



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

Economic Development  
and Analysis  
**Form 50-296-A**

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

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

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

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

When the Comptroller receives the notice and required information from the school district, the Comptroller will publish all submitted application materials on its website. The Comptroller is authorized to treat some application information as confidential and withhold it from publication on the Internet. To do so, however, the information must be segregated and comply with the other requirements set out in the Comptroller rules. For more information, see guidelines on Comptroller's website.

The Comptroller will independently determine whether the application has been completed according to the Comptroller's rules (34 TAC Chapter 9, Subchapter F). If the Comptroller finds the application is not complete, the Comptroller will request additional materials from the school district. Pursuant to 9.1053(a)(1)(C), requested information shall be provided within 20 days of the date of the request. When the Comptroller determines that the application is complete, it will send the school district a notice indicating so. The Comptroller will determine the eligibility of the project, issue a certificate for a limitation on appraised value to the school board regarding the application and prepare an economic impact evaluation by the 90th day after the Comptroller receives a complete application—as determined by the Comptroller.

The school board must approve or disapprove the application 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 issue a certificate, complete the economic impact evaluation or consider the application at any time during the application review period.

Please visit the Comptroller's website to find out more about the program at [www.texasahead.org/tax\\_programs/chapter313/](http://www.texasahead.org/tax_programs/chapter313/). There are links on this Web page 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 August 25, 2014

Date Application Received by District  
**Keith**

First Name  
**Superintendent**

Title  
**Bay City ISD**

School District Name  
**520 7th Street**

Street Address  
**PO Box 2510**

Mailing Address  
**Bay City**

City  
**979-245-5766**

Phone Number

Mobile Number (optional)

**Brown**

Last Name

State  
**Texas**

ZIP  
**77414**

City

State

ZIP  
**979-241-6077**

Fax Number

Email Address  
**keith.brown@bcblackcats.net**

2. Does the district authorize the consultant to provide and obtain information related to this application?  Yes  No

The Economic Development and Analysis Division at the Texas Comptroller of Public Accounts provides information and resources for taxpayers and local taxing entities.

For more information, visit our website:  
[www.TexasAhead.org/tax\\_programs/chapter313/](http://www.TexasAhead.org/tax_programs/chapter313/)  
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**SECTION 1: School District Information (continued)**

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

Francine	Stefan
First Name	Last Name
Vice President	
Title	
FirstSouthwest	
Firm Name	
713-654-8622	713-654-8658
Phone Number	Fax Number
	Francine.Stefan@firstsw.com
Mobile Number (optional)	Email Address

4. On what date did the district determine this application complete? ..... September 15, 2014
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)**

Wolfgang	Hackenberg	
First Name	Last Name	
VP/Treasurer	Oxea Corporation	
Title	Organization	
1505 West LBJ Freeway, Suite 400		
Street Address		
Mailing Address		
Dallas	Texas	75234
City	State	ZIP
972 481 2710	972 481 2777	
Phone Number	Fax Number	
214 929 2519	wolfgang.hackenberg@oxea-chemicals.com	
Mobile Number (optional)	Business Email Address	

2. Will a company official other than the authorized company representative be responsible for responding to future information requests? .....  Yes  No
- 2a. If yes, please fill out contact information for that person.

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

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



**SECTION 2: Applicant Information (continued)**

**4. Authorized Company Consultant (If Applicable)**

First Name \_\_\_\_\_

Last Name \_\_\_\_\_

Title \_\_\_\_\_

Firm Name \_\_\_\_\_

Phone Number \_\_\_\_\_

Fax Number \_\_\_\_\_

Business Email Address \_\_\_\_\_

**SECTION 3: Fees and Payments**

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

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

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

For the purpose of questions 2 and 3, "payments to the school district" include any and all payments or transfers of things of value made to the school district or to any person or persons in any form if such payment or transfer of thing of value being provided is in recognition of, anticipation of, or consideration for the agreement for limitation on appraised value.

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

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

**SECTION 4: Business Applicant Information**

1. What is the legal name of the applicant under which this application is made? \_\_\_\_\_ Oxea Corporation

2. List the Texas Taxpayer I.D. number of entity subject to Tax Code, Chapter 171 (11 digits) ..... 13006113081

3. List the NAICS code ..... 325100

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

4a. If yes, please list application number, name of school district and year of agreement

**SECTION 5: Applicant Business Structure**

1. Identify Business Organization of Applicant (corporation, limited liability corporation, etc) \_\_\_\_\_ Corporation

2. Is applicant a combined group, or comprised of members of a combined group, as defined by Tax Code §171.0001(7)? .....  Yes  No

2a. If yes, attach in **Tab 3** a copy of Texas Comptroller Franchise Tax Form No. 05-165, No. 05-166, or any other documentation from the Franchise Tax Division to demonstrate the applicant's combined group membership and contact information.

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

4. Are all applicant members of the combined group current on all tax payments due to the State of Texas? .....  Yes  No  N/A

5. If the answer to question 3 or 4 is no, please explain and/or disclose any history of default, delinquencies and/or any material litigation, including litigation involving the State of Texas. (If necessary, attach explanation in **Tab 3**)

**SECTION 6: Eligibility Under Tax Code Chapter 313.024**

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

**SECTION 7: Project Description**

1. In Tab 4, attach a detailed description of the scope of the proposed project, including, at a minimum, the type and planned use of real and tangible personal property, the nature of the business, a timeline for property construction or installation, and any other relevant information.
2. Check the project characteristics that apply to the proposed project:
 

<input type="checkbox"/> Land has no existing improvements	<input type="checkbox"/> Land has existing improvements ( <i>complete Section 13</i> )
<input checked="" type="checkbox"/> Expansion of existing operation on the land ( <i>complete Section 13</i> )	<input type="checkbox"/> 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 or contracts for work to be performed 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 official 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. 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
8. Has the applicant considered or is the applicant considering other locations not in Texas for the proposed project?  Yes  No
9. Has the applicant provided capital investment or return on investment information for the proposed project in comparison with other alternative investment opportunities?  Yes  No
10. Has the applicant provided information related to the applicant's inputs, transportation and markets for the proposed project?  Yes  No

If you answered "yes" to any of the questions in Section 8, attach supporting information in Tab 5.

**SECTION 9: Projected Timeline**

1. Application approval by school board ..... September 2014
2. Beginning of qualifying time period ..... January 2015
3. First year of limitation ..... January 2017
4. Begin hiring new employees ..... Q3/2016
5. Commencement of commercial operations ..... Q1/2017
6. Do you propose to construct a new building or to erect or affix a new improvement after your application review start date (date your application is finally determined to be complete)? .....  Yes  No  
 Note: Improvements made before that time may not be considered qualified property.
7. When do you anticipate the new buildings or improvements will be placed in service? ..... Q1/2017

**SECTION 10: The Property**

1. Identify county or counties in which the proposed project will be located ..... Matagorda County
2. Identify Central Appraisal District (CAD) that will be responsible for appraising the property ..... Matagorda County Appraisal District
3. Will this CAD be acting on behalf of another CAD to appraise this property? .....  Yes  No
4. List all taxing entities that have jurisdiction for the property, the portion of project within each entity and tax rates for each entity:  
 County: Matagorda County, 0.320990, 100% City: Coastal Plains Groundwater District, 0.00476, 100%  
(Name, tax rate and percent of project) (Name, tax rate and percent of project)  
 Hospital District: Matagorda Co Hospit, 0.25600, 100% Water District: Drainage District #1, 0.086000, 100%  
(Name, tax rate and percent of project) (Name, tax rate and percent of project)  
 Other (describe): Port of Bay City, 0.036450, 100% Other (describe): Cons & Recl District, 0.005220, 100%  
(Name, tax rate and percent of project) (Name, tax rate and percent of project)
5. Is the project located entirely within the ISD listed in Section 1? .....  Yes  No  
 5a. If no, attach in **Tab 6** additional information on the project scope and size to assist in the economic analysis.
6. Did you receive a determination from the Texas Economic Development and Tourism Office that this proposed project and at least one other project seeking a limitation agreement constitute a single unified project (SUP), as allowed in §313.024(d-2)? .....  Yes  No  
 6a. If yes, attach in **Tab 6** supporting documentation from the Office of the Governor.

**SECTION 11: Investment**

**NOTE:** The minimum amount of qualified investment required to qualify for an appraised value limitation and the minimum amount of appraised value limitation vary depending on whether the school district is classified as Subchapter B or Subchapter C, and the taxable value of the property within the school district. For assistance in determining estimates of these minimums, access the Comptroller's website at [www.texasahead.org/tax\\_programs/chapter313/](http://www.texasahead.org/tax_programs/chapter313/).

1. At the time of application, what is the estimated minimum qualified investment required for this school district? ..... 30.00
2. What is the amount of appraised value limitation for which you are applying? ..... 30.00  
 Note: The property value limitation amount is based on property values available at the time of application and may change prior to the execution of any final agreement.
3. Does the qualified investment meet the requirements of Tax Code §313.021(1)? .....  Yes  No
4. Attach a description of the qualified investment [See §313.021(1).] The description must include:
  - a. a specific and detailed description of the qualified investment you propose to make on the property for which you are requesting an appraised value limitation as defined by Tax Code §313.021 (**Tab 7**);
  - b. a description of any new buildings, proposed new improvements or personal property which you intend to include as part of your minimum qualified investment (**Tab 7**); and
  - c. a detailed map of the qualified investment showing location of new buildings or new improvements with vicinity map (**Tab 11**).
5. Do you intend to make at least the minimum qualified investment required by Tax Code §313.023 (or §313.053 for Subchapter C school districts) for the relevant school district category during the qualifying time period? .....  Yes  No

**SECTION 12: Qualified Property**

1. Attach a detailed description of the qualified property. [See §313.021(2)] (If qualified investment describes qualified property exactly, you may skip items a, b and c below.) The description must include:
  - 1a. a specific and detailed description of the qualified property for which you are requesting an appraised value limitation as defined by Tax Code §313.021 (Tab 8);
  - 1b. a description of any new buildings, proposed new improvements or personal property which you intend to include as part of your qualified property (Tab 8); and
  - 1c. a map of the qualified property showing location of new buildings or new improvements with vicinity map (Tab 11).
2. Is the land upon which the new buildings or new improvements will be built part of the qualified property described by §313.021(2)(A)?  Yes  No
  - 2a. If yes, attach complete documentation including:
    - a. legal description of the land (Tab 9);
    - b. each existing appraisal parcel number of the land on which the new improvements will be constructed, regardless of whether or not all of the land described in the current parcel will become qualified property (Tab 9);
    - c. owner (Tab 9);
    - d. the current taxable value of the land. Attach estimate if land is part of larger parcel (Tab 9); and
    - e. a detailed map showing the location of the land with vicinity map (Tab 11).
3. Is the land on which you propose new construction or new improvements currently located in an area designated as a reinvestment zone under Tax Code Chapter 311 or 312 or as an enterprise zone under Government Code Chapter 2303?  Yes  No
  - 3a. If yes, attach the applicable supporting documentation:
    - a. evidence that the area qualifies as a enterprise zone as defined by the Governor's Office (Tab 16);
    - b. legal description of reinvestment zone (Tab 16);
    - c. order, resolution or ordinance establishing the reinvestment zone (Tab 16);
    - d. guidelines and criteria for creating the zone (Tab 16); and
    - e. a map of the reinvestment zone or enterprise zone boundaries with vicinity map (Tab 11)
  - 3b. If no, submit detailed description of proposed reinvestment zone or enterprise zone with a map indicating the boundaries of the zone on which you propose new construction or new improvements to the Comptroller's office within 30 days of the application date. What is the anticipated date on which you will submit final proof of a reinvestment zone or enterprise zone? .....

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

1. In Tab 10, attach a specific and detailed description of all **existing property**. This includes buildings and improvements existing as of the application review start date (the date the application is determined to be complete by the Comptroller). The description must provide sufficient detail to locate all existing property on the land that will be subject to the agreement and distinguish existing property from future proposed property.
2. In Tab 10, attach a specific and detailed description of all **proposed new property that will not become new improvements** as defined by TAC 9.1051. This includes proposed property that: functionally replaces existing or demolished/removed property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property; or is otherwise ineligible to become qualified property. The description must provide sufficient detail to distinguish existing property (question 1) and all proposed new property that cannot become qualified property from proposed qualified property that will be subject to the agreement (as described in Section 12 of this application).
3. For the property not eligible to become qualified property listed in response to questions 1 and 2 of this section, provide the following supporting information in Tab 10:
  - a. maps and/or detailed site plan;
  - b. surveys;
  - c. appraisal district values and parcel numbers;
  - d. inventory lists;
  - e. existing and proposed property lists;
  - f. model and serial numbers of existing property; or
  - g. other information of sufficient detail and description.
4. Total estimated market value of existing property (that property described in response to question 1): ..... \$ 50.00
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): ..... \$ \_\_\_\_\_

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

**SECTION 14: Wage and Employment Information**

1. What is the estimated number of permanent jobs (more than 1,600 hours a year), with the applicant or a contractor of the applicant, on the proposed qualified property during the last complete quarter before the application review start date (date your application is finally determined to be complete)? ..... 164
  
2. What is the last complete calendar quarter before application review start date:  
 First Quarter     Second Quarter     Third Quarter     Fourth Quarter of \_\_\_\_\_  
(year)
  
3. What were the number of permanent jobs (more than 1,600 hours a year) this applicant had in Texas during the most recent quarter reported to the Texas Workforce Commission (TWC)? ..... 254  
**Note:** For job definitions see TAC §9.1051 and Tax Code §313.021(3).
  
4. What is the number of new qualifying jobs you are committing to create? ..... 19
  
5. What is the number of new non-qualifying jobs you are estimating you will create? .....
  
6. Do you intend to request that the governing body waive the minimum new qualifying job creation requirement, as provided under Tax Code §313.025(f-1)? .....  Yes     No  
 6a. If yes, attach evidence in **Tab 12** documenting that the new qualifying job creation requirement above exceeds the number of employees necessary for the operation, according to industry standards.
  
7. Attach in **Tab 13** the four most recent quarters of data for each wage calculation below, including documentation from the TWC website. The final actual statutory minimum annual wage requirement for the applicant for each qualifying job — which may differ slightly from this estimate — will be based on information from the four quarterly periods for which data were available at the time of the application review start date (date of a completed application). See TAC §9.1051(21) and (22).  
 a. Average weekly wage for all jobs (all industries) in the county is ..... 935.50  
 b. 110% of the average weekly wage for manufacturing jobs in the county is ..... 961.13  
 c. 110% of the average weekly wage for manufacturing jobs in the region is ..... 866.63
  
8. Which Tax Code section are you using to estimate the qualifying job wage standard required for this project? .....  §313.021(5)(A) or  §313.021(5)(B)
  
9. What is the minimum required annual wage for each qualifying job based on the qualified property? ..... 49,967.76
  
10. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? ..... 50,000.00
  
11. Will the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? .....  Yes     No
  
12. Do you intend to satisfy the minimum qualifying job requirement through a determination of cumulative economic benefits to the state as provided by §313.024(d-2)? .....  Yes     No  
 12a. If yes, attach in **Tab 12** supporting documentation from the TWC, pursuant to §313.021(3)(F).
  
13. Do you intend to rely on the project being part of a single unified project, as allowed in §313.024(d-2), in meeting the qualifying job requirements? .....  Yes     No  
 13a. If yes, attach in **Tab 6** supporting documentation including a list of qualifying jobs in the other school district(s).

**SECTION 15: Economic Impact**

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

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

Keith A. Brown

Superintendent

Print Name (Authorized School District Representative)

Title

sign here

[Handwritten signature of Keith A. Brown]

September 15, 2014

Signature (Authorized School District Representative)

Date

2. Authorized Company Representative (Applicant) Signature and Notarization

I am the authorized representative for the business entity for the purpose of filing this application. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code. The information contained in this application and schedules is true and correct to the best of my knowledge and belief.

I hereby certify and affirm that the business entity I represent is in good standing under the laws of the state in which the business entity was organized and that no delinquent taxes are owed to the State of Texas.

print here

Wolfgang Hackenberg

VP/Treasurer

Print Name (Authorized Company Representative (Applicant))

Title

sign here

[Handwritten signature of Wolfgang Hackenberg]

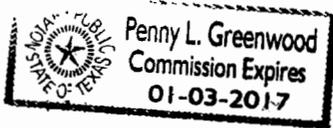
8/25/2014

Signature (Authorized Company Representative (Applicant))

Date

GIVEN under my hand and seal of office this, the

25 day of August, 2014
Penny L. Greenwood
Notary Public in and for the State of Texas



(Notary Seal)

My Commission expires: 2017

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

**APPLICATION TAB ORDER FOR REQUESTED ATTACHMENTS**

TAB	ATTACHMENT
1	Pages 1 through 11 of Application
2	Proof of Payment of Application Fee
3	Documentation of Combined Group membership under Texas Tax Code 171.0001(7), history of tax default, delinquencies and/or material litigation <i>(if applicable)</i>
4	Detailed description of the project
5	Documentation to assist in determining if limitation is a determining factor
6	Description of how project is located in more than one district, including list of percentage in each district and, if determined to be a single unified project, documentation from the Office of the Governor <i>(if applicable)</i>
7	Description of Qualified Investment
8	Description of Qualified Property
9	Description of Land
10	Description of all property not eligible to become qualified property <i>(if applicable)</i>
11	<p>Maps that clearly show:</p> <ul style="list-style-type: none"> <li>a) Project vicinity</li> <li>b) Qualified investment including location of new buildings or new improvements</li> <li>c) Qualified property including location of new buildings or new improvements</li> <li>d) Existing property</li> <li>e) Land location within vicinity map</li> <li>f) Reinvestment or Enterprise Zone within vicinity map, showing the actual or proposed boundaries and size</li> </ul> <p><b>Note:</b> Electronic maps should be high resolution files. Include map legends/markers.</p>
12	Request for Waiver of Job Creation Requirement and supporting information <i>(if applicable)</i>
13	Calculation of three possible wage requirements with TWC documentation
14	Schedules A1, A2, B, C and D completed and signed Economic impact <i>(if applicable)</i>
15	Economic Impact Analysis, other payments made in the state or other economic information <i>(if applicable)</i>
16	<p>Description of Reinvestment or Enterprise Zone, including:</p> <ul style="list-style-type: none"> <li>a) evidence that the area qualifies as a enterprise zone as defined by the Governor's Office</li> <li>b) legal description of reinvestment zone*</li> <li>c) order, resolution or ordinance establishing the reinvestment zone*</li> <li>d) guidelines and criteria for creating the zone*</li> </ul> <p><b>* To be submitted with application or before date of final application approval by school board</b></p>
17	Signature and Certification page, signed and dated by Authorized School District Representative and Authorized Company Representative <i>(applicant)</i>

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



Tcode 13258 ANNUAL

<input checked="" type="checkbox"/> Taxpayer number	<input checked="" type="checkbox"/> Report year	Due date
13006113081	2014	05/15/2014

Taxpayer name <b>OXEA CORPORATION</b>					Secretary of State file number or Comptroller file number	
Mailing address <b>1505 WEST LBJ FREEWAY, STE 400</b>					0800765197	
City <b>DALLAS</b>	State <b>TX</b>	Country <b>UNITED STATES</b>	ZIP Code <b>75234</b>	Plus 4	Check box if the address has changed <input checked="" type="checkbox"/>	
Check box if this is a combined report <input checked="" type="checkbox"/>						

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

**Note to mandatory Electronic Fund Transfer (EFT) payers:**  
 When requesting a second extension do not submit an Affiliate List Form 05-165.

1. Extension payment (Dollars and cents)

1.

319524.53
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Print or type name <b>WOLFGANG HACKENBERG</b>		Area code and phone number <b>(972) 481-2700</b>
I declare that the information in this document and any attachments is true and correct to the best of my knowledge and belief.		Mail original to: Texas Comptroller of Public Accounts P.O. Box 149348 Austin, TX 78714-9348
sign here ▶	Date	

If you have any questions regarding franchise tax, you may contact the Texas Comptroller's field office in your area or call 1-800-252-1381.  
 Instructions for each report year are online at [www.window.state.tx.us/taxinfo/taxforms/05-forms.html](http://www.window.state.tx.us/taxinfo/taxforms/05-forms.html).

Taxpayers who paid \$10,000 or more during the preceding fiscal year (Sept. 1 thru Aug. 31) are required to electronically pay their franchise tax.  
 For more information visit [www.window.state.tx.us/webfile/req\\_franchise.html](http://www.window.state.tx.us/webfile/req_franchise.html).

**Texas Comptroller Official Use Only**



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



### Texas Franchise Tax Extension Affiliate List



■ Tcode 13298

<input checked="" type="checkbox"/> Reporting entity taxpayer number	<input checked="" type="checkbox"/> Report year	Reporting entity taxpayer name
13006113081	2014	OXEA CORPORATION

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER <small>(if none, enter FEI number)</small>	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. OXEA BISHOP, LLC <input checked="" type="checkbox"/>	19805198280	<input checked="" type="checkbox"/>
2. <input checked="" type="checkbox"/>		<input type="checkbox"/>
3. <input checked="" type="checkbox"/>		<input type="checkbox"/>
4. <input checked="" type="checkbox"/>		<input type="checkbox"/>
5. <input checked="" type="checkbox"/>		<input type="checkbox"/>
6. <input checked="" type="checkbox"/>		<input type="checkbox"/>
7. <input checked="" type="checkbox"/>		<input type="checkbox"/>
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9. <input checked="" type="checkbox"/>		<input type="checkbox"/>
10. <input checked="" type="checkbox"/>		<input type="checkbox"/>
11. <input checked="" type="checkbox"/>		<input type="checkbox"/>
12. <input checked="" type="checkbox"/>		<input type="checkbox"/>
13. <input checked="" type="checkbox"/>		<input type="checkbox"/>
14. <input checked="" type="checkbox"/>		<input type="checkbox"/>
15. <input checked="" type="checkbox"/>		<input type="checkbox"/>
16. <input checked="" type="checkbox"/>		<input type="checkbox"/>
17. <input checked="" type="checkbox"/>		<input type="checkbox"/>
18. <input checked="" type="checkbox"/>		<input type="checkbox"/>
19. <input checked="" type="checkbox"/>		<input type="checkbox"/>
20. <input checked="" type="checkbox"/>		<input type="checkbox"/>
21. <input checked="" type="checkbox"/>		<input 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**



VE/DE	<input type="checkbox"/>	FM	<input type="checkbox"/>
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Oxea is a global Chemical Manufacturing company, since December 2013 owned by the Oman Oil Company (OOC), which is owned by the State of Oman. Bay City is our main U.S. manufacturing location; we also operate a smaller manufacturing operation at Bishop, TX.

Oxea intends to build two new manufacturing units for n-Propanol and for 2-Ethylhexanol. Oxea has started pre-engineering work at Bay City to define a more detailed technical scope for the two units for both Bay City, TX and Duqm/Oman. \*1)

The project includes both said units, plus would include for Bay City either the expansion of the own synthesis gas production unit by a third manufacturing train or additional syngas would be sourced from Air Liquide through a pipeline currently being constructed between Freeport and Bay City. Additionally the growth would require more space for plant management, engineering, and administration – the current building would be replaced with the investment into a new building for these functions.

Bay City currently operates one n-Propanol manufacturing unit and would add a second n-Propanol unit to serve the increasing world demand. The second unit will create 15 direct manufacturing jobs, while maintaining all positions at the other unit. The second unit at Bay City would keep Bay City as the sole supplier of n-propanol within the global Oxea manufacturing network.

Presently, 2-Ethylhexanol is manufactured at our Oberhausen/Germany plant, and is not currently produced in Bay City. Construction of this unit will result in creation of four direct manufacturing jobs plus at least six indirect positions

The investment amounts (before pre-engineering) would be around \$90 million for each of the two process units, alternatively \$50 million for a syngas expansion or \$5-10 million investment in Bay City to accommodate additionally sources syngas from Air Liquide/Freeport, and \$6-8 million for a new administration/technical building. We would also introduce new inventory of 2EH to Bay City, with an estimated amount of \$5 million. The maximum investment total would add to almost \$250 million.

We would ask for the tax limitation also if only one of the two major process units plus syngas additions will be finally approved and realized.

Tab 4

\*1). [www.oxea-chemicals.com](http://www.oxea-chemicals.com) press release 3/21/2014, attached



## News release

### **New facilities for 2-EH and Propanol: Oxea starts basic engineering at Bay City, Texas**

**Dallas, March 21, 2014** – In a move to better serve its customers in North and Latin America, the global chemical company Oxea has started basic engineering for a 2-Ethylhexanol (2-EH) and a Propanol unit at its world-scale production plant at Bay City, Texas. Both units are scheduled to come on stream in late 2016. Key elements of the basic engineering work will also be utilized for the construction of Oxea's future Asian Oxo chemicals platform in Duqm, Oman.

2-EH is used in the production of acrylates, nitrates, acids and plasticizers, and serves, among others, as a solvent in the paint and coatings industries. Propanol is used to manufacture products such as cosmetics and pharmaceuticals, printing inks, coatings and adhesives.

The new units will further add to Oxea's most recent capacity expansion of the Bay City plant, which will increase current output of Butanol and Propanol by 25%. This additional volume is planned to come on line in the second half of 2014.

"Oxea is a leading merchant supplier of Oxo products such as alcohols, aldehydes, and acids. We continue to significantly invest into our production platforms to support the growth of our customers and meet the rising demands of the markets. Once on line, our customers of 2-EH in the Americas will be able to benefit from our enhanced delivery capability for this important chemical," said Miguel Mantas, Member of Oxea's Executive Board and responsible for Marketing and Sales. "We also continue to invest in Propanol to support our customers' growth," he added.

"The new facilities for 2-EH and Propanol in North America not only support our strategy of growing the business and enhancing the efficiency of our operations. It also emphasizes our confidence in the competitiveness of the US petrochemical industry and reinforces our commitment to the North and Latin American markets," commented Dr. Martina Flöel, spokesperson for the Oxea Executive Board, who is also responsible for Production and Technology.

#### **About Oxea**

Oxea is a global manufacturer of oxo intermediates and oxo derivatives, such as alcohols, polyols, carboxylic acids, specialty esters, and amines. These products are used for the production of high-quality coatings, lubricants, cosmetics and pharmaceutical products, flavorings and fragrances, printing inks and plastics. In 2012, Oxea generated revenue of about EUR 1.5 billion with its over 1,400 employees worldwide. Oxea is owned by Oman Oil Company S.A.O.C. For more information about Oxea, visit [www.oxea-chemicals.com](http://www.oxea-chemicals.com)

#### **About Oman Oil Company**

Oman Oil Company S.A.O.C (OOC) is a commercial company wholly owned by the Government established in 1996 to pursue investment opportunities in the wider energy sector both inside and outside Oman. The Company plays an important role in the Sultanate's efforts to diversify the economy and to promote domestic and foreign investments as well as fostering and building human capital.

#### **Press contact:**

OXEA GmbH, Otto-Roelen-Str. 3, D-46147 Oberhausen  
Birgit Reichel, Tel. +49 (0) 208-693-3112, Fax +49 (0) 208-693-3101  
[birgit.reichel@oxea-chemicals.com](mailto:birgit.reichel@oxea-chemicals.com), [www.oxea-chemicals.com](http://www.oxea-chemicals.com)

## Tab 5

It is the stated strategy of Oman Oil Company to leverage Oxea to "expand OOC's downstream portfolio by bringing world-class technology and knowhow to Oman through existing assets and new investments."\*1).

Both manufacturing locations, Bay City and Duqm have their unique advantages – manufacturing in Duqm/Oman has the advantage of full backward integration into oil and own refining, while Bay City currently holds the technological advantage through long manufacturing experience and technological leadership.

The amount of property tax triggered by our proposed capital intensive investment into high technology chemical manufacturing assets is not mirrored by other locations in the global competition of manufacturing locations. The lack of this tax in other jurisdictions (here esp. Duqm/Oman) is a significant benefit to other locations over Bay City/TX.

\*1). [www.oman-oil.com/News/2013/oxea.htm](http://www.oman-oil.com/News/2013/oxea.htm), attached



## INCREASING OMAN'S COMPETITIVE DOWNSTREAM CAPABILITIES OMAN OIL COMPANY ACQUIRES OXEA CHEMICALS COMPANY

Muscat, October 12th 2013 Oman Oil Company (OOC) made the first investment of its kind in its portfolio by acquiring 100% of OXEA, the world's largest supplier of Oxo chemical products. This investment will enable Oman Oil Company to become a vertically integrated global chemical leader. The agreement was signed by H.E. Nasser bin Khamis Al Jashmi, Undersecretary of the Ministry of Oil & Gas and Chairman of OOC in the presence of Ronald Ayles, Managing Director and Head of Chemicals at Advent International, one of the leading private equity firms worldwide, and Reinhard Gradl, Chairman of the OXEA Group. Upon receipt of antitrust approvals and satisfaction of other conditions, Advent International will sell its entire equity to OOC.



(Left to Right) Mulham Al Jarf, Deputy CEO of Oman Oil Company, Ronald Ayles, Managing Director and Head of Chemicals at Advent International, H.E. Nasser bin Khamis Al Jashmi, Undersecretary of the Ministry of Oil & Gas and Chairman of Oman Oil Company, Reinhard Gradl, Chairman of the OXEA Group



(Left to Right) Ronald Ayles, Managing Director and Head of Chemicals at Advent International and H.E. Nasser bin Khamis Al Jashmi, Undersecretary of the Ministry of Oil & Gas and Chairman of Oman Oil Company

OXEA is ranked first in the world as a supplier of Oxo chemicals to the merchant market and second as producer of Oxo chemicals globally in products like aldehydes, esters and carboxylic acids. OXEA was built from two completely separate businesses which Advent International had acquired in 2007. Within less than seven years Advent created a market leader in the Oxo segment by contributing comprehensive sector and market know how. Today, OXEA has operations in the Americas, Europe and Asia and has the broadest portfolio producing more than 70 Oxo chemicals for customers in a wide range of industries, such as pharmaceuticals, aromas and scents, paints and lacquers, adhesives, safety glass, lubricants, cosmetics and plastics, selling 1.3 million tonnes. This acquisition will expand OOC's downstream portfolio by bringing world-class technology and knowhow to Oman through existing assets and new investments.

"This landmark acquisition reaffirms Oman Oil Company's role in supporting the goals outlined in the Sultanate's Vision 2020 which aims to diversify the economy by reducing dependence on oil, growing In Country Value and maximizing the potential of Oman's geographic location to reach both established and emerging markets," said H.E. Al Jashmi. "It is necessary to continue enriching the national economy through strategic ventures that have the right mix of technology and knowhow. This is a monumental step for Oman Oil Company as we continue to expand our global footprint while positioning the Sultanate in the international arena."

H.E. added, "Oman Oil Company's approach is to develop the downstream industry value chain by identifying new opportunities that address the business needs of globalization. There is a unique opportunity to build an integrated chemical platform in Oman from our current investment base. We see our acquisition of OXEA as the corner stone for this platform by bringing its technology and expertise to Oman and connecting it to feedstock from our investments in Duqm's economic zone. This will also contribute to OXEA's expansion strategy, especially in the Asian growth markets."

Mulham Al Jarf, Deputy Chief Executive Officer of Oman Oil Company said, "With its strong market position and unique expertise, OXEA will strengthen our position in the global chemical sector and contribute to Oman Oil Company's long-term downstream strategy. This will provide adequate scope for growth in Duqm's economic zone as well as other

planned projects in industrial areas in Oman. The jobs created in this relatively uncharted sector and especially from projects of this magnitude, will develop a platform for further human capital development and growth."

"Over the past 6.5 years we successfully diversified our activities and significantly invested in the expansion of capacities and our presence in both, mature and emerging markets. We thank Advent for their support in shaping OXEA and look forward to working together with Oman Oil Company. We are convinced that we can bring in our expertise, technological footprint to support Oman Oil Company's objectives while at the same time OXEA can benefit from additional access to growth regions in Asia and the Middle East," said Martina FIÅŕjel, Managing Director of OXEA on behalf of the management board.

Ronald Ayles, Managing Director and Head of Advent International's chemical practice, said: "OXEA is a highly resilient business with strong sales and earnings growth. We are convinced that the strengths and objectives of Oman Oil Company and OXEA are highly complementary and that both sides will benefit from each other as they pursue their expansion strategy. We wish Oman Oil Company and OXEA all the best on their joint path of growth."



Group Picture

The core of Oman Oil Company's success has been attracting foreign interest by executing projects that expand economic sectors and provide new employment opportunities. OOC has led the way with 40 investments in 12 countries using extensive insight across a variety of industries. The company continues to be proactive in identifying potential areas of opportunity that will maximise downstream economic value. OOC's emphasis remains on sustainable investments from existing assets and selective growth investments to add in country value.

[Go To Top](#)

## Tab 5

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\*1). [www.oman-oil.com/News/2013/oxea.htm](http://www.oman-oil.com/News/2013/oxea.htm), attached

Tab 6

Not Applicable

## Tab 7

The qualified investment includes these units:

1. n-Propanol manufacturing unit including tankage, investment \$90 million
2. 2-Ethylhexanol manufacturing unit including tankage, investment \$90 million, plus inventory of 2EH, estimated at \$5 million
3. Synthesis gas supply (raw material for above 2 units):
  - a. Option A: build 3<sup>rd</sup> train to existing 2-train operation to increase capacity, investment \$50 million
  - b. Option B: increase supply from Air Liquide/Freeport via pipeline, investment at Bay City to receive additional syngas \$10 million

Tab 8

n.a. – please see tab 7

071569

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

SPECIAL WARRANTY DEED

STATE OF TEXAS

COUNTY OF MATAGORDA

§  
§  
§



03500171144001

Year: 2007 No: 071569 Type: WD

CELANESE LTD., a Texas limited partnership, having an address of 1601 West LBJ Freeway, Dallas, Texas 75234 ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has Granted, Sold, Delivered and Conveyed, and by these presents does Grant, Sell, Deliver and Convey, unto OXEA CORPORATION, a Delaware corporation, having an address of P.O. Box 1141, Bay City, Texas 77404 ("Grantee"), all that real property situated in the County of Matagorda, State of Texas, and more particularly described on Exhibit A attached hereto and made a part hereof for all purposes, together with (i) any and all appurtenances belonging or appertaining thereto; (ii) any and all improvements, buildings and fixtures located thereon; (iii) any and all appurtenant easements or rights of way affecting said real property and any of Grantor's rights to use same, if any; (iv) any and all rights of ingress and egress to and from said real property and any of Grantor's rights to use same, if any; (v) any and all mineral rights and interests of Grantor relating to said real property (present or reversionary) and (vi) all right, title and interest of Grantor, if any, in and to (a) any and all roads, streets, alleys and ways (open or proposed) affecting, crossing, fronting or bounding said real property, including any awards made or to be made relating thereto including, without limitation, any unpaid awards or damages payable by reason of damages thereto or by reason of a widening of or changing of the grade with respect to same, (b) any and all strips, gores, or pieces of real property abutting, bounding or which are adjacent or contiguous to said real property (whether owned or claimed by deed, limitations or otherwise), (c) any and all air rights relating to said real property, (d) any and all reversionary interests in and to said real property and (e) without warranty of any type, Grantor's right to reacquire the property more fully described in instrument recorded at vol. 402, p. 51 (collectively, the "Real Property"), less and except the improvements, buildings and fixtures described on Exhibit B attached hereto and made a part hereof for all purposes, such property to be retained by Grantor as its property.

THE CONVEYANCE EVIDENCED hereby and Grantor's limited warranty of title contained herein are expressly made SUBJECT TO (1) the Permitted Liens, as that term is defined in the Purchase Agreement, dated as of December 12, 2006, by and among Grantor and Grantee, among other parties thereto (the "Purchase Agreement"); and (2) that certain Ground Lease dated on or about the date hereof by and between Grantor and Grantee (collectively, the foregoing are referred to as the "Permitted Exceptions").

TO HAVE AND TO HOLD the Real Property, together with all and singular the rights and appurtenances belonging in any way to the Real Property, unto the said Grantee, its successors and assigns forever; subject to all matters of record affecting the Real Property; provided, however, that Grantor binds itself and its successors and assigns to warrant and forever defend all and singular the Real Property to Grantee, its successors and assigns against every person lawfully claiming or to claim all or any part of the Real Property, by, through, or under Grantor, but not otherwise, subject, however, to the

Permitted Exceptions. All express warranties (except as set forth herein), implied warranties, and warranties that might arise by common law as the warranties in Section 5.023 of the Texas Real Property Code (or its successor), are hereby expressly excluded. Grantor warrants that the Real Property is free from any encumbrances arising by, through or under Grantor except for the Permitted Exceptions, but does not warrant that the Property is free from any other encumbrances.

The parties hereto acknowledge that this Deed is given pursuant to the terms of the Purchase Agreement, and that in the event of a conflict or inconsistency between the terms of the Purchase Agreement and the terms of this Deed, the term of the Purchase Agreement shall govern. Without limiting the foregoing, and notwithstanding anything herein to the contrary, (i) nothing herein shall be deemed to amend or modify any of the terms or provisions of the Purchase Agreement and such Purchase Agreement shall remain in full force and effect among the parties thereto according to its terms, (ii) the special warranty given in this Deed shall not be deemed to limit, expand, replace, supersede or void any warranty made by Grantor in the Purchase Agreement, (iii) the terms of this Deed shall not modify, limit, expand, supersede or void any rights, liabilities or obligations between Grantor and Grantee under the Purchase Agreement, as between the parties thereto only, which shall remain in full force and effect except to the extent expressly limited therein, and (iv) the special warranty given herein shall be subject to all of the limitations and restrictions on Grantor's warranties set forth in the Purchase Agreement, which such limitations and restrictions are hereby incorporated herein by this reference as if fully set forth herein, and Grantee and its successors and assigns shall not have any rights or remedies under this Deed in excess of any rights and remedies set forth in the Purchase Agreement.

**[Signatures Appear on the Following Page]**

IN WITNESS WHEREOF, Grantor has executed and delivered this Special Warranty Deed to be effective as of the 28<sup>th</sup> day of February, 2007.

GRANTOR:

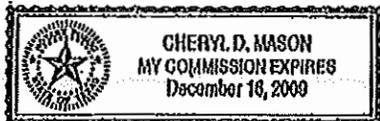
CELANESE LTD., a Texas limited partnership

By: Celanese International Corporation, a Delaware corporation, its General Partner

By: [Signature]  
Name: Curtis S. Shaw  
Title: Executive Vice President

STATE OF Texas §  
COUNTY OF Dallas §

This instrument was acknowledged before me this 27<sup>th</sup> day of February, 2007, by Curtis S. Shaw, the Executive VP of Celanese International Corporation, a Delaware corporation, the General Partner of Celanese Ltd., a Texas limited partnership, on behalf of said corporation on behalf of said partnership.



Cheryl D. Mason  
Notary Public in and for the State of Texas

[SEAL]

Grantee's Address:  
Oxea Corporation  
PO Box 1141  
Bay City, TX 77404

Bay City, Matagorda County, State of Texas

Return to: CRB  
Republic Title of Texas, Inc.  
2626 Howell Street, 10th Floor  
Dallas, TX 75204

EXHIBIT A

DESCRIPTION OF 898.57 ACRES, MORE OR LESS, OF LAND AREA BEING IN THE JAMES MOORE LEAGUE, ABSTRACT NO. 62, MATAGORDA COUNTY, TEXAS AND BEING THE REMAINING PORTION OF THAT TRACT DESCRIBED AS 1000.0 ACRES IN A DEED FROM WALTER W. FONDREN, JR. TO CELANESE CORPORATION OF AMERICA DATED DECEMBER 8, 1960 AND RECORDED IN VOLUME 362, PAGE 16, MATAGORDA COUNTY DEED RECORDS AND ALL THAT TRACT DESCRIBED AS 8.9876 ACRES IN A DEED FROM CHAMPLIN PETROLEUM COMPANY TO CELANESE CORPORATION DATED APRIL 22, 1968 AND RECORDED IN VOLUME 462, PAGE 123, MATAGORDA COUNTY DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a capped pin found at the common northeast corner of that tract described as 9.06 acres in a deed from Celanese, Ltd. to Port Assets, LLC dated December 21, 2001 and recorded in Volume 641, Page 596 and an exterior corner in the north line of the 1000.0 acre Celanese tract and in the approximate common north line of the James Moore League, Abstract No. 62 and the south line of the AJM Smalley League, Abstract No. 90, Matagorda County, Texas;

THENCE with the north line of the Celanese 1000.0 acre tract and the approximate common north line of the James Moore League and the south line of the AJM Smalley League N 88°37'38" E 3874.50 feet to a 1 ¼ inch iron pipe found at the northeast corner of the Celanese 1000.0 acre tract;

THENCE leaving the approximate common north line of the James Moore League and the south line of the AJM Smalley League, S 01°23'00" E (this course being the bearing basis for this description) with the east line of the Celanese 1000.0 acre tract, and joining the west line at a calculated point at a record distance of 175.29 feet at the northwest corner of that tract described as 1371.5857 acres in a Correction Deed from the Estate of Walter W. Fondren, Jr. and Doris Ledwidge Fondren to Cities Service Company dated January 20, 1981 and recorded in Volume 668, Page 184, Matagorda County Deed Records at a total distance of 5638.97 feet to 1 ¼ inch iron pipe found at the common southeast corner of the 1000.0 acre Celanese tract and an interior corner of the 1341.5857 acre Walter W. Fondren, Jr. tract;

THENCE with the common south line of the Celanese 1000.0 tract and the north line of the 1341.5857 acre Walter W. Fondren Jr. tract, North 88°36'15" E 6727.30 feet to a ½ inch iron pin set at the common southwest corner of the remaining portion of the 1000.0 acre Celanese tract and the southeast corner of that tract described as 94.024 acres in a deed from Celanese Corporation of America to Baycel Club dated May 6, 1963 and recorded in Volume 402, Page 51, Matagorda County Deed Records;

THENCE with the common southwest line of the remaining portion of the 1000.0 acre Celanese tract and the northeast line of the 94.024 Baycel Club tract  
N 39°56'53" W 2720.20 feet to a ½ inch iron rod set at a common interior corner of the remaining portion of the Celanese 1000.0 acre tract and the Baycel Club tract;

THENCE with the common west line of the remaining portion of the Celanese 1000.0 acre tract and the east line of the Baycel Club tract N 01°31'51" W 267.24 feet to a ½ inch iron pin set at the common northeast corner of the Baycel Club tract and the southeast corner of that tract described as 1.649 acres in a deed from Celanese Corporation of America to Matagorda County Navigation District No. 2 dated January 15, 1963 and recorded in Volume 4, Page 145, Matagorda County Deed Records;

THENCE with the continuing with the west line of the remaining portion of the Celanese 1000.0 acre tract and the east line of the 1.649 acre Matagorda Navigation tract N 01°31'51" W 169.20 feet to a ½

inch iron rod set at the common southeast corner of that tract described as 180.83 acres in a deed from Walter W. Fondren Jr. to Matagorda County Navigation District No. 2 dated June 9, 1961 and recorded in Volume 3, Page 611, Matagorda County Deed Records and the southwest corner of the Celanese 8.9876 acre tract;

THENCE with the common west line of the 8.9876 acre Celanese tract and the east line of the 180.83 acre Matagorda Navigation tract N 02°38'36" W 92.00 feet to a 5/8 inch rebar found at the common southerly northwest corner of the Celanese 8.9876 acre tract and the southwest corner of the remaining portion of that tract described in a deed from Doris Ledwidge Fondren to Walter W. Fondren III, et al dated January 15, 1981 and recorded in Volume 665, Page 753, Matagorda County Deed Records;

THENCE leaving the east line of the Matagorda Navigation tract with the common northwest line of the 8.9876 acre Celanese tract and the southeast line of the remaining portion of the Walter W. Fondren III tract N 48°26'02" E 2039.10 feet to a 5/8 inch rebar found said to be in the south line of FM 3057 at the common northeasterly north corner of the 8.9876 acre Celanese tract and an exterior corner of the remaining portion of the Walter W. Fondren III tract;

THENCE with the common line of the 8.9876 acre Celanese tract, the south line of the remaining portion of the Walter W. Fondren III tract and the south line of FM 3057 the following eight (8) tracts:

- 1) N 87°39'29" E 45.63 feet to a calculated point;
- 2) N 79°15'29" E 94.00 feet to a calculated point;
- 3) N 78°31'29" E 40.94 feet to a 5/8 inch rebar found;
- 4) leaving the south line of FM 3057 S 48°21'35" W 107.35 feet to a 1/2 inch iron rod set;
- 5) S 45°44'35" W 92.61 feet to a 1/2 inch iron rod set;
- 6) S 38°12'35" W 102.70 feet to a 1/2 inch iron rod set;
- 7) S 31°32'35" W 102.99 feet to a 1/2 inch iron rod set;
- 8) S 31°12'35" W 163.74 feet to a 1/2 inch iron rod set in the common northwest line of the Celanese 1000.0 acre tract and the southwest line of the Walter W. Fondren III tract for an interior corner of this description;

THENCE with the common northwest line of the remaining portion of the 1000.0 acre Celanese tract and the southeast line of the Walter W. Fondren III tract N 48°22'34" E 2624.62 feet to a 1/2 inch iron rod set (pass at 1189.00 a 1/2 inch iron rod set at the intersection of the northwest line of the Celanese 1000.0 acre tract and FM 3057) at a common exterior corner of the remaining portion of the 1000.0 acre Celanese tract and the northwest corner of the 9.06 acre Port Assets, LLC tract;

THENCE leaving the common northwest line of the Celanese 1000.0 acre tract and the southeast line of the Walter W. Fondren III tract with a common east line of the remaining portion of the 1000.0 acre Celanese tract and the west line of the 9.06 acre Port Assets, LLC tract the following three (3) courses:

- 1) S 19°24'50" E 207.56 feet to a 1/2 inch iron rod set;
- 2) N 70°35'10" E 111.45 feet to a 1/2 inch iron rod set;
- 3) S 19°24'50" E 338.56 feet to a capped pin found at the common interior corner of the remaining portion of the 1000.0 acre Celanese tract and the southwest corner of the 9.06 acre Port Assets, LLC tract;

THENCE with the common north line of the remaining portion of the 1000.0 acre Celanese tract and the south line of the 9.06 acre Port Assets, LLC tract N 70°32'53" E 404.69 feet to a 5/8 inch rebar found at the common southeast corner of the 9.06 acre Port Assets, LLC tract and the southwest corner of that tract described as 8.10 acres in a deed from Celanese, Ltd. to Port Assets, LLC dated October 9, 2001 and recorded in Volume 655, Page 135, Matagorda County Deed Records and on the north line of the remaining portion of the 1000.0 acre Celanese tract;

THENCE with the common north line of the remaining portion of the 1000.0 acre Celanese tract and the south line of the 8.10 acre Port Assets, LLC tract N 70°53'14" E 603.14 feet to capped pin found at a common interior corner of the remaining portion of the 1000.0 acre Celanese tract and the southeast corner of the 8.10 acre Port Assets, LLC tract;

THENCE with a common west line of the remaining portion of the 1000.0 acre Celanese tract and the east line of the 8.10 acre Port Assets, LLC tract N 07°46'51" W 506.07 feet to a capped pin found at the common northeast corner of the 8.10 acre Port Assets, LLC tract and the northerly southeast corner of the 9.06 acre Port Assets, LLC tract;

THENCE continuing with a west line of the remaining portion of the 1000.0 acre Celanese tract and the east line of the 9.06 acre Port Assets, LLC tract N 07°45'39" W 60.40 feet to the PLACE OF BEGINNING.

There are contained within these metes and bounds 898.57 acres, more or less, of land area as prepared from public records and a survey made on the ground March 23, 2004 by Bock & Clark Corporation of Austin, Texas. All ½ inch iron rods set are capped with a plastic cap stamped "B&C RPLS 5671."

ALSO THAT CERTAIN Barge Dock parcel being described as 3.680 acres of land out of the James Moore League, Abstract No. 62, in Matagorda County, Texas, and is a portion of the Navigation District No. 2 properties, and is more particularly described as follows:

BEGINNING at a point in the northwest line of the land described in a deed from Walter W. Fondren, Jr. to the Celanese Corporation of America, dated December 8, 1960, and recorded in Volume 362, on page 16, Deed Records of Matagorda County, Texas, which northwest line is the southwest line of the above-mentioned Navigation District No. 2 properties, and the said beginning point is set South 48 deg. 23 min. West 184.0 feet from a 1-1/4 inch pipe at the northwest corner of the land described in the above-mentioned deed, and an interior corner of the said Navigation District No. 2 properties;

THENCE South 48 deg. 23 min. West 316.0 feet along the recognized common line between the above-mentioned Navigation District No. 2 properties, and the land described in the above-mentioned deed, to a point for the point of curve of a 4 deg. 09 min. curve to the left;

THENCE along a 4 deg. 09 min. curve to the left, 761.2 feet, to the edge of the Turning Basin Channel, for the south corner of this tract;

THENCE North 12 deg. 25 min. East 878.0 feet along the edge of the above-mentioned Channel, to a point for the northwest corner of this tract;

THENCE South 86 deg. 26 min. East 477.9 feet, to the place of beginning, containing 3.680 acres of land, more or less, of which there is 2.996 acres in the right-of-way for the Turning Basin Channel.

ALSO LESS AND EXCEPTING any property previously conveyed by Grantor to other parties as reflected in the public records including the following described property to the extent included, if at all, in the above description of real estate: (1) 94.024 acres conveyed from Celanese Corporation of America to BayCel Club by deed dated May 6, 1963, recorded in Volume 402 at page 51 of the Official Records of Matagorda County, Texas; (2) 1.649 acres conveyed from Celanese Corporation of America to Matagorda County Navigation District No. 2 by deed dated January 15, 1963, recorded in Volume 4 at page 145 of the Official Records of Matagorda County, Texas; (3) Road Easement of 20.99 acres for F.M. 3057 from Celanese Corporation of America to the County of Matagorda, State of Texas, by deed dated July 26, 1961, recorded in Volume 4 at page 19 of the Official Records of Matagorda County, Texas; (4) 8.10 acres conveyed from Celanese, Ltd. to Port Assets, LLC, by deed recorded October 22, 2001 in Volume 635 at page 135 of the Official Records of Matagorda County, Texas; (5) 9.06 acres conveyed from

Celanese, Ltd. to Port Assets, LLC, by deed recorded December 21, 2001 in Volume 641 at page 596 of the Official Records of Matagorda County, Texas.

ALSO LESS AND EXCEPTING all gas, oil and mineral rights previously conveyed to others.

**EXHIBIT B**

Description of Retained Property

All the tangible personal property owned by Grantor (including all machinery and equipment, mobile or otherwise, vehicles, tools, furniture, furnishings and Inventory) comprising Grantor's vinyl acetate monomer plant and related facilities used in connection therewith (including without limitation, pipes, rail tracks, barge docks and other shipping assets), whether located on the real property leased by Grantee to Grantor pursuant to that certain Ground Lease, dated on or about the date hereof, or elsewhere on the real property at Bay City, Texas, and such personal property necessary for Grantor to provide services under the Site Services Agreement between Grantor and Grantee at Bay City, Texas, and all other property listed on Schedule 2(b) to the Purchase Agreement.

**FILED**

7 MAR -6 P3:46

*Rail Deun*  
COUNTY CLERK  
MATAGORDA COUNTY, TEXAS

STATE OF TEXAS  
I hereby certify that this instrument was FILED in File Number  
Sequence on the date and at the time specified herein by me,  
and was duly RECORDED in the OFFICIAL RECORDS of  
Matagorda County, Texas on

MAR 06 2007



*Rail Deun*

COUNTY CLERK, Matagorda County, Texas

# Matagorda CAD

## Property Search Results > 13744 OXEA CORPORATION for Year 2014

### Property

#### Account

Property ID:	13744	Legal Description:	AB 0062, JAMES MOORE, TRACT 5 & 6A, ACRES 898.57, (NEW SURVEY) PLANT SITE
Geographic ID:	0062-0000-000500	Agent Code:	ID:180430
Type:	Real		
Property Use Code:			
Property Use Description:			

#### Location

Address:	2001 FM 3057 BAY CITY, TX 77414	Map ID:	188V
Neighborhood:	BC SEC 3 ABS LAND,MISC		
Neighborhood CD:	B3		

#### Owner

Name:	OXEA CORPORATION	Owner ID:	189521
Mailing Address:	P O BOX 1141 BAY CITY, TX 77404-1141	% Ownership:	100.0000000000%
		Exemptions:	

### Values

### Taxing Jurisdiction

### Improvement / Building

### Land

### Roll Value History

### Deed History - (Last 3 Deed Transactions)

### Tax Due

**Questions Please Call (979) 244-2031**

Website version: 1.2.2.2

Database last updated on: 7/31/2014  
8:37 PM

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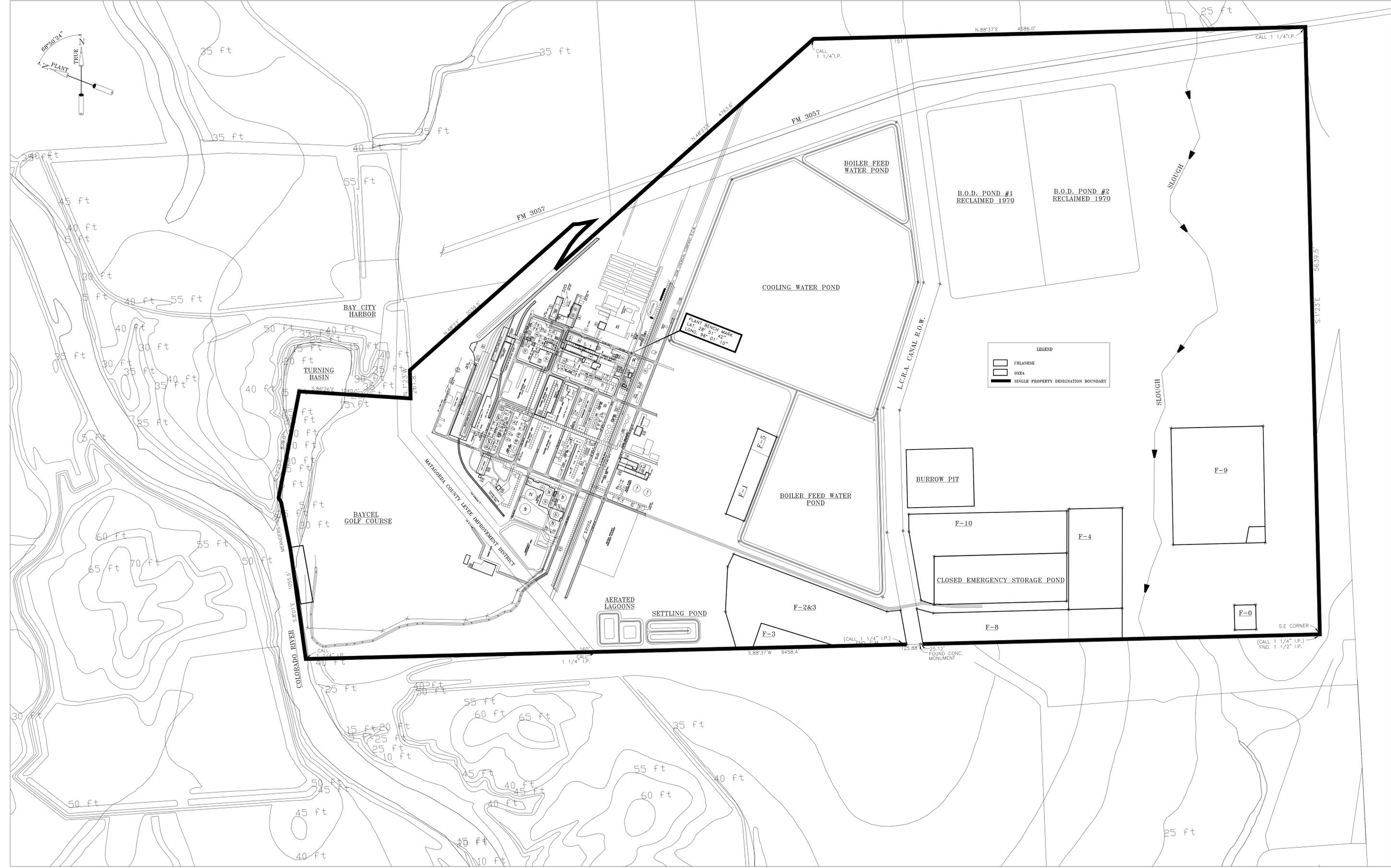
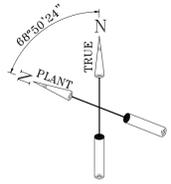
This site only supports Internet Explorer 6+, Netscape 7+ and Firefox 1.5+.

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Tab 10

Non-qualified property:

The expansion will also require the replacement of the current administration and engineering building with a larger new building. The old building will be taken out of service.



LEGEND	
[Symbol]	CELANESE
[Symbol]	OXEA
[Symbol]	SINGLE PROPERTY DESIGNATION BOUNDARY

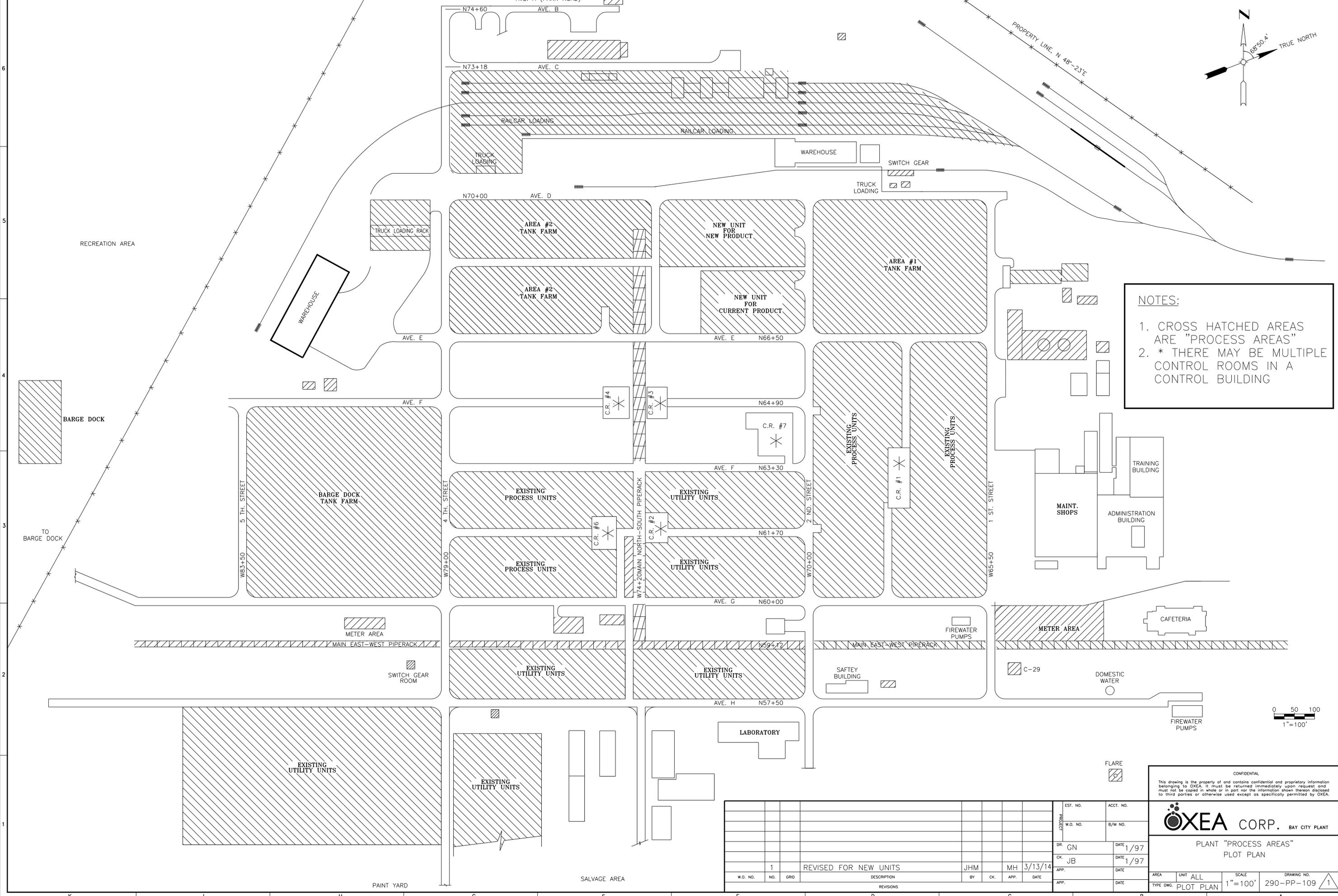


CONFIDENTIAL  
 This drawing is the property of and contains confidential and proprietary information belonging to Hoechst Celanese. It must be returned immediately upon request and must not be copied in whole or in part nor the information shown thereon disclosed to third parties or otherwise used except as specifically permitted by Hoechst Celanese.

W.O. NO.	NO.	GRID	DESCRIPTION	BY	CK.	APP.	DATE	W.O. NO.	NO.	GRID	DESCRIPTION	BY	CK.	APP.	DATE
								1			REVISE PER MARKUPS	GN	SRT		8/30/07

DR.	-GN	DATE	8/22/07
CK.	-SRT	DATE	8/23/07
APP.		DATE	
APP.		DATE	

**OXEA CORPORATION** BAY CITY PLANT  
 FIGURE 1.0  
 SCALE: NTS  
 DRAWING NO. 290-PP-125 1  
 AREA: ALL UNIT ALL  
 TYPE DWG. PLOT PLAN



**NOTES:**

1. CROSS HATCHED AREAS ARE "PROCESS AREAS"
2. \* THERE MAY BE MULTIPLE CONTROL ROOMS IN A CONTROL BUILDING

CONFIDENTIAL

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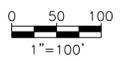
**OXEA CORP.** BAY CITY PLANT

PLANT "PROCESS AREAS"  
PLOT PLAN

AREA: UNIT ALL SCALE: DRAWING NO. 1  
TYPE DWG: PLOT PLAN 1"=100' 290-PP-109

W.O. NO.	NO.	GRID	DESCRIPTION	BY	CK.	APP.	DATE
1			REVISED FOR NEW UNITS	JHM	MH		3/13/14

EST. NO.	ACCT. NO.
W.O. NO.	B/M NO.
DR. GN	DATE 1/97
CK. JB	DATE 1/97
APP.	DATE
APP.	DATE



C-29

DOMESTIC WATER

FIREWATER PUMPS

FLARE

LABORATORY

SAFETY BUILDING

FIREWATER PUMPS

CAFETERIA

METER AREA

MAINT. SHOPS

ADMINISTRATION BUILDING

TRAINING BUILDING

C.R. #1

C.R. #7

C.R. #3

C.R. #4

C.R. #2

C.R. #6

EXISTING UTILITY UNITS

Tab 12

Not Applicable

**Average Weekly Wages  
in Matagorda County**

	<b>All Industries</b>	<b>Manufacturing</b>
4Q-2012	\$ 996.00	\$ 1,294.00
1Q-2013	\$ 1,063.00	\$ 681.00
2Q-2013	\$ 863.00	\$ 772.00
3Q-2013	\$ 820.00	\$ 748.00
<b>Total</b>	<b>\$ 3,742.00</b>	<b>\$ 3,495.00</b>
<b>Average</b>	<b>\$ 935.50</b>	<b>\$ 873.75</b>
<b>110%</b>		<b>\$ 961.13</b>

**Average Weekly Wages  
in Region**

	<b>Manufacturing</b>	
	<b>Annual</b>	<b>Weekly</b>
\$41,850.00	\$ 804.81	
\$33,662.00	\$ 647.35	
\$37,076.00	\$ 713.00	
\$51,333.00	\$ 987.17	
\$35,032.00	\$ 673.69	
\$40,797.00	\$ 784.56	
\$37,941.00	\$ 729.63	
\$33,631.00	\$ 646.75	
\$45,624.00	\$ 877.38	
\$33,956.00	\$ 653.00	
\$39,670.00	\$ 762.88	
\$54,146.00	\$ 1,041.27	
\$34,424.00	\$ 662.00	
\$33,698.00	\$ 648.04	
\$61,118.00	\$ 1,175.35	
\$55,317.00	\$ 1,063.79	
\$43,742.00	\$ 841.19	
\$38,280.00	\$ 736.15	
\$28,170.00	\$ 541.73	
\$47,786.00	\$ 918.96	
\$33,961.00	\$ 653.10	
\$46,949.00	\$ 902.87	
\$35,689.00	\$ 686.33	
\$39,380.00	\$ 757.31	
<b>Total</b>	<b>\$ 18,908.31</b>	
<b>Average</b>	<b>\$ 787.85</b>	
<b>110%</b>	<b>\$ 866.63</b>	

**Average Weekly Wages  
in Texas**

	<b>Manufacturing</b>	
	<b>Annual</b>	<b>Weekly</b>
Texas	\$48,996.00	\$ 942.23
<b>Average</b>		<b>\$ 942.23</b>
<b>110%</b>		<b>\$1,036.45</b>

### Quarterly Employment and Wages (QCEW)

[Back](#)

Page 1 of 1 (40 results/page)

<input type="text" value="2012"/>	<input type="text" value="4th Qtr"/>	<input type="text" value="Matagorda County"/>	<input type="text" value="Private"/>	<input type="text" value="31"/>	<input type="text" value="2"/>	<input type="text" value="31-33"/>	<input type="text" value="Manufacturing"/>	<input type="text" value="\$1,294"/>
Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages

### Quarterly Employment and Wages (QCEW)

[Back](#)

Page 1 of 1 (40 results/page)

<input type="checkbox"/> Year	<input type="checkbox"/> Period	<input type="checkbox"/> Area	<input type="checkbox"/> Ownership	<input type="checkbox"/> Division	<input type="checkbox"/> Level	<input type="checkbox"/> Ind Code	<input type="checkbox"/> Industry	<input type="checkbox"/> Avg Weekly Wages
2013	1st Qtr	Matagorda County	Private	31	2	31-33	Manufacturing	\$681
2013	2nd Qtr	Matagorda County	Private	31	2	31-33	Manufacturing	\$772
2013	3rd Qtr	Matagorda County	Private	31	2	31-33	Manufacturing	\$748

# Quarterly Employment and Wages (QCEW)

[Back](#)

Page 1 of 1 (40 results/page)

<input type="text" value="2012"/>	<input type="text" value="4th Qtr"/>	<input type="text" value="Matagorda County"/>	<input type="text" value="Private"/>	<input type="text" value="00"/>	<input type="text" value="0"/>	<input type="text" value="10"/>	<input type="text" value="Total, All Industries"/>	<input type="text" value="\$996"/>
<input type="text" value="Year"/>	<input type="text" value="Period"/>	<input type="text" value="Area"/>	<input type="text" value="Ownership"/>	<input type="text" value="Division"/>	<input type="text" value="Level"/>	<input type="text" value="Ind Code"/>	<input type="text" value="Industry"/>	<input type="text" value="Avg Weekly Wages"/>

## Quarterly Employment and Wages (QCEW)

[Back](#)

Page 1 of 1 (40 results/page)

<input type="text" value="2013"/> Year	<input type="text" value="1st Qtr"/> Period	<input type="text" value="Matagorda County"/> Area	<input type="text" value="Private"/> Ownership	<input type="text" value="00"/> Division	<input type="text" value="0"/> Level	<input type="text" value="10"/> Ind Code	<input type="text" value="Total, All Industries"/> Industry	<input type="text" value="\$1,063"/> Avg Weekly Wages
2013	1st Qtr	Matagorda County	Private	00	0	10	Total, All Industries	\$1,063
2013	2nd Qtr	Matagorda County	Private	00	0	10	Total, All Industries	\$863
2013	3rd Qtr	Matagorda County	Private	00	0	10	Total, All Industries	\$820

**2012 Manufacturing Wages by Council of Government Region  
Wages for All Occupations**

COG	Wages	
	Hourly	Annual
Texas	\$23.56	\$48,996
<u>1. Panhandle Regional Planning Commission</u>	\$20.12	\$41,850
<u>2. South Plains Association of Governments</u>	\$16.18	\$33,662
<u>3. NORTEX Regional Planning Commission</u>	\$17.83	\$37,076
<u>4. North Central Texas Council of Governments</u>	\$24.68	\$51,333
<u>5. Ark-Tex Council of Governments</u>	\$16.84	\$35,032
<u>6. East Texas Council of Governments</u>	\$19.61	\$40,797
<u>7. West Central Texas Council of Governments</u>	\$18.24	\$37,941
<u>8. Rio Grande Council of Governments</u>	\$16.17	\$33,631
<u>9. Permian Basin Regional Planning Commission</u>	\$21.93	\$45,624
<u>10. Concho Valley Council of Governments</u>	\$16.33	\$33,956
<u>11. Heart of Texas Council of Governments</u>	\$19.07	\$39,670
<u>12. Capital Area Council of Governments</u>	\$26.03	\$54,146
<u>13. Brazos Valley Council of Governments</u>	\$16.55	\$34,424
<u>14. Deep East Texas Council of Governments</u>	\$16.20	\$33,698
<u>15. South East Texas Regional Planning Commission</u>	\$29.38	\$61,118
<u>16. Houston-Galveston Area Council</u>	\$26.59	\$55,317
<u>17. Golden Crescent Regional Planning Commission</u>	\$21.03	\$43,742
<u>18. Alamo Area Council of Governments</u>	\$18.40	\$38,280
<u>19. South Texas Development Council</u>	\$13.54	\$28,170
<u>20. Coastal Bend Council of Governments</u>	\$22.97	\$47,786
<u>21. Lower Rio Grande Valley Development Council</u>	\$16.33	\$33,961
<u>22. Texoma Council of Governments</u>	\$22.57	\$46,949
<u>23. Central Texas Council of Governments</u>	\$17.16	\$35,689
<u>24. Middle Rio Grande Development Council</u>	\$18.93	\$39,380

Source: Texas Occupational Employment and Wages

Data published: July 2013

Data published annually, next update will be July 31, 2014

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.

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

Applicant Name:

OXEA CORPORATION

Form 50-296A

ISD Name:

BAY CITY INDEPENDENT SCHOOL DISTRICT

Revised Feb 2014

PROPERTY INVESTMENT AMOUNTS								
(Estimated Investment in each year. Do not put cumulative totals.)								
				Column A	Column B	Column C	Column D	Column E
	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	New investment (original cost) in <b>tangible personal property</b> placed in service during this year that will become Qualified Property	New investment made during this year in <b>buildings or permanent nonremovable components of buildings</b> that will become Qualified Property	Other new investment made during this year that will not become Qualified Property [SEE NOTE]	Other new investment made during this year that may become Qualified Property [SEE NOTE]	Total Investment (Sum of Columns A+B+C+D)
Investment made before filing complete application with district	--	Year preceding the first complete tax year of the qualifying time period (assuming no deferrals of qualifying time period)	2014	Not eligible to become Qualified Property		\$ -	\$ -	\$ -
Investment made after filing complete application with district, but before final board approval of application				\$ -	\$ -	\$ -	\$ -	
Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period				\$ 10,000,000	\$ -	\$ -	\$ 10,000,000	
Complete tax years of qualifying time period	QTP1	2015-2016	2015	\$ 69,000,000	\$ 5,000,000	\$ -	\$ -	\$ 74,000,000
	QTP2	2016-2017	2016	\$ 147,270,000	\$ 6,730,000	\$ -	\$ -	\$ 154,000,000
<b>Total Investment through Qualifying Time Period [ENTER this row in Schedule A2]</b>				\$ 226,270,000	\$ 11,730,000	\$ -	\$ -	\$ 238,000,000
Enter amounts from TOTAL row above in Schedule A2								
<b>Total Qualified Investment (sum of green cells)</b>				\$ 238,000,000				

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

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

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

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

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

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

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

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

Applicant Name:  
ISD Name:

OXEA CORPORATION  
BAY CITY INDEPENDENT SCHOOL DISTRICT

Form 50-296A  
Revised Feb 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	Column B	Column C	Column D	Column E
				New investment (original cost) in <b>tangible personal property</b> placed in service during this year that will become Qualified Property	New investment made during this year in <b>buildings or permanent nonremovable components of buildings</b> 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*	--	<b>TOTALS FROM SCHEDULE A1</b>		<b>Enter amounts from TOTAL row in Schedule A1 in the row below</b>				
				\$ 226,270,000	\$ 11,730,000	\$ -	\$ -	\$ 238,000,000
Value limitation period***	1	2017-2018	2017	\$ -	\$ -	\$ -	\$ -	\$ -
	2	2018-2019	2018	\$ -	\$ -	\$ -	\$ -	\$ -
	3	2019-2020	2019	\$ -	\$ -	\$ -	\$ -	\$ -
	4	2020-2021	2020	\$ -	\$ -	\$ -	\$ -	\$ -
	5	2021-2022	2021	\$ -	\$ -	\$ -	\$ -	\$ -
	6	2022-2023	2022	\$ -	\$ -	\$ -	\$ -	\$ -
	7	2023-2024	2023	\$ -	\$ -	\$ -	\$ -	\$ -
	8	2024-2025	2024	\$ -	\$ -	\$ -	\$ -	\$ -
	9	2025-2026	2025	\$ -	\$ -	\$ -	\$ -	\$ -
	10	2026-2027	2026	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Investment made through limitation</b>				\$ 226,270,000	\$ 11,730,000	\$ -	\$ -	\$ 238,000,000
Continue to maintain viable presence	11	2027-2028	2027			\$ -		\$ -
	12	2028-2029	2028			\$ -		\$ -
	13	2029-2030	2029			\$ -		\$ -
	14	2030-2031	2030			\$ -		\$ -
	15	2031-2032	2031			\$ -		\$ -
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2032-2033	2032			\$ -		\$ -
	17	2033-2034	2033			\$ -		\$ -
	18	2034-2035	2034			\$ -		\$ -
	19	2035-2036	2035			\$ -		\$ -
	20	2036-2037	2036			\$ -		\$ -
	21	2037-2038	2037			\$ -		\$ -
	22	2038-2039	2038			\$ -		\$ -
	23	2039-2040	2039			\$ -		\$ -
	24	2040-2041	2040			\$ -		\$ -
	25	2041-2042	2041			\$ -		\$ -

\* 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 in

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)**

Applicant Name:

OXEA CORPORATION

Form 50-296A

ISD Name:

BAY CITY INDEPENDENT SCHOOL DISTRICT

Revised Feb 2014

	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) 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
<i>Each year prior to start of Value Limitation Period Insert as many rows as necessary</i>	0	2014-2015	2014	\$ 1,050,470	\$ -	\$ -	\$ -	\$ 1,050,470	\$ 1,050,470
	0	2015-2016	2015	\$ 1,050,470	\$ -	\$ 5,000,000	\$ -	\$ 6,050,470	\$ 6,050,470
	0	2016-2017	2016	\$ 1,050,471	\$ 5,000,000	\$ 39,500,000	\$ (3,350,000)	\$ 42,200,471	\$ 42,200,471
Value Limitation Period	1	2017-2018	2017	\$ 1,050,471	\$ 8,365,000	\$ 113,135,000	\$ (6,700,000)	\$ 115,850,471	\$ 30,000,000
	2	2018-2019	2018	\$ 1,050,472	\$ 16,311,750	\$ 220,613,250	\$ (13,065,000)	\$ 224,910,472	\$ 30,000,000
	3	2019-2020	2019	\$ 1,050,472	\$ 15,903,956	\$ 215,097,919	\$ (12,738,375)	\$ 219,313,972	\$ 30,000,000
	4	2020-2021	2020	\$ 1,050,473	\$ 15,506,357	\$ 209,720,471	\$ (12,419,916)	\$ 213,857,386	\$ 30,000,000
	5	2021-2022	2021	\$ 1,050,473	\$ 15,118,698	\$ 204,477,459	\$ (12,109,418)	\$ 208,537,213	\$ 30,000,000
	6	2022-2023	2022	\$ 1,050,474	\$ 14,740,731	\$ 199,365,523	\$ (11,806,682)	\$ 203,350,045	\$ 30,000,000
	7	2023-2024	2023	\$ 1,050,474	\$ 14,372,213	\$ 194,381,384	\$ (11,511,515)	\$ 198,292,556	\$ 30,000,000
	8	2024-2025	2024	\$ 1,050,475	\$ 14,012,907	\$ 189,521,850	\$ (11,223,727)	\$ 193,361,505	\$ 30,000,000
	9	2025-2026	2025	\$ 1,050,475	\$ 13,662,585	\$ 184,783,804	\$ (10,943,134)	\$ 188,553,729	\$ 188,553,729
	10	2026-2027	2026	\$ 1,050,476	\$ 13,321,020	\$ 180,164,209	\$ (10,669,556)	\$ 183,866,149	\$ 183,866,149
Continue to maintain viable presence	11	2027-2028	2027	\$ 1,050,476	\$ 12,987,995	\$ 175,660,103	\$ (10,402,817)	\$ 179,295,757	\$ 179,295,757
	12	2028-2029	2028	\$ 1,050,477	\$ 12,663,295	\$ 171,268,601	\$ (10,142,746)	\$ 174,839,626	\$ 174,839,626
	13	2029-2030	2029	\$ 1,050,477	\$ 12,346,712	\$ 166,986,886	\$ (9,889,178)	\$ 170,494,897	\$ 170,494,897
	14	2030-2031	2030	\$ 1,050,478	\$ 12,038,045	\$ 162,812,214	\$ (9,641,948)	\$ 166,258,788	\$ 166,258,788
	15	2031-2032	2031	\$ 1,050,478	\$ 11,737,093	\$ 158,741,908	\$ (9,400,900)	\$ 162,128,580	\$ 162,128,580
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2032-2033	2032	\$ 1,050,479	\$ 11,443,666	\$ 154,773,361	\$ (9,165,877)	\$ 158,101,628	\$ 158,101,628
	17	2033-2034	2033	\$ 1,050,479	\$ 11,157,574	\$ 150,904,027	\$ (8,936,730)	\$ 154,175,350	\$ 154,175,350
	18	2034-2035	2034	\$ 1,050,480	\$ 10,878,635	\$ 147,131,426	\$ (8,713,312)	\$ 150,347,229	\$ 150,347,229
	19	2035-2036	2035	\$ 1,050,480	\$ 10,606,669	\$ 143,453,140	\$ (8,495,479)	\$ 146,614,810	\$ 146,614,810
	20	2036-2037	2036	\$ 1,050,481	\$ 10,341,502	\$ 139,866,812	\$ (8,283,092)	\$ 142,975,703	\$ 142,975,703
	21	2037-2038	2037	\$ 1,050,481	\$ 10,082,965	\$ 136,370,141	\$ (8,076,015)	\$ 139,427,572	\$ 139,427,572
	22	2038-2039	2038	\$ 1,050,482	\$ 9,830,891	\$ 132,960,888	\$ (7,874,115)	\$ 135,968,146	\$ 135,968,146
	23	2039-2040	2039	\$ 1,050,482	\$ 9,585,118	\$ 129,636,866	\$ (7,677,262)	\$ 132,595,204	\$ 132,595,204
	24	2040-2041	2040	\$ 1,050,483	\$ 9,345,491	\$ 126,395,944	\$ (7,485,330)	\$ 129,306,587	\$ 129,306,587
25	2041-2042	2041	\$ 1,050,483	\$ 9,111,853	\$ 123,236,045	\$ (7,298,197)	\$ 126,100,185	\$ 126,100,185	

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

## Schedule C: Employment Information

Applicant Name:

OXEA CORPORATION

Form 50-296A

ISD Name:

BAY CITY INDEPENDENT SCHOOL DISTRICT

Revised Feb 2014

	Year	School Year (YYYY-YYYY)	Tax Year (Actual tax year) YYYY	Construction		Non-Qualifying Jobs	Qualifying Jobs	
				Column A	Column B	Column C	Column D	Column E
	-1	2015-2016	2015	Number of Construction FTE's or man-hours (specify)	Average annual wage rates for construction workers	Number of non- qualifying jobs applicant estimates it will create (cumulative)	Number of new qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Average annual wage of new qualifying jobs
				330,000 man-hours	\$25/hr	0		
<i>Each year prior to start of Value Limitation Period Insert as many rows as necessary</i>	0	2016-2017	2016	660,000 man-hours	\$25/hr	0	8	\$ 50,000
Value Limitation Period The qualifying time period could overlap the value limitation period.	1	2017-2018	2017		\$ -	0	19	\$ 50,000
	2	2018-2019	2018		\$ -	0	19	\$ 50,000
	3	2019-2020	2019		\$ -	0	19	\$ 50,000
	4	2020-2021	2020		\$ -	0	19	\$ 50,000
	5	2021-2022	2021		\$ -	0	19	\$ 50,000
	6	2022-2023	2022		\$ -	0	19	\$ 50,000
	7	2023-2024	2023		\$ -	0	19	\$ 50,000
	8	2024-2025	2024		\$ -	0	19	\$ 50,000
	9	2025-2026	2025		\$ -	0	19	\$ 50,000
Years Following Value Limitation Period	11 through 25	2027-2028	2027		\$ -	0	19	\$ 50,000

Notes: See TAC 9.1051 for definition of non-qualifying jobs.

Only include jobs on the project site in this school district.

**C1.** Are the cumulative number of qualifying jobs listed in Column D less than the number of qualifying jobs required by statute? (25 qualifying jobs in Subchapter B districts, 10 qualifying jobs in Subchapter C districts)  Yes  No

If yes, answer the following two questions:

**C1a.** Will the applicant request a job waiver, as provided under 313.025(f-1)?  Yes  No

**C1b.** Will the applicant avail itself of the provision in 313.021(3)(F)?  Yes  No

**Schedule D: Other Incentives (Estimated)**

Applicant Name:

OXEA CORPORATION

Form 50-296A

ISD Name:

BAY CITY INDEPENDENT SCHOOL DISTRICT

Revised Feb 2014

State and Local Incentives for which the Applicant intends to apply (Estimated)						
Incentive Description	Taxing Entity (as applicable)	Beginning Year of Benefit	Duration of Benefit	Annual Tax Levy without Incentive	Annual Incentive	Annual Net Tax Levy
Tax Code Chapter 311	County:					
	City:					
	Other:					
Tax Code Chapter 312	County: Matagorda	2014	3 YEARS	\$ 291,948.00	50% - ALL YEARS	\$ 145,974.00
	City:					
	Other:					
Local Government Code Chapters 380/381	County:					
	City:					
	Other:					
Freeport Exemptions	Port of Bay City, Conservation & Reclamation District, Coastal Plains Groundwater District, Drainage District #1, Matagorda County Hospital District	Yearly	Yearly	\$ 518,407.00	Varies Yearly	\$ 462,068.00
Non-Annexation Agreements						
Enterprise Zone/Project						
Economic Development Corporation						
Texas Enterprise Fund						
Employee Recruitment						
Skills Development Fund						
Training Facility Space and Equipment						
Infrastructure Incentives						
Permitting Assistance						
Other:						
Other:						
Other:						
Other:						
<b>TOTAL</b>				\$ 810,355		\$ 608,042

Additional information on incentives for this project:

312 AGREEMENT WILL RESULT IN ESTIMATED TOTAL REDUCTION OF TAXES PAYABLE TO THE LOCAL JURISDICTIONS OF \$145,975 OVER 3 YEARS WITH \$291,948 OF ESTIMATED TAXES OVER 3 YEARS IF THE PROJECT WERE NOT ABATED.

Tab 15

None

**Public Hearing was held at 9:58 concerning the adoption of an ordinance to nominate an area of the County designated as a reinvestment zone, with proposed zone area as described in Instrument No. 071569 – Special Warranty Deed filed in the office**

**BE IT REMEMBERED**, that on this 2<sup>nd</sup> day of December, 2013, the Commissioner's Court of Matagorda County, Texas met in **Special Session**, with a quorum in attendance, a motion was made at 9:58 am by County Judge McDonald and seconded by Commissioner Gibson, with all others concurring, to enter a Public Hearing concerning the adoption of an ordinance to nominate an area of the County designated as a reinvestment zone, with proposed zone area as described in Instrument No. 071569 – Special Warranty Deed filed in the office. On motion of Commissioner Pustka and seconded by Commissioner Gibson, with all other concurring, to exit the public hearing at 10:00 am and resume regular session of commissioners court.

**PASSED IN OPEN COURT this 9<sup>th</sup> day of December, 2013.**

  
\_\_\_\_\_  
Nate McDonald, County Judge  
Matagorda County, Texas

071569

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

SPECIAL WARRANTY DEED

STATE OF TEXAS

COUNTY OF MATAGORDA

§  
§  
§



Q3500171144001

Year: 2007 Doc: 071569 Type: WD

CELANESE LTD., a Texas limited partnership, having an address of 1601 West LBJ Freeway, Dallas, Texas 75234 ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has Granted, Sold, Delivered and Conveyed, and by these presents does Grant, Sell, Deliver and Convey, unto OXHA CORPORATION, a Delaware corporation, having an address of P.O. Box 1141, Bay City, Texas 77404 ("Grantee"), all that real property situated in the County of Matagorda, State of Texas, and more particularly described on Exhibit A attached hereto and made a part hereof for all purposes, together with (i) any and all appurtenances belonging or appertaining thereto; (ii) any and all improvements, buildings and fixtures located thereon; (iii) any and all appurtenant easements or rights of way affecting said real property and any of Grantor's rights to use same, if any; (iv) any and all rights of ingress and egress to and from said real property and any of Grantor's rights to use same, if any; (v) any and all mineral rights and interests of Grantor relating to said real property (present or reversionary) and (vi) all right, title and interest of Grantor, if any, in and to (a) any and all roads, streets, alleys and ways (open or proposed) affecting, crossing, fronting or bounding said real property, including any awards made or to be made relating thereto including, without limitation, any unpaid awards or damages payable by reason of damages thereto or by reason of a widening of or changing of the grade with respect to same, (b) any and all strips, gores, or pieces of real property abutting, bounding or which are adjacent or contiguous to said real property (whether owned or claimed by deed, limitations or otherwise), (c) any and all air rights relating to said real property, (d) any and all reversionary interests in and to said real property and (e) without warranty of any type, Grantor's right to reacquire the property more fully described in instrument recorded at vol. 402, p. 51 (collectively, the "Real Property"), less and except the improvements, buildings and fixtures described on Exhibit B attached hereto and made a part hereof for all purposes, such property to be retained by Grantor as its property.

THE CONVEYANCE EVIDENCED hereby and Grantor's limited warranty of title contained herein are expressly made SUBJECT TO (1) the Permitted Liens, as that term is defined in the Purchase Agreement, dated as of December 12, 2006, by and among Grantor and Grantee, among other parties thereto (the "Purchase Agreement"); and (2) that certain Ground Lease dated on or about the date hereof by and between Grantor and Grantee (collectively, the foregoing are referred to as the "Permitted Exceptions").

TO HAVE AND TO HOLD the Real Property, together with all and singular the rights and appurtenances belonging in any way to the Real Property, unto the said Grantee, its successors and assigns forever; subject to all matters of record affecting the Real Property; provided, however, that Grantor binds itself and its successors and assigns to warrant and forever defend all and singular the Real Property to Grantee, its successors and assigns against every person lawfully claiming or to claim all or any part of the Real Property, by, through, or under Grantor, but not otherwise, subject, however, to the

Permitted Exceptions. All express warranties (except as set forth herein), implied warranties, and warranties that might arise by common law as the warranties in Section 5.023 of the Texas Real Property Code (or its successor), are hereby expressly excluded. Grantor warrants that the Real Property is free from any encumbrances arising by, through or under Grantor except for the Permitted Exceptions, but does not warrant that the Property is free from any other encumbrances.

The parties hereto acknowledge that this Deed is given pursuant to the terms of the Purchase Agreement, and that in the event of a conflict or inconsistency between the terms of the Purchase Agreement and the terms of this Deed, the term of the Purchase Agreement shall govern. Without limiting the foregoing, and notwithstanding anything herein to the contrary, (i) nothing herein shall be deemed to amend or modify any of the terms or provisions of the Purchase Agreement and such Purchase Agreement shall remain in full force and effect among the parties thereto according to its terms, (ii) the special warranty given in this Deed shall not be deemed to limit, expand, replace, supersede or void any warranty made by Grantor in the Purchase Agreement, (iii) the terms of this Deed shall not modify, limit, expand, supersede or void any rights, liabilities or obligations between Grantor and Grantee under the Purchase Agreement, as between the parties thereto only, which shall remain in full force and effect except to the extent expressly limited therein, and (iv) the special warranty given herein shall be subject to all of the limitations and restrictions on Grantor's warranties set forth in the Purchase Agreement, which such limitations and restrictions are hereby incorporated herein by this reference as if fully set forth herein, and Grantee and its successors and assigns shall not have any rights or remedies under this Deed in excess of any rights and remedies set forth in the Purchase Agreement.

[Signatures Appear on the Following Page]



## EXHIBIT A

DESCRIPTION OF 898.57 ACRES, MORE OR LESS, OF LAND AREA BEING IN THE JAMES MOORE LEAGUE, ABSTRACT NO. 62, MATAGORDA COUNTY, TEXAS AND BEING THE REMAINING PORTION OF THAT TRACT DESCRIBED AS 1000.0 ACRES IN A DEED FROM WALTER W. FONDREN, JR. TO CELANESE CORPORATION OF AMERICA DATED DECEMBER 8, 1960 AND RECORDED IN VOLUME 362, PAGE 16, MATAGORDA COUNTY DEED RECORDS AND ALL THAT TRACT DESCRIBED AS 8.9876 ACRES IN A DEED FROM CHAMPLIN PETROLEUM COMPANY TO CELANESE CORPORATION DATED APRIL 22, 1968 AND RECORDED IN VOLUME 462, PAGE 123, MATAGORDA COUNTY DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a capped pin found at the common northeast corner of that tract described as 9.06 acres in a deed from Celanese, Ltd. to Port Assets, LLC dated December 21, 2001 and recorded in Volume 641, Page 596 and an exterior corner in the north line of the 1000.0 acre Celanese tract and in the approximate common north line of the James Moore League, Abstract No. 62 and the south line of the AJM Smalley League, Abstract No. 90, Matagorda County, Texas;

THENCE with the north line of the Celanese 1000.0 acre tract and the approximate common north line of the James Moore League and the south line of the AJM Smalley League N 88°37'38" E 3874.50 feet to a 1 ¼ inch iron pipe found at the northeast corner of the Celanese 1000.0 acre tract;

THENCE leaving the approximate common north line of the James Moore League and the south line of the AJM Smalley League, S 01°23'00" E (this course being the bearing basis for this description) with the east line of the Celanese 1000.0 acre tract, and joining the west line at a calculated point at a record distance of 175.29 feet at the northwest corner of that tract described as 1371.5857 acres in a Correction Deed from the Estate of Walter W. Fondren, Jr. and Doris Ledwidge Fondren to Cities Service Company dated January 20, 1981 and recorded in Volume 668, Page 184, Matagorda County Deed Records at a total distance of 5638.97 feet to 1 ¼ inch iron pipe found at the common southeast corner of the 1000.0 acre Celanese tract and an interior corner of the 1341.5857 acre Walter W. Fondren, Jr. tract;

THENCE with the common south line of the Celanese 1000.0 tract and the north line of the 1341.5857 acre Walter W. Fondren Jr. tract, North 88°36'15" E 6727.30 feet to a ½ inch iron pin set at the common southwest corner of the remaining portion of the 1000.0 acre Celanese tract and the southeast corner of that tract described as 94.024 acres in a deed from Celanese Corporation of America to Baycel Club dated May 6, 1963 and recorded in Volume 402, Page 51, Matagorda County Deed Records;

THENCE with the common southwest line of the remaining portion of the 1000.0 acre Celanese tract and the northeast line of the 94.024 Baycel Club tract N 39°56'53" W 2720.20 feet to a ½ inch iron rod set at a common interior corner of the remaining portion of the Celanese 1000.0 acre tract and the Baycel Club tract;

THENCE with the common west line of the remaining portion of the Celanese 1000.0 acre tract and the east line of the Baycel Club tract N 01°31'51" W 267.24 feet to a ½ inch iron pin set at the common northeast corner of the Baycel Club tract and the southeast corner of that tract described as 1.649 acres in a deed from Celanese Corporation of America to Matagorda County Navigation District No. 2 dated January 15, 1963 and recorded in Volume 4, Page 145, Matagorda County Deed Records;

THENCE with the continuing with the west line of the remaining portion of the Celanese 1000.0 acre tract and the east line of the 1.649 acre Matagorda Navigation tract N 01°31'51" W 169.20 feet to a ½

inch iron rod set at the common southeast corner of that tract described as 180.83 acres in a deed from Walter W. Fondren Jr. to Matagorda County Navigation District No. 2 dated June 9, 1961 and recorded in Volume 3, Page 611, Matagorda County Deed Records and the southwest corner of the Celanese 8.9876 acre tract;

THENCE with the common west line of the 8.9876 acre Celanese tract and the east line of the 180.83 acre Matagorda Navigation tract N 02°38'36" W 92.00 feet to a 5/8 inch rebar found at the common southerly northwest corner of the Celanese 8.9876 acre tract and the southwest corner of the remaining portion of that tract described in a deed from Doris Ledwidge Fondren to Walter W. Fondren III, et al dated January 15, 1981 and recorded in Volume 665, Page 753, Matagorda County Deed Records;

THENCE leaving the east line of the Matagorda Navigation tract with the common northwest line of the 8.9876 acre Celanese tract and the southeast line of the remaining portion of the Walter W. Fondren III tract N 48°26'02" E 2039.10 feet to a 5/8 inch rebar found said to be in the south line of FM 3057 at the common northeasterly north corner of the 8.9876 acre Celanese tract and an exterior corner of the remaining portion of the Walter W. Fondren III tract;

THENCE with the common line of the 8.9876 acre Celanese tract, the south line of the remaining portion of the Walter W. Fondren III tract and the south line of FM 3057 the following eight (8) tracts:

- 1) N 87°39'29" E 45.63 feet to a calculated point;
- 2) N 79°15'29" E 94.00 feet to a calculated point;
- 3) N 78°31'29" E 40.94 feet to a 5/8 inch rebar found;
- 4) leaving the south line of FM 3057 S 48°21'35" W 107.35 feet to a 1/2 inch iron rod set;
- 5) S 45°44'35" W 92.61 feet to a 1/2 inch iron rod set;
- 6) S 38°12'35" W 102.70 feet to a 1/2 inch iron rod set;
- 7) S 31°32'35" W 102.99 feet to a 1/2 inch iron rod set;
- 8) S 31°12'35" W 163.74 feet to a 1/2 inch iron rod set in the common northwest line of the Celanese 1000.0 acre tract and the southwest line of the Walter W. Fondren III tract for an interior corner of this description;

THENCE with the common northwest line of the remaining portion of the 1000.0 acre Celanese tract and the southeast line of the Walter W. Fondren III tract N 48°22'34" E 2624.62 feet to a 1/2 inch iron rod set (pass at 1189.00 a 1/2 inch iron rod set at the intersection of the northwest line of the Celanese 1000.0 acre tract and FM 3057) at a common exterior corner of the remaining portion of the 1000.0 acre Celanese tract and the northwest corner of the 9.06 acre Port Assets, LLC tract;

THENCE leaving the common northwest line of the Celanese 1000.0 acre tract and the southeast line of the Walter W. Fondren III tract with a common east line of the remaining portion of the 1000.0 acre Celanese tract and the west line of the 9.06 acre Port Assets, LLC tract the following three (3) courses:

- 1) S 19°24'50" E 207.56 feet to a 1/2 inch iron rod set;
- 2) N 70°35'10" E 111.45 feet to a 1/2 inch iron rod set;
- 3) S 19°24'50" E 338.56 feet to a capped pin found at the common interior corner of the remaining portion of the 1000.0 acre Celanese tract and the southwest corner of the 9.06 acre Port Assets, LLC tract;

THENCE with the common north line of the remaining portion of the 1000.0 acre Celanese tract and the south line of the 9.06 acre Port Assets, LLC tract N 70°32'53" E 404.69 feet to a 5/8 inch rebar found at the common southeast corner of the 9.06 acre Port Assets, LLC tract and the southwest corner of that tract described as 8.10 acres in a deed from Celanese, Ltd. to Port Assets, LLC dated October 9, 2001 and recorded in Volume 655, Page 135, Matagorda County Deed Records and on the north line of the remaining portion of the 1000.0 acre Celanese tract;

THENCE with the common north line of the remaining portion of the 1000.0 acre Celanese tract and the south line of the 8.10 acre Port Assets, LLC tract N 70°53'14" E 603.14 feet to capped pin found at a common interior corner of the remaining portion of the 1000.0 acre Celanese tract and the southeast corner of the 8.10 acre Port Assets, LLC tract;

THENCE with a common west line of the remaining portion of the 1000.0 acre Celanese tract and the east line of the 8.10 acre Port Assets, LLC tract N 07°46'51" W 506.07 feet to a capped pin found at the common northeast corner of the 8.10 acre Port Assets, LLC tract and the northerly southeast corner of the 9.06 acre Port Assets, LLC tract;

THENCE continuing with a west line of the remaining portion of the 1000.0 acre Celanese tract and the east line of the 9.06 acre Port Assets, LLC tract N 07°45'39" W 60.40 feet to the PLACE OF BEGINNING.

There are contained within these metes and bounds 898.57 acres, more or less, of land area as prepared from public records and a survey made on the ground March 23, 2004 by Bock & Clark Corporation of Austin, Texas. All ½ inch iron rods set are capped with a plastic cap stamped "B&C RPLS 5671."

ALSO THAT CERTAIN Barge Dock parcel being described as 3.680 acres of land out of the James Moore League, Abstract No. 62, in Matagorda County, Texas, and is a portion of the Navigation District No. 2 properties, and is more particularly described as follows:

BEGINNING at a point in the northwest line of the land described in a deed from Walter W. Fondren, Jr. to the Celanese Corporation of America, dated December 8, 1960, and recorded in Volume 362, on page 16, Deed Records of Matagorda County, Texas, which northwest line is the southwest line of the above-mentioned Navigation District No. 2 properties, and the said beginning point is set South 48 deg. 23 min. West 184.0 feet from a 1-1/4 inch pipe at the northwest corner of the land described in the above-mentioned deed, and an interior corner of the said Navigation District No. 2 properties;

THENCE South 48 deg. 23 min. West 316.0 feet along the recognized common line between the above-mentioned Navigation District No. 2 properties, and the land described in the above-mentioned deed, to a point for the point of curve of a 4 deg. 09 min. curve to the left;

THENCE along a 4 deg. 09 min. curve to the left, 761.2 feet, to the edge of the Turning Basin Channel, for the south corner of this tract;

THENCE North 12 deg. 25 min. East 878.0 feet along the edge of the above-mentioned Channel, to a point for the northwest corner of this tract;

THENCE South 86 deg. 26 min. East 477.9 feet, to the place of beginning, containing 3.680 acres of land, more or less, of which there is 2.996 acres in the right-of-way for the Turning Basin Channel.

ALSO LESS AND EXCEPTING any property previously conveyed by Grantor to other parties as reflected in the public records including the following described property to the extent included, if at all, in the above description of real estate: (1) 94.024 acres conveyed from Celanese Corporation of America to BayCel Club by deed dated May 6, 1963, recorded in Volume 402 at page 51 of the Official Records of Matagorda County, Texas; (2) 1.649 acres conveyed from Celanese Corporation of America to Matagorda County Navigation District No. 2 by deed dated January 15, 1963, recorded in Volume 4 at page 145 of the Official Records of Matagorda County, Texas; (3) Road Easement of 20.99 acres for F.M. 3057 from Celanese Corporation of America to the County of Matagorda, State of Texas, by deed dated July 26, 1961, recorded in Volume 4 at page 19 of the Official Records of Matagorda County, Texas; (4) 8.10 acres conveyed from Celanese, Ltd. to Port Assets, LLC, by deed recorded October 22, 2001 in Volume 635 at page 135 of the Official Records of Matagorda County, Texas; (5) 9.06 acres conveyed from

**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

Keith A. Brown

Superintendent

Print Name (Authorized School District Representative)

Title

sign  
here

*[Handwritten Signature]*

September 15, 2014

Signature (Authorized School District Representative)

Date

**2. Authorized Company Representative (Applicant) Signature and Notarization**

I am the authorized representative for the business entity for the purpose of filing this application. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code. The information contained in this application and schedules is true and correct to the best of my knowledge and belief.

I hereby certify and affirm that the business entity I represent is in good standing under the laws of the state in which the business entity was organized and that no delinquent taxes are owed to the State of Texas.

print  
here

Wolfgang Hackenberg

VP/Treasurer

Print Name (Authorized Company Representative (Applicant))

Title

sign  
here

*[Handwritten Signature]*

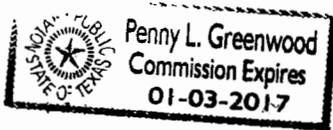
8/25/2014

Signature (Authorized Company Representative (Applicant))

Date

GIVEN under my hand and seal of office this, the

25 day of August, 2014  
*[Handwritten Signature]*  
Notary Public in and for the State of Texas



(Notary Seal)

My Commission expires: 2017

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.