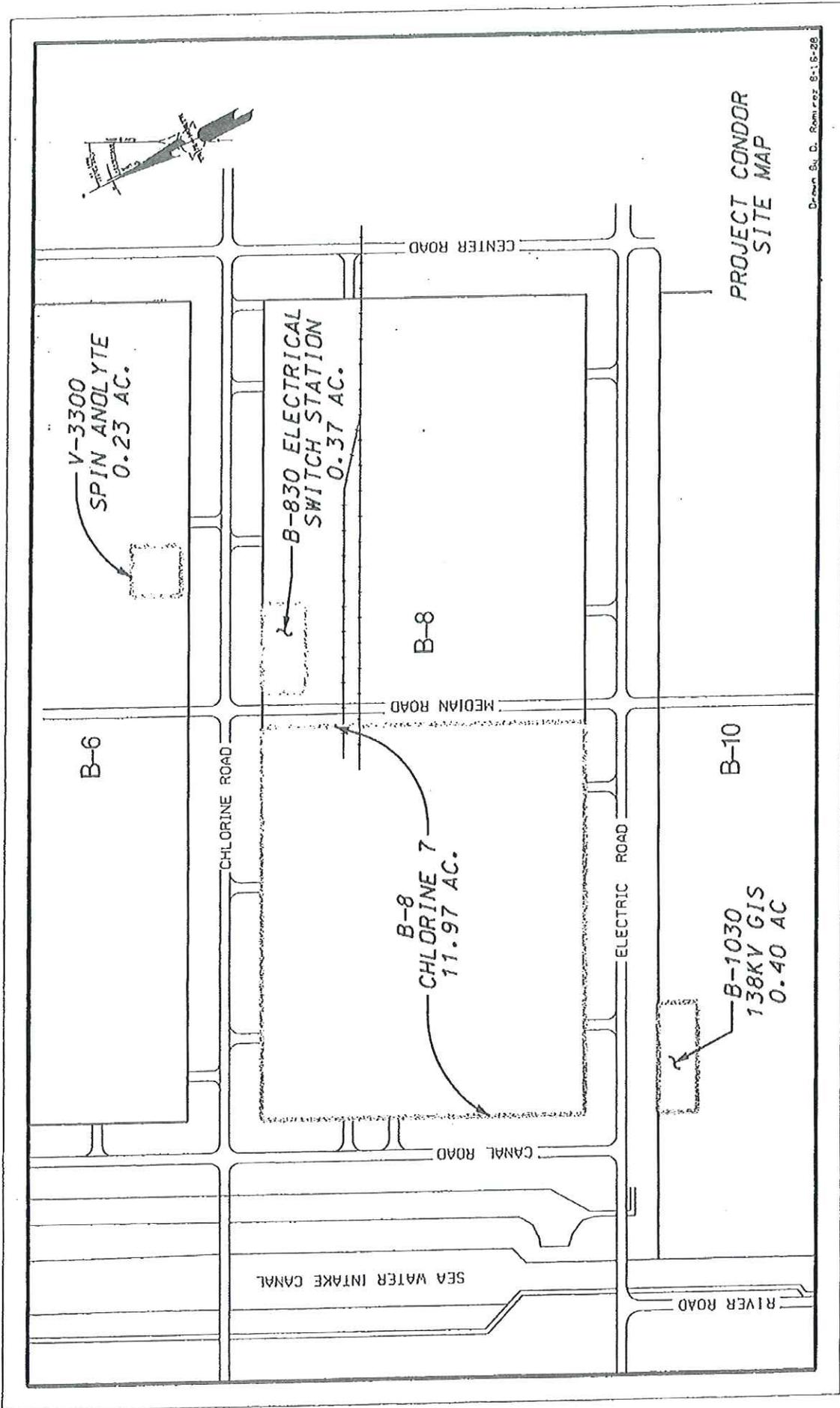
**CONFIDENTIAL**

## EXHIBIT A

### DESCRIPTION OF REINVESTMENT ZONE

The Dow Chemical Company Reinvestment Zone includes the following property. A map of The Dow Chemical Company Reinvestment Zone is also attached as the next page as **EXHIBIT B**.

- All of the land contained within the area bordered to the North by Entrance Road; bordered to the East by Park Road; bordered to the South by South Levee Road; and, bordered to the West by Station Road, all of which is wholly located within the territorial boundaries of the Brazosport Independent School District, and within the territorial boundaries of Brazoria County, Texas.



PROJECT CONDOR  
SITE MAP

Drawn By: D. Ramirez 8-15-98

BRAZORIA COUNTY  
TEXAS

STRATTON RIDGE  
CHLORINE 7  
1.14 AC

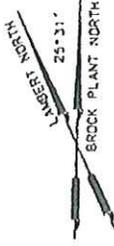
MARLIN  
PONDS

F.M. 523 RIGHT-OF-WAY

MISSOURI PACIFIC RAILROAD (100' WIDE)

JARED E. GROCE 5 LEAGUES  
A-66

PROJECT CONDOR  
SITE MAP



Drawn By: D. Ramirez 8-15-02

ATTACHMENT 12

N/A

ATTACHMENT 13

N/A

### Quarterly Employment and Wages (QCEW)

[Back](#)

Page 1 of 1 (40 results/page)

Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2009	2nd Qtr	Brazoria County	Private	00	0	10	Total, All Industries	\$807
2009	3rd Qtr	Brazoria County	Private	00	0	10	Total, All Industries	\$797
2009	4th Qtr	Brazoria County	Private	00	0	10	Total, All Industries	\$882
2010	1st Qtr	Brazoria County	Private	00	0	10	Total, All Industries	\$880
2010	1st Qtr	Brazoria County	Private	31	2	31-33	Manufacturing	\$1,801
2009	4th Qtr	Brazoria County	Private	31	2	31-33	Manufacturing	\$1,549
2009	3rd Qtr	Brazoria County	Private	31	2	31-33	Manufacturing	\$1,428
2009	2nd Qtr	Brazoria County	Private	31	2	31-33	Manufacturing	\$1,457

All Industries  
 \$\$\$ 3360/4  
 \$ 841.50 AWW  
 x 52 weeks  
 -----  
 \$ 43,758  
 x 1.10  
 -----  
 \$ 48,133.80

Manufacturing  
 \$ 6235/4  
 \$ 1558.75  
 x 52 weeks  
 -----  
 \$ 81,055  
 x 1.10  
 -----  
 \$ 89,160.50

**2009 Manufacturing Wages by Council of Government Region  
Wages for All Occupations**

COG	Wages	
	Hourly	Annual
Texas	\$21.43	\$44,583
<a href="#">1. Panhandle Regional Planning Commission</a>	\$18.38	\$38,227
<a href="#">2. South Plains Association of Governments</a>	\$15.67	\$32,596
<a href="#">3. NORTEX Regional Planning Commission</a>	\$19.60	\$40,768
<a href="#">4. North Central Texas Council of Governments</a>	\$23.44	\$48,754
<a href="#">5. Ark-Tex Council of Governments</a>	\$15.14	\$31,489
<a href="#">6. East Texas Council of Governments</a>	\$16.87	\$35,091
<a href="#">7. West Central Texas Council of Governments</a>	\$17.27	\$35,916
<a href="#">8. Rio Grande Council of Governments</a>	\$15.26	\$31,732
<a href="#">9. Permian Basin Regional Planning Commission</a>	\$19.11	\$39,757
<a href="#">10. Concho Valley Council of Governments</a>	\$14.80	\$30,784
<a href="#">11. Heart of Texas Council of Governments</a>	\$17.41	\$36,206
<a href="#">12. Capital Area Council of Governments</a>	\$25.60	\$53,244
<a href="#">13. Brazos Valley Council of Governments</a>	\$15.33	\$31,893
<a href="#">14. Deep East Texas Council of Governments</a>	\$15.46	\$32,151
<a href="#">15. South East Texas Regional Planning Commission</a>	\$25.53	\$53,095
<a href="#">16. Houston-Galveston Area Council</a>	\$22.90	\$47,629
<a href="#">17. Golden Crescent Regional Planning Commission</a>	\$19.84	\$41,273
<a href="#">18. Alamo Area Council of Governments</a>	\$16.82	\$34,984
<a href="#">19. South Texas Development Council</a>	\$13.68	\$28,445
<a href="#">20. Coastal Bend Council of Governments</a>	\$22.10	\$45,967
<a href="#">21. Lower Rio Grande Valley Development Council</a>	\$13.52	\$28,114
<a href="#">22. Texoma Council of Governments</a>	\$18.42	\$38,305
<a href="#">23. Central Texas Council of Governments</a>	\$16.58	\$34,484
<a href="#">24. Middle Rio Grande Development Council</a>	\$13.66	\$28,416

Source: Texas Occupational Employment and Wages

Data published: July 2010

Data published annually, next update will be June 2011.

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

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

Data intended for TAC 313 purposes only.

$$47629 * 110\% = 52,391.90$$

$$47629 / 52 * 110\% = 1007.54$$

ATTACHMENT 15

Benefits

The Dow Chemical Company offers Medical and Dental Insurance, Life Insurance, 401K Savings Plan, Pension Plan, Vacation & Holiday Pay, Employee Stock Purchase Plan, Family & Personal Counseling Services.

ATTACHMENT 16

N/A

Schedule A (Rev. May 2010): Investment

Applicant Name: The Dow Chemical Company  
 SSN: 000000000

Form 50-296

PROPERTY INVESTMENT AMOUNTS									
(Estimated investment in each year. Do not put cumulative totals.)									
Column A: School Year (YYYY-YYYY)	Column B: Tax Year (If in actual tax year, use YYYY)	Column C: Tangible Personal Property (The amount of new investments placed in service during the year)	Column D: Building or personal nonexhaustible investment (Building (initial amount only))	Column E: Sum of A and B Qualifying investment during the qualifying time period	Column F: Direct investment that is not qualified investment but investment allowing equitable residual and initial value	Column G: Total Investment (A, F, D)			
2010-2011	2010	\$ 375,000,000	\$ 8,000,000	\$ 383,000,000	\$ 10,000,000	\$ 393,000,000			
2011-2012	2011	\$ 267,000,000		\$ 267,000,000	\$ 10,000,000	\$ 277,000,000			
2012-2013	2012								
2013-2014	2013								
2014-2015	2014								
2015-2016	2015								
2016-2017	2016								
2017-2018	2017								
2018-2019	2018								
2019-2020	2019								
2020-2021	2020								
2021-2022	2021								
2022-2023	2022								
2023-2024	2023								
2024-2025	2024								
2025-2026	2025								
2026-2027	2026								
2027-2028	2027								
2028-2029	2028								

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

**Column A:** This represents the total dollar amount of planned investment in tangible personal property in applicant controlled facilities.

**Column B:** For the purposes of investment, please list amount invested each year, not cumulative totals.

**Column C:** If or the years outside the qualifying time period, this number should simply represent the planned investment in tangible personal property.

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

**Column E:** The total dollar amount of planned investment each year in buildings or nonexhaustible components of buildings that the applicant considers qualified investment under Tax Code §513.021(1)(E).

**Column F:** For the years outside the qualifying time period, this number should simply represent the planned investment in new buildings or nonexhaustible components of buildings.

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

**Notes:** Land can be listed as part of investment during the "pre-year 1" time period. It cannot be part of qualifying investment.

**Notes:** For advanced clean energy projects, nuclear projects, projects with deferred qualifying time periods, and projects with lengthy application review periods, attach additional review as needed.

This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, please original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter zero amounts for future years.

7/2/10

DATE

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

**Schedule B (Rev. May 2010): Estimated Market And Taxable Value**  
**The Dow Chemical Company**  
**Brazosport ISD**

Form 50-296

Applicant Name  
 ISD Name

Year	School Year (YYYY)	Tax Year (Fill in actual tax year)	Qualified Property			Reductions from Market Value	Estimated Taxable Value	Final taxable value for 18S - after all reductions	Final taxable value for M&O - after all reductions
			Estimated Market Value of Land	Estimated Total Market Value of tangible personal property in the building or on the new improvement	Estimated Total Market Value of new buildings or other improvements				
pre-year 1	2012-2013	2012	\$52,450	\$ 4,000,000	\$ 183,500,000	\$ 5,000,000	\$ 182,552,450	\$ 182,552,450	
pre-year 2	2013-2014	2013	\$52,450	\$ 4,000,000	\$ 317,000,000	\$ 10,000,000	\$ 311,052,450	\$ 311,052,450	
Complete tax years of qualifying time period	1	2014-2015	\$52,450	\$ 8,000,000	\$ 736,000,000	\$ 22,000,000	\$ 722,052,450	\$ 722,052,450	
	2	2015-2016	\$52,450	\$ 7,680,000	\$ 706,560,000	\$ 21,120,000	\$ 693,172,450	\$ 693,172,450	
	3	2016-2017	\$52,450	\$ 7,372,800	\$ 678,297,600	\$ 20,275,200	\$ 665,447,650	\$ 30,000,000	
	4	2017-2018	\$52,450	\$ 7,077,888	\$ 651,165,696	\$ 19,464,192	\$ 638,831,842	\$ 30,000,000	
	5	2018-2019	\$52,450	\$ 6,794,772	\$ 625,119,068	\$ 18,685,624	\$ 613,280,666	\$ 30,000,000	
Tax Credit Period (with 50% cap on credit)	6	2019-2020	\$52,450	\$ 6,522,982	\$ 600,114,305	\$ 17,938,199	\$ 588,751,536	\$ 30,000,000	
	7	2020-2021	\$52,450	\$ 6,262,062	\$ 576,109,733	\$ 17,220,671	\$ 565,203,574	\$ 30,000,000	
	8	2021-2022	\$52,450	\$ 6,011,580	\$ 553,065,944	\$ 16,531,845	\$ 542,597,529	\$ 30,000,000	
	9	2022-2023	\$52,450	\$ 5,771,117	\$ 530,942,730	\$ 15,870,571	\$ 520,895,726	\$ 30,000,000	
	10	2023-2024	\$52,450	\$ 5,540,272	\$ 509,705,021	\$ 15,235,748	\$ 500,061,995	\$ 30,000,000	
Credit Settle-Up Period	11	2024-2025	\$52,450	\$ 5,318,661	\$ 489,316,820	\$ 14,626,318	\$ 480,061,613	\$ 480,061,613	
	12	2025-2026	\$52,450	\$ 5,105,915	\$ 469,744,147	\$ 14,041,265	\$ 460,861,247	\$ 460,861,247	
	13	2026-2027	\$52,450	\$ 4,901,676	\$ 450,954,381	\$ 13,479,615	\$ 442,428,895	\$ 442,428,895	
Post-Settle-Up Period	14	2027-2028	\$52,450	\$ 4,705,611	\$ 432,916,206	\$ 12,940,430	\$ 424,733,837	\$ 424,733,837	
	15	2028-2029	\$52,450	\$ 4,517,386	\$ 415,599,556	\$ 12,422,813	\$ 407,746,562	\$ 407,746,562	

Notes: Market value in future years is good faith estimate of future taxable value for the purposes of property taxation. This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

*[Signature]*

7/2/10

DATE

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

Schedule C- Application: Employment Information

The Dow Chemical Company  
Brazosport ISD

Applicant Name  
ISD Name

Form 50-296

Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Construction		New Jobs		Qualifying Jobs	
			Column A: Number of Construction FTE's or man-hours (specify)	Column B: Average annual wage rates for construction workers	Column C: Number of new jobs applicant commits to create (cumulative)	Column D: Average annual wage rate for all new jobs.	Column E: Number of qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Column F: Average annual wage of qualifying jobs
pre-year 1	2012-2013	2012	\$ 480,000	\$ 54,010				
pre-year 2	2013-2014	2013	\$ 1,920,000	\$ 55,526				
1	2014-2015	2014	\$ 768,000	\$ 57,082	10	\$ 107,880	\$ 107,880	\$ 107,880
2	2015-2016	2015			10	\$ 107,880	\$ 107,880	\$ 107,880
3	2016-2017	2016			10	\$ 110,038	\$ 110,038	\$ 110,038
4	2017-2018	2017			10	\$ 112,238	\$ 112,238	\$ 112,238
5	2018-2019	2018			10	\$ 114,483	\$ 114,483	\$ 114,483
6	2019-2020	2019			10	\$ 116,773	\$ 116,773	\$ 116,773
7	2020-2021	2020			10	\$ 119,108	\$ 119,108	\$ 119,108
8	2021-2022	2021			10	\$ 121,490	\$ 121,490	\$ 121,490
9	2022-2023	2022			10	\$ 123,920	\$ 123,920	\$ 123,920
10	2023-2024	2023			10	\$ 126,399	\$ 126,399	\$ 126,399
11	2024-2025	2024			10	\$ 128,927	\$ 128,927	\$ 128,927
12	2025-2026	2025			10	\$ 131,505	\$ 131,505	\$ 131,505
13	2026-2027	2026			10	\$ 134,195	\$ 134,195	\$ 134,195
14	2027-2028	2027			10	\$ 136,818	\$ 136,818	\$ 136,818
15	2028-2029	2028			10	\$ 139,554	\$ 139,554	\$ 139,554

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

This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.



SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

7/2/10  
DATE

Schedule D: (Rev. May 2010): Other Tax Information

Applicant Name

The Dow Chemical Company

Brazosport ISD

Form 54-286

	Year	School Year (YYYY-YYYY)	Tax/Calendar Year YYYY	Sales Tax Information		Franchise Tax				Other Property Tax Abatements Sought		
				Column F: Estimate of total annual expenditures subject to state sales tax	Column G: Estimate of total annual expenditures made in Texas NOT subject to sales tax	Column H: Estimate of Franchise tax due from (or attributable to) the applicant	County	City (Industrial District Agreement)	Drainage	College		
		2011-2012	2011	16408000	366531000	\$ -	0%	0%	0%	0%	0%	0%
	Pre Year 1	2012-2013	2012	11481000	255519000	\$ 5,031,897	0%	0%	0%	0%	0%	0%
	Pre Year 2	2013-2014	2013	4128000	91872000	\$ 13,965,464						
The year preceding the first complete tax year of the qualifying time period (assuming no...)	1	2014-2015	2014			\$ 15,372,795	100%	100%	100%	100%	100%	100%
	2	2015-2016	2015			\$ 16,565,800	100%	100%	100%	100%	100%	100%
	3	2016-2017	2016			\$ 16,930,649	100%	100%	100%	100%	100%	100%
	4	2017-2018	2017			\$ 11,612,213	100%	100%	100%	100%	100%	100%
	5	2018-2019	2018			\$ 12,966,453	100%	100%	100%	100%	100%	100%
	6	2019-2020	2019			\$ 13,000,000	100%	100%	100%	100%	100%	100%
	7	2020-2021	2020			\$ 13,000,000	100%	100%	100%	100%	100%	100%
	8	2021-2022	2021			\$ 13,000,000	0%	0%	0%	0%	0%	0%
	9	2022-2023	2022			\$ 13,000,000	0%	0%	0%	0%	0%	0%
	10	2023-2024	2023			\$ 13,000,000	0%	0%	0%	0%	0%	0%
Tax Credit Period (with 50% cap on credit)	11	2024-2025	2024			\$ 13,000,000	0%	0%	0%	0%	0%	0%
	12	2025-2026	2025			\$ 13,000,000	0%	0%	0%	0%	0%	0%
	13	2026-2027	2026			\$ 13,000,000	0%	0%	0%	0%	0%	0%
Credit Settle-Up Period	14	2027-2028	2027			\$ 13,000,000	0%	0%	0%	0%	0%	0%
	15	2028-2029	2028			\$ 13,000,000	0%	0%	0%	0%	0%	0%

7/2/10  
DATE

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

\*For planning, consultation and opinion of the faculty.



STATE HIGHWAY 288

DOW WASTE WATER CANAL

PLANT S. NORTH  
TEXAS-LAMBERT

B-7

B-12

B-14

PARK ROAD

B-1

B-2

B-4

B-4

CENTER ROAD

ENTRANCE ROAD

CHLORINE ROAD

ELECTRIC ROAD

SOUTH LEVEE ROAD

BRAZOS RIVER

B-3

B-6

B-8

B-10

MEDIAN ROAD

FACILITY

CANAL ROAD

B-13

B-22

B-24

B-35

STATION ROAD

## RESOLUTION

**A RESOLUTION DESIGNATING A CERTAIN AREA AS A REINVESTMENT ZONE FOR TEXAS TAX CODE CHAPTER 313 APPRAISED VALUE LIMITATION IN THE BRAZOSPORT INDEPENDENT SCHOOL DISTRICT, IN PORTIONS OF BRAZORIA COUNTY TEXAS, TO BE KNOWN AS *THE DOW CHEMICAL COMPANY REINVESTMENT ZONE*; ESTABLISHING THE BOUNDARIES THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE.**

*WHEREAS*, the Board of Trustees of the Brazosport Independent School District desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a reinvestment zone as authorized by the Property Redevelopment and Tax Abatement Act, as amended (V.T.C.A. Texas Tax Code § 312.0025), for the purpose of authorizing an *Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes*, as authorized by Chapter 313 of the Texas Tax Code; and,

*WHEREAS*, on \_\_\_\_\_, 2010, a hearing before the Board of Trustees of the Brazosport Independent School District was held, such date being at least seven (7) days after the date of publication of the notice of such public hearing, and the delivery of written notice to the respective presiding officers of each taxing entity which includes within its boundaries real property that is to be included in the proposed reinvestment zone; and,

*WHEREAS*, the Board of Trustees of the Brazosport Independent School District at such public hearing invited any interested person to appear and speak for or against the creation of the reinvestment zone, and whether all or part of the territory described should be included in the proposed reinvestment zone; and,

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

***BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE BRAZOSPORT INDEPENDENT SCHOOL DISTRICT:***

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

SECTION 2. That the Board of Trustees of the Brazosport Independent School District, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations based on the evidence and testimony presented to it:

- (a) That the public hearing on the adoption of *The Dow Chemical Company*

*Reinvestment Zone* has been properly called, held and conducted, and that notices of such hearing have been published as required by law and mailed to the respective presiding officers of the governing bodies of all taxing units overlapping the territory inside the proposed reinvestment zone; and,

- (b) That the boundaries of *The Dow Chemical Company Reinvestment Zone* be and, by the adoption of this Resolution, is declared and certified to be, the area as described in the description attached hereto as “**EXHIBIT A**”; and,
- (c) That the map attached hereto as “**EXHIBIT B**” is declared to be and, by the adoption of this Resolution is certified to accurately depict and show the boundaries of *The Dow Chemical Company Reinvestment Zone* which is normatively described in **EXHIBIT A**; and further certifies that the property described in **EXHIBIT A** is inside the boundaries shown on **EXHIBIT B**; and,
- (d) That creation of *The Dow Chemical Company Reinvestment Zone* with boundaries as described in **EXHIBIT A** and **EXHIBIT B** will result in benefits to the Brazosport Independent School District and to land included in the zone, and that the improvements sought are feasible and practical; and,
- (e) *The Dow Chemical Company Reinvestment Zone* described in **EXHIBIT A** and **EXHIBIT B** meets the criteria set forth in Texas Tax Code §312.0025 for the creation of a reinvestment zone as set forth in the Property Redevelopment and Tax Abatement Act, as amended, in that it is reasonably likely that the designation will contribute to the retention or expansion of primary employment, and/or will attract investment in the zone that will be a benefit to the property, and would contribute to economic development within the Brazosport Independent School District.

SECTION 3. That pursuant to the Property Redevelopment and Tax Abatement Act, as amended, the Brazosport Independent School District, hereby creates a reinvestment zone under the provisions of Tex. Tax Code § 312.0025, encompassing the area described by the descriptions in **EXHIBIT A** and **EXHIBIT B**, and such reinvestment zone is hereby designated and shall hereafter be referred to as The Dow Chemical Company Reinvestment Zone.

SECTION 4. That *The Dow Chemical Company Reinvestment Zone* shall take effect upon adoption by the Board of Trustees and shall remain designated as a commercial-industrial reinvestment zone for a period of five (5) years from such date of such designation.

SECTION 5. That if any section, paragraph, clause or provision of this Resolution shall for any reason beheld to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

SECTION 6. That it is hereby found, determined and declared that a sufficient notice of the date, hour, place and subject of the meeting of the Brazosport Independent School District Board of Trustees, at which this Resolution was adopted, was posted at a place convenient and readily accessible at all times, as required by the Texas Open Government Act, Texas Government Code, Chapter 551, as amended; and that a public hearing was held prior to the designation of such reinvestment zone, and that proper notice of the hearing was published in newspapers of general circulation in Brazoria County of the State of Texas, and furthermore, such notice was, in fact, delivered to the presiding officer of any effected taxing entity as prescribed by the Property Redevelopment and Tax Abatement Act.

PASSED, APPROVED AND ADOPTED on this \_\_ day of \_\_\_\_\_, 2010.

**BRAZOSPORT INDEPENDENT SCHOOL  
DISTRICT**

By: \_\_\_\_\_  
**JAY LUCE**  
President  
Board of Trustees

**ATTEST:**

\_\_\_\_\_  
**BOBBY SHARP**  
Secretary  
Board of Trustees

# EXHIBIT A

## DESCRIPTION OF REINVESTMENT ZONE

The Dow Chemical Company Reinvestment Zone includes the following property. A map of The Dow Chemical Company Reinvestment Zone is also attached as the next page as **EXHIBIT B**.

- All of the land contained within the area bordered to the North by Entrance Road; bordered to the East by Park Road; bordered to the South by South Levee Road; and, bordered to the West by Station Road, all of which is wholly located within the territorial boundaries of the Brazosport Independent School District, and within the territorial boundaries of Brazoria County, Texas.



STATE HIGHWAY 288

DOWN WASTE WATER CANAL



B-7

B-12

B-14

B-1

B-2

B-4

B-4

BRAZOS RIVER

CHLORINE ROAD

ELECTRIC ROAD

SOUTH LEVEE ROAD

ENTRANCE ROAD

CENTER ROAD

MEDIAN ROAD

B-8

B-10

FACILITY

B-3

B-6

CANAL ROAD

B-13

B-22

B-24

B-35

STATION ROAD