

WALSH, ANDERSON,
GALLEGOS, GREEN
and TREVIÑO, P.C.

ATTORNEYS AT LAW

April 27, 2012

Mr. Gary Price
Regional Fiscal Analysis
Local Government Assistance and
Economic Development Division
Texas Comptroller of Public Accounts
111 E. 17th Street
Austin, Texas 78774

VIA FEDERAL EXPRESS # 798334855437

Re: Edna Independent School District ("District") / Tax Limitation Agreement: Flag City Processing Partners, LLC ("Applicant")

Dear Mr. Price:

Pursuant to Tax Code §313.025(b) and 34 TAC Rules §9.1053(a)(2) and 9.1054(c), attached are the following:

1. One (1) copy of the Application for Appraised Value Limitation on Qualified Property ("Application") submitted to the Edna Independent School District by Flag City Processing Partners, LLC.
2. One (1) electronically digitized copy of the Application formatted in searchable pdf format.
3. A copy of check no. 8000016 dated April 16, 2012 for the application fee in the amount of \$75,000.00 delivered to the District on April 16, 2012 as proof of payment of the application fee (Attachment 2 to Application).

The Application was received on April 16, 2012. The Board of Trustees of the District elected to consider the application on April 16, 2012. The District determined the Application was complete on April 16, 2012.

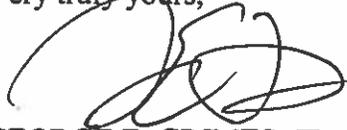
The District requests that the Comptroller provide an economic impact evaluation.

Mr. Gary Price
April 27, 2012
Page 2

By copy of this letter we are notifying the Applicant that the District has submitted the Application to the Comptroller and to the Jackson County Appraisal District.

Please call if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "George E. Grimes, Jr.", written over the typed name below.

GEORGE E. GRIMES, JR.

GEG/pam
Enclosures

cc: Jackson County Appraisal District
(Certified Mail No. 7010 0780 0000 5707 8736; Return Receipt Requested; w/enclosures)

Robert Daniel, P.E., Duff & Phelps, LLC
(Certified Mail No. 7010 0780 0000 5707 8729; Return Receipt Requested; w/enclosures)

Bob Wells, Superintendent of Schools

(Via U.S. Postal Service; w/o enclosures)



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

Form 50-296
(Revised May 2010)

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

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

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

This notice must include:

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

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

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

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

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

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

SCHOOL DISTRICT INFORMATION - CERTIFICATION OF APPLICATION

Authorized School District Representative

Date application received by district

4/16/2012

First Name

Bob

Last Name

Wells

Title

District Superintendent

School District Name

Edna Independent School District

Street Address

1307 W. Gayle Street

Mailing Address

P.O. Box 919

City

Edna

State

TX

ZIP

77957

Phone Number

361-782-3573

Fax Number

361-781-1002

Mobile Number (optional)

E-mail Address

bwells@ednaisd.org

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

Will consultant be primary contact? Yes No

SCHOOL DISTRICT INFORMATION - CERTIFICATION OF APPLICATION (CONTINUED)

Authorized School District Consultant (If Applicable)

First Name **George** Last Name **Grimes**

Title **Attorney**

Firm Name **Walsh, Anderson, Brown, Gallegos & Green, P.C.**

Street Address **100 N.E. Loop 410, Suite 900**

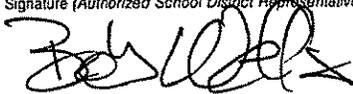
Mailing Address

City **San Antonio** State **TX** ZIP **78216**

Phone Number **210-979-6633** Fax Number **210-979-7024**

Mobile Number (Optional) E-mail Address **ggrimes@wabsa.com**

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

Signature (Authorized School District Representative)  Date **4/16/2012**

Has the district determined this application complete? Yes No

If yes, date determined complete. 4/16/2012

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

SCHOOL DISTRICT CHECKLIST AND REQUESTED ATTACHMENTS

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

APPLICANT INFORMATION - CERTIFICATION OF APPLICATION

Authorized Business Representative (Applicant)

First Name Keith	Last Name Fuqua	
Title Tax Department		
Organization Boardwalk Field Services, LLC		
Street Address 9 Greenway Plaza - Suite 2800		
Mailing Address		
City Houston	State TX	ZIP 77494
Phone Number 713-479-3730	Fax Number	
Mobile Number (optional)	Business e-mail Address Keith.Fuqua@bwpmlp.com	

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

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

First Name	Last Name	
Title		
Organization		
Street Address		
Mailing Address		
City	State	ZIP
Phone Number	Fax Number	
Mobile Number (optional)	E-mail Address	

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

Will consultant be primary contact? Yes No

APPLICANT INFORMATION - CERTIFICATION OF APPLICATION (CONTINUED)

Authorized Company Consultant (If Applicable)

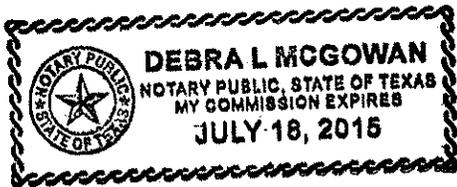
First Name Robert	Last Name Daniel	
Title Vice President		
Firm Name Duff and Phelps		
Street Address 919 Congress Avenue, Suite 1450		
Mailing Address		
City Austin	State TX	ZIP 78701
Phone Number 512-671-5557	Fax Number	
Business email Address robert.daniel@duffandphelps.com		

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

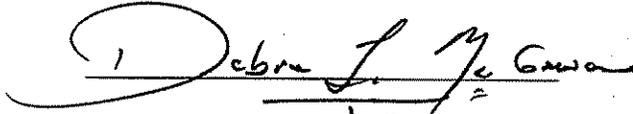
I hereby certify and affirm that the business entity I represent is in good standing under the laws of the state in which the business entity was organized and that no delinquent taxes are owed to the State of Texas.

Signature (Authorized Business Representative (Applicant)) 	Date 4/16/12
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GIVEN under my hand and seal of office this 16th day of April, 2012



(Notary Seal)


Notary Public, State of Texas

My commission expires July 18, 2015

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



FEES AND PAYMENTS

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

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

Please answer only either A OR B:

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

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

BUSINESS APPLICANT INFORMATION

Legal Name under which application is made

Flag City Processing Partners, LLC

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

32046917780

NAICS code

325110

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

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

APPLICANT BUSINESS STRUCTURE

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

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

Limited Liability Corporation

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

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

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

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

ELIGIBILITY UNDER TAX CODE CHAPTER 313.024

- Are you an entity to which Tax Code, Chapter 171 applies? Yes No
- The property will be used as an integral part, or as a necessary auxiliary part, in 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
- Are you requesting that any of the land be classified as qualified investment? Yes No
- Will any of the proposed qualified investment be leased under a capitalized lease? Yes No
- Will any of the proposed qualified investment be leased under an operating lease? Yes No
- Are you including property that is owned by a person other than the applicant? Yes No
- 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

PROJECT DESCRIPTION

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

See Attachment

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

See Attachment

PROJECT CHARACTERISTICS (CHECK ALL THAT APPLY)

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

PROJECTED TIMELINE

Begin Construction May 2012 Begin Hiring New Employees Sep 2012

Construction Complete Dec 2012 Fully Operational Feb 2013

Purchase Machinery & Equipment Aug 2012

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.

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

ECONOMIC INCENTIVES

Identify state programs the project will apply for:

State Source	Amount
_____	_____
_____	_____
_____	_____
Total	_____

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

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

Requesting Chapter 312 property tax abatement agreements with Jackson County and Hospital District

THE PROPERTY

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

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

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

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

County: Jackson County - 100% City: _____
(Name and percent of project) (Name and percent of project)

Hospital District: Jackson County Hospital - 100% Water District: Texana Groundwater Conservation District - 100%
(Name and percent of project) (Name and percent of project)

Other (describe): Flood District - 100% Other (describe): _____
(Name and percent of project) (Name and percent of project)

Is the project located entirely within this ISD? Yes No

If not, please provide additional information on the project scope and size to assist in the economic analysis.

INVESTMENT

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

At the time of application, what is the estimated minimum qualified investment required for this school district? \$10,000,000

What is the amount of appraised value limitation for which you are applying? \$10,000,000

What is your total estimated qualified investment? \$65,000,000

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

What is the anticipated date of application approval? May 15, 2012

What is the anticipated date of the beginning of the qualifying time period? January 1, 2013

What is the total estimated investment for this project for the period from the time of application submission to the end of the limitation period? \$65,000,000

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

Attach the following items to this application:

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

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

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

- (1) in or on the new building or other new improvement for which you are applying? [X] Yes [] No
(2) if not in or on the new building or other new improvement for which you are applying for an appraised value limitation, is the personal property necessary and ancillary to the business conducted in the new building or other new improvement? [X] Yes [] No
(3) on the same parcel of land as the building for which you are applying for an appraised value limitation? [X] Yes [] No

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

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

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

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

QUALIFIED PROPERTY

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

Attach the following items to this application:

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

Land

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

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

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

Will the project be on leased land? [] Yes [X] No



QUALIFIED PROPERTY (CONTINUED)

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

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

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

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

Miscellaneous

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

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

List current market value of existing property at site as of most recent tax year. \$242,100 (Market Value) 2011 (Tax Year)

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

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

WAGE AND EMPLOYMENT INFORMATION

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

The last complete calendar quarter before application review start date is the:

First Quarter Second Quarter Third Quarter Fourth Quarter of 2011 (year)

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

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

Total number of new jobs that will have been created when fully operational 10

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

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

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

What is the maximum number of qualifying jobs meeting all criteria of §313.021(3) you are committing to create? 10

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

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

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

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

WAGE AND EMPLOYMENT INFORMATION (CONTINUED)

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

110% of the county average weekly wage for all jobs (all industries) in the county is \$787
110% of the county average weekly wage for manufacturing jobs in the county is \$1,011
110% of the county average weekly wage for manufacturing jobs in the region is \$883

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

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

What is the estimated minimum required annual wage for each qualifying job based on the qualified property? \$45,912

What is the estimated minimum required annual wage you are committing to pay for each of the qualifying jobs you create on the qualified property? \$55,000

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

If yes, what percent?

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

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

ECONOMIC IMPACT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COMPANY CHECKLIST AND REQUESTED ATTACHMENTS

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

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

ATTACHMENT 2

Proof of Payment of Application Fee

Proof of payment of filing fee received by the
Comptroller of Public Accounts per TAC Rule
§9.1054 (b)(5)

*(Page Inserted by Office of Texas Comptroller of Public
Accounts)*

ATTACHMENT 3

Documentation of Combined Group Membership

TX2011

Ver. 2.0

05-102

(9-09/29)

Tcode 13196

TEXAS FRANCHISE TAX PUBLIC INFORMATION REPORT

To be filed by Corporations and Limited Liability Companies (LLC) and Financial Institutions
This report MUST be signed and filed to satisfy franchise tax requirements

You have certain rights under Chapter 552 and 559, Government Code, to review, request, and correct information we have on file about you. Contact us at: (512) 463-4600, or (800) 252-1381, toll free nationwide.

Taxpayer number 32042836851		Report year 2011	
Taxpayer name Boardwalk Field Services, LLC			
Mailing address 9 Greenway Plaza, Suite 2800			Secretary of State file number or Comptroller file number 0801331207
City Houston	State TX	ZIP Code 77046	Plus 4

Check box if there are currently no changes from previous year; if no information is displayed, complete the applicable information in Sections A, B and C.

Principal office 9 Greenway Plaza, Suite 2800
Principal place of business Houston, TX 77046



3204283685111

Please sign below! Officer, director and member information is reported as of the date a Public Information Report is completed. The information is updated annually as part of the franchise tax report. There is no requirement or procedure for supplementing the information as officers, directors, or members change throughout the year.

SECTION A Name, title and mailing address of each officer, director or member.

Name	Title	Director	Term expiration
Stan Horton	CEO	<input checked="" type="checkbox"/> YES	m m d d y y
Mailing address 9 Greenway Plaza, Suite 2800		City Houston	State TX ZIP code 77046
Jamie L. Buskill	CFO	<input type="checkbox"/> YES	m m d d y y
Mailing address 9 Greenway Plaza, Suite 2800		City Houston	State TX ZIP code 77046
James D. Jones	VP - Tax	<input type="checkbox"/> YES	m m d d y y
Mailing address 9 Greenway Plaza, Suite 2800		City Houston	State TX ZIP code 77046

SECTION B Enter the information required for each corporation or LLC, if any, in which this entity owns an interest of ten percent (10%) or more.

Name of owned (subsidiary) corporation or limited liability company	State of formation	Texas SOS file number, if any	Percentage of Ownership

SECTION C Enter the information required for each corporation or LLC, if any, that owns an interest of ten percent (10%) or more in this entity or limited liability company.

Name of owned (parent) corporation or limited liability company	State of formation	Texas SOS file number, if any	Percentage of Ownership
Boardwalk Pipelines Holding Corp.	Delaware	0042168480	100%

Registered agent and registered office currently on file. (See instructions if you need to make changes) Check box if you need forms to change the registered agent or registered office information.

Agent: Corporation Service Company (CSC Lawyers Inc)	City Austin	State TX	ZIP Code 78701
Office: 701 Brazos Street, Suite 1050			

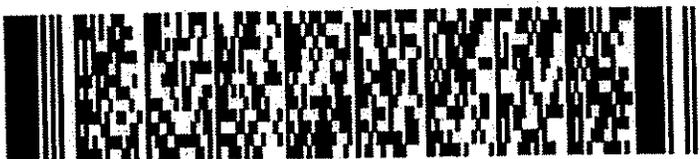
The above information is required by Section 171.203 of the Tax Code for each corporation or limited liability company that files a Texas Franchise Tax Report. Use additional sheets for Sections A, B, and C, if necessary. The information will be available for public inspection.

I declare that the information in this document and any attachments is true and correct to the best of my knowledge and belief, as of the date below, and that a copy of this report has been mailed to each person named in this report who is an officer, director or member and who is not currently employed by this, or a related, corporation or limited liability company.

Sign here:	Title VP - Tax	Date 9/3/11	Area code and phone number (713) 479-8294
------------	--------------------------	-----------------------	---

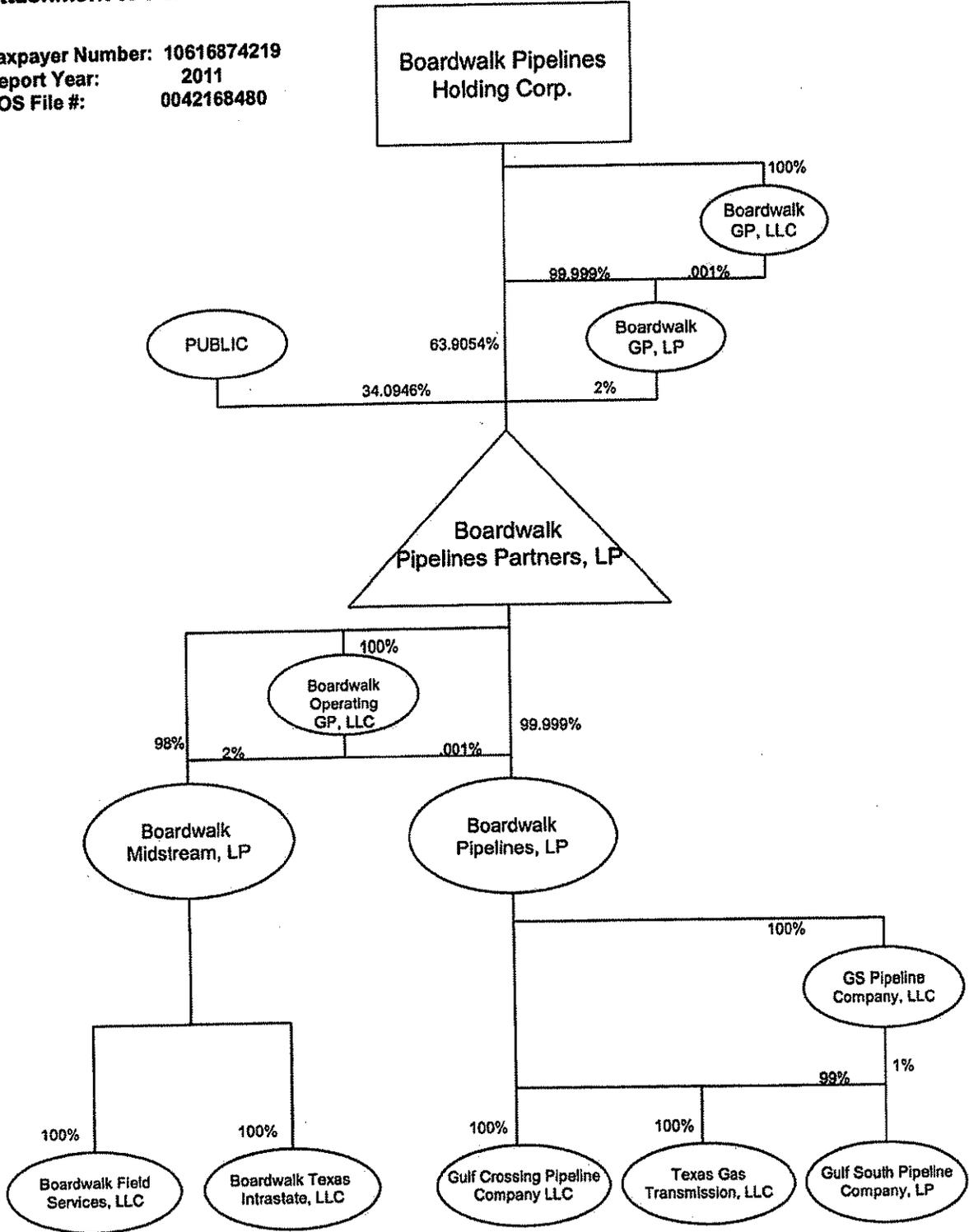
Texas Comptroller Official Use Only

VE/DE	<input type="radio"/>	PIR IND	<input type="radio"/>
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Boardwalk Pipelines Holding Corporation and Subsidiaries
Attachment to Form 05-167 Texas Franchise Tax Ownership Information Report

Taxpayer Number: 10616874219
 Report Year: 2011
 SOS File #: 0042168480



ATTACHMENT 4

Detailed Description of Project

Flag City Processing Partners, LLC (a wholly owned operating company of Boardwalk Field Services, LLC) is proposing to build a new gas processing facility in Jackson County, within the Edna Independent School District. The facility will be constructed on a parcel of land consisting of approximately 102 acres.

Flag City Gas Processing Plant

The Flag City Gas Processing Plant is a natural gas processing plant with a single processing train with a total capacity of 150 million cubic feet of natural gas per day (MMCFD) and the potential to add a second processing train. The facility will process incoming natural gas that is rich in natural gas liquids (NGL) such as ethane, propane and butane. The facility will produce market ready natural gas and Y-grade NGL product which will be sent to downstream markets via product pipelines.

The first step in the plant process is to separate the pipeline condensate liquids from the pipeline gas. Once separated, the condensate liquids are processed in a condensate stabilizer system in order to sell the hydrocarbon condensates to the NGL sales pipeline. Gas from the inlet separators is then treated in the amine treating system for removal of CO₂ from the inlet gas. The removal is required to prevent CO₂ freezing in the cryogenic NGL recovery plant and to meet the sales gas pipeline's and NGL pipeline's specifications. The CO₂ removed by the amine system is routed to an incinerator system to destroy incidental hydrocarbon vapors contained in the CO₂ stream. From the amine system, the sweet gas is then process in the cryogenic plant for natural gas liquid recovery. The gas is refrigerated by mechanical refrigeration and by expansion through a turbo expander. The NGL liquids condensed by the refrigeration system are fractionated in a demethanizer column and then pumped in a NGL sales pipeline. Gas from the cryogenic plant, now stripped of NGL liquids, is compressed and delivered to the sales gas pipeline.

The Flag City Gas Processing plant includes, but is not limited to the following main processing units and utility systems which are classified as "Qualified Investment"

- Inlet Separators
- Natural gas inlet compressors
- Amine units
- Dehydrators with reboilers
- Cryogenic plant and hot oil heater
- Natural gas residue compressors
- Associated above ground storage tanks
- Emergency flare
- Instrument & Utility Air

- Substation
- Control Building

Ability to Relocate

Boardwalk Pipeline Partners, LP, the parent company of Boardwalk Field Services, LLC and Flag City Partners Processing, LLC, is a leading midstream energy company. Boardwalk Pipeline Partners currently owns and operates over 14,200 miles of pipeline in twelve states and transported approximately 10% of the nation's average daily consumption of natural gas. Locations for these operations included Texas, Arkansas, Louisiana, Mississippi, Alabama, Florida, Tennessee, Kentucky, Indiana, Ohio and new gathering facilities in the Marcellus Shale region of Pennsylvania.

Boardwalk Pipeline Partners' footprint provides substantial flexibility in where future facilities or investments may be located. Capital investments are allocated to projects and locations based on expected economic return and property tax liabilities can make up a substantial ongoing cost of operation.

ATTACHMENT 6

Description of Qualified Investment

The Flag City Gas Processing plant includes, but is not limited to the following main processing units and utility systems which are classified as “Qualified Investment”

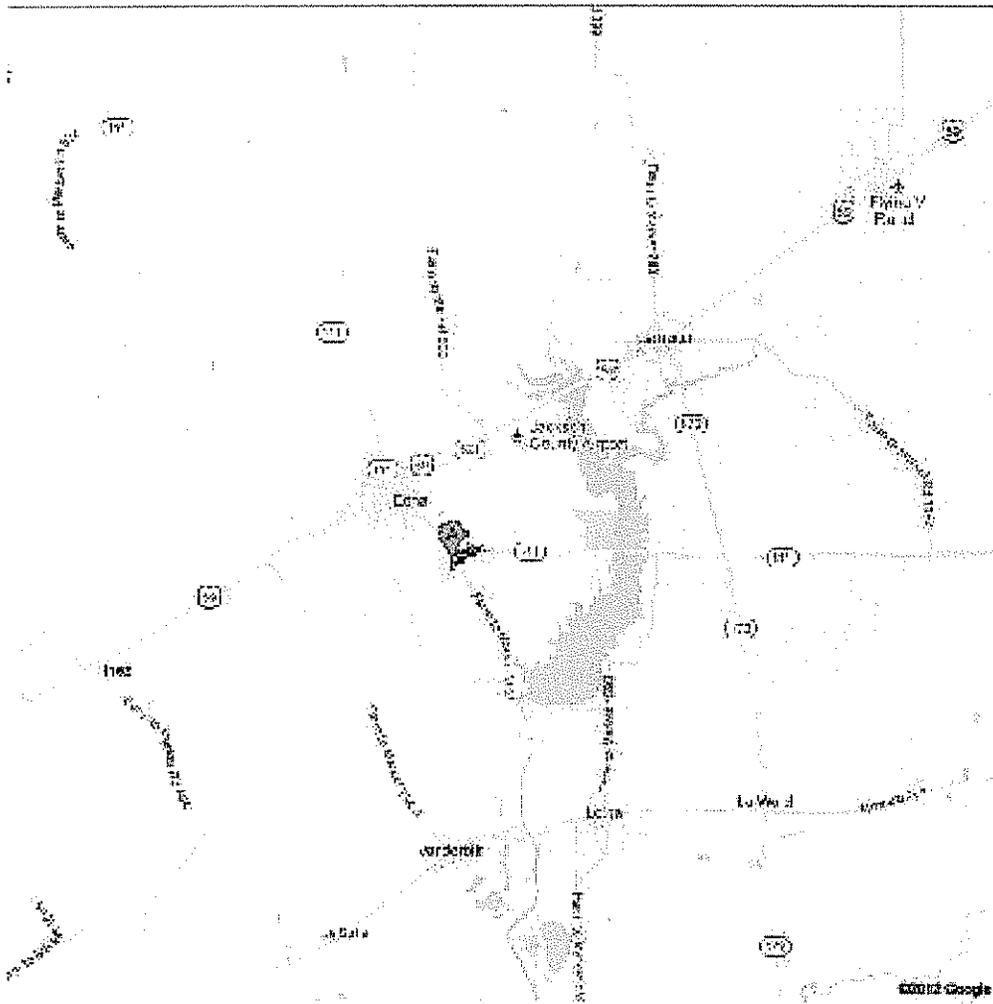
- Inlet Separators
- Natural gas inlet compressors
- Amine units
- Dehydrators with reboilers
- Cryogenic plant and hot oil heater
- Natural gas residue compressors
- Associated above ground storage tanks
- Emergency flare
- Instrument & Utility Air
- Substation
- Control Building

ATTACHMENT 7

Map of Qualified Investment

Between 260 and 406 County Road 305
Edna, TX 77957

A = proposed site



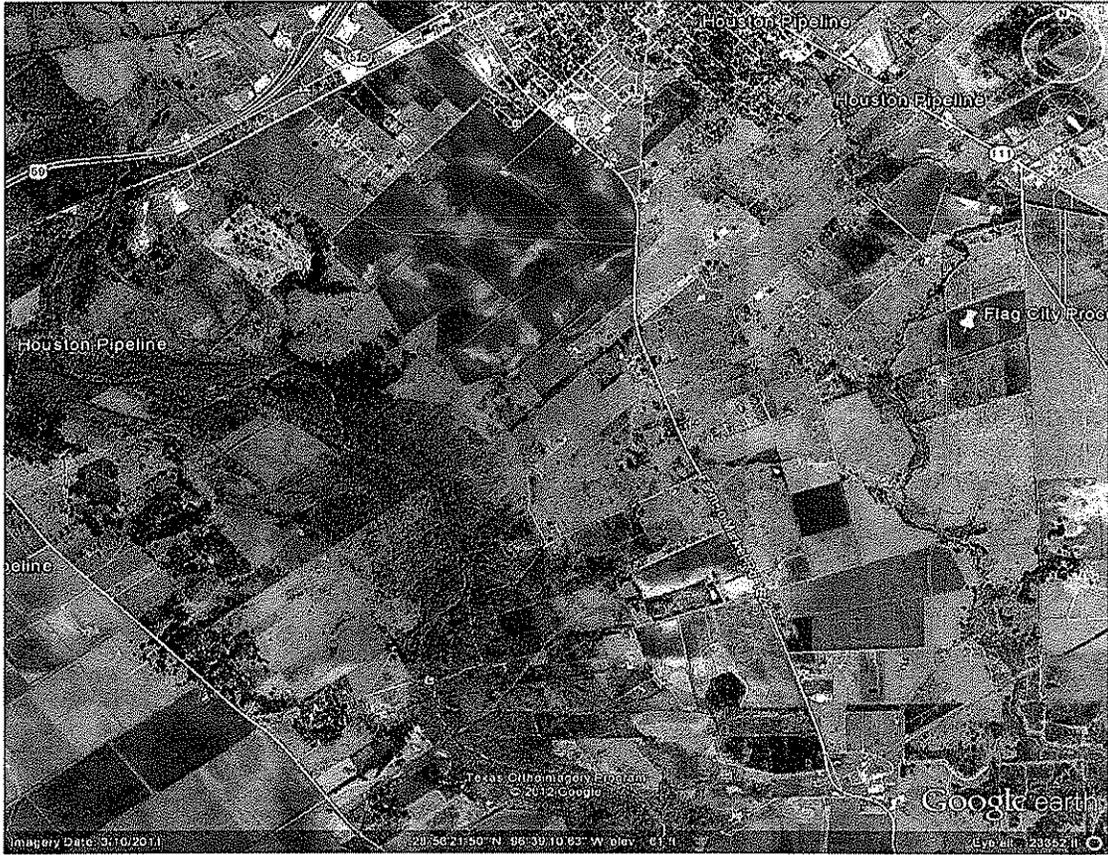
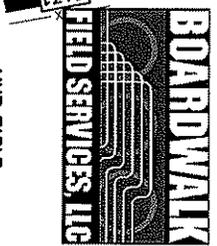


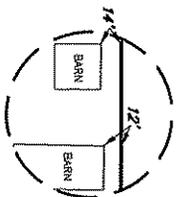


EXHIBIT "A"
STYLIANUS HATCH SURVEY A-27
JACKSON COUNTY, TEXAS
SURVEY OF 102.01 ACRES



SCALE 1" = 400'
 0' 200' 400'

DETAIL VIEW
 SCALE 1" = 100'



P.A.B.
 X=272788.4
 Y=13537306.9

BROOKSIE JARVIS SIMPSON
 VOLUME 411.8 ACRES
 (OR.SECT.)

OPEN PASTURE

DAVID STEFFEK AND WIFE,
 CYNTHIA STEFFEK
 VOLUME 127, PAGE 586
 (DEED) 98.1 ACRES
 (SURVEY) 102.01
 (OR.SECT.)

CONTROL POINT
 1/2" IRON ROD
 X=2729835.45
 Y=13538832.19
 ELEV.=52.78

DOUG, KAREN, AND JEAN KARENKA
 VOLUME 4.9 ACRES
 (OR.SECT.)

JACKSON COUNTY PUBLIC ROAD
 VOLUME 18, PAGE 334
 (DEED) 12.8 ACRES
 (SURVEY) 12.8 ACRES
 (OR.SECT.)

LESS AND EXCEPT
 JACKSON COUNTY PUBLIC ROAD
 VOLUME 18, PAGE 334
 (DEED) 12.8 ACRES
 (SURVEY) 12.8 ACRES
 (OR.SECT.)

WANS, J. WESTMART
 VOLUME 280.84 ACRES
 (OR.SECT.)

LINE TABLE

LINE	BEGINNING	DISTANCES
1	N 88°11'44" E	31.88/28
2	S 02°53'28" E	1381.84
3	N 08°57'24" W	3587.84
4	N 08°57'24" E	42.14
5	N 07°44'20" W	54.25
6	N 11°58'58" E	74.30
7	N 34°04'57" W	65.05
8	N 27°48'15" W	55.64
9	N 01°48'40" W	42.88
10	N 18°18'57" E	88.18
11	N 31°23'51" E	79.38
12	N 31°18'48" E	68.98
13	N 31°18'48" E	68.98
14	N 12°33'52" E	106.83
15	N 18°08'30" E	63.48
16	N 34°59'07" E	61.83
17	N 58°57'29" E	65.43
18	N 58°11'10" E	47.07
19	N 18°14'43" E	58.49
20	N 32°00'03" E	28.54
21	N 21°01'57" W	35.25
22	N 14°18'25" W	58.72
23	N 14°18'25" W	67.71
24	N 20°21'03" E	70.80
25	N 20°21'03" E	63.94
26	N 01°31'08" W	84.72
27	N 00°48'00" W	45.72
28	N 11°10'15" E	27.78
29	N 33°50'39" E	41.58
30	N 31°51'02" E	48.13
31	N 37°18'01" E	52.14
32	N 03°01'15" E	30.25

TOPOGRAPHIC

Surveying • Mapping • GIS • GPS
 1400 DEBUAH PARKWAY, Ste. 107 • FORT WORTH, TEXAS 76140
 TELEPHONE: (817) 744-7512 • FAX: (817) 744-7548
 WWW.TOPOGRAHIC.COM

P.O.B. - POINT OF BEGINNING
 LOCATED AT THE CORNER OF
 SECTION 10, T.10N, R.10E, S.14E,
 COUNTY OF JACKSON, TEXAS
 DISTRICT = OFFICIAL PUBLIC RECORDS JACKSON COUNTY, TEXAS

ORIGINAL DOCUMENT SIZE: 8.5" X 11"

DATE:	REVISION:
MAY 27, 2011	

FILE: BO_STEFFEK_SITE
 DRAWN BY: B.S.Z.
 SHEET: 1 OF 2

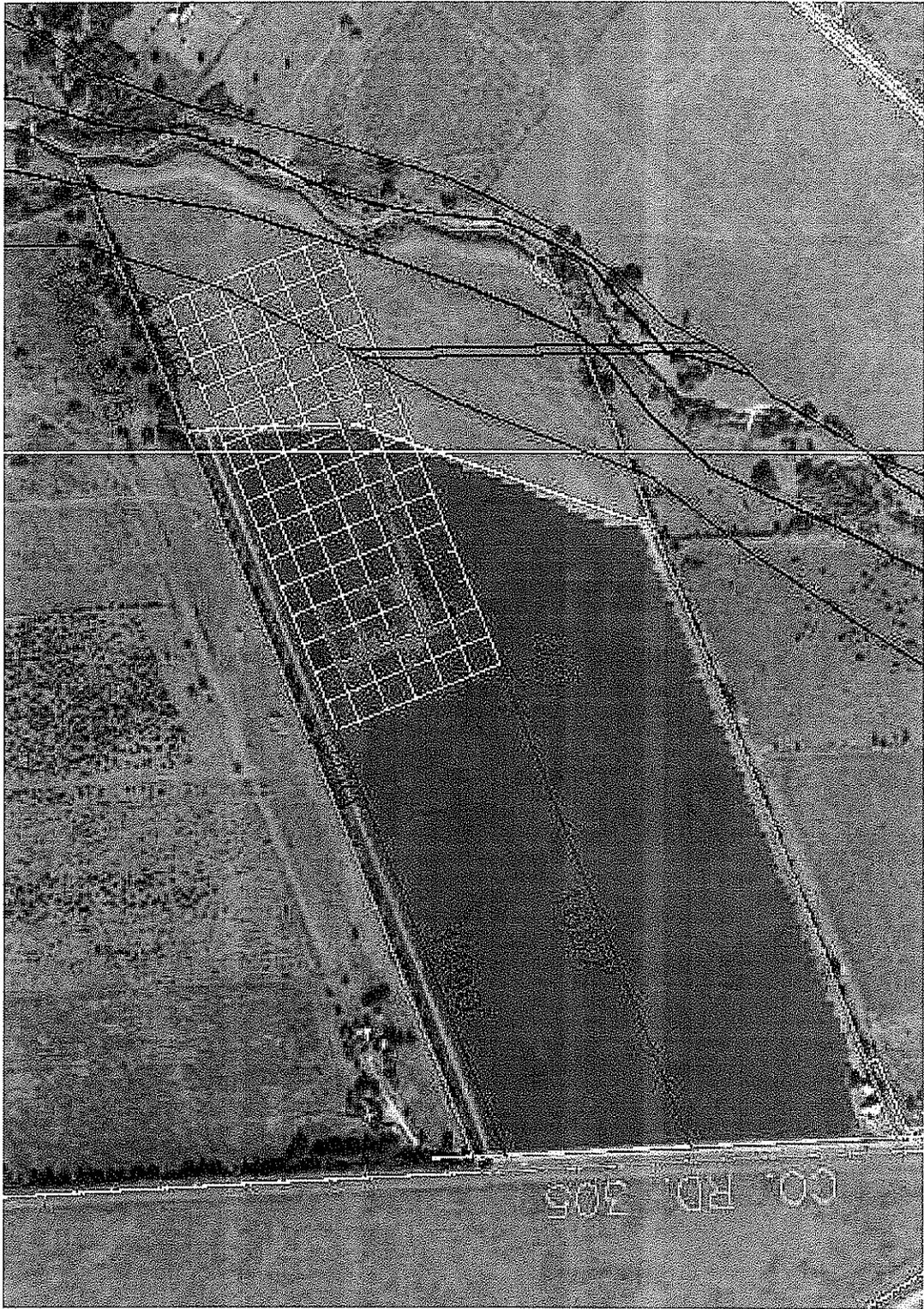
LEGEND

—	HIGHWAY
—	ROAD WAY
—	BARBED WIRE FENCE LINE
—	SURVEY LINE
—	TRACT BORDER
—	OVERHEAD ELECTRIC
—	IRON ROD SET
—	IRON ROD FOUND
—	GPS CONTROL POINT
—	FENCE POST/CORNER
—	UTILITY/POWER POLE

CERTIFICATION IS MADE THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION IN THE MONTH OF MAY, 2011.

PATRICK A. FOX R.P.L.S. No. 5069
 MAY 27, 2011





ATTACHMENT 8

Description of Qualified Property

The Flag City Gas Processing plant consists of the following main processing units and utility systems which are classified as "Qualified Investment"

- Inlet Separators
- Natural gas inlet compressors
- Amine units
- Dehydrators with reboilers
- Cryogenic plant and hot oil heater
- Natural gas residue compressors
- Associated above ground storage tanks
- Emergency flare
- Instrument & Utility Air
- Substation
- Control Building

ATTACHMENT 9

Map of Qualified Property

See Attachment 7

ATTACHMENT 10

Description of Land

JACKSON COUNTY, TEXAS

EXHIBIT "A"
102.01 ACRE SURVEY DESCRIPTION

May 27, 2011
Sheet 2 of 3

BEING a 102.01 acre tract of land, situated in the Sylvanus Hatch Survey, Abstract No. 27, Jackson County, Texas, said 102.01 acres being the same 98.1 acre tract of land, described in deed to David Steffek and wife, Cynthia Steffek, recorded in Volume 127, Page 599, Official Public Records, Jackson County, Texas (O.R.J.C.T.), and described by metes and bounds as follows:

BEGINNING (P.O.B.) at the center of "Dry Creek", in the East line of Brookside Addition, a subdivision of record in Volume 8, Page 562, Deed Records of Jackson County, Texas, for the Northwest corner of this tract;

THENCE North $68^{\circ}11'44''$ East, along said East line Brookside Addition Subdivision, at a distance of 119.31 feet, to a 1/2-inch iron rod with cap marked, Topographic, set for reference; at a distance of 1,000.7 feet, a fence corner post found for the approximate Southwest corner of a 44.91 acre tract of land, recorded in Volume 3291, Page 675, O.R.J.C.T., and continuing along same bearing and generally along a barbed wire fence line, and South line of said 44.91 acre tract, a total distance of 3,136.26 feet, to a 1/2-inch iron rod with cap marked Topographic, set in the East line of a 50.0 foot wide County Road # 305, and West line of a 250.84 acre tract of land, described in deed to Mavis L. Westhoff, recorded in Volume 613, Page 9, O.R.J.C.T., for the Northeast corner of this tract, from which a found iron rod at a fence corner for the North corner of said Westhoff tract bears: North $02^{\circ}53'50''$ West, a distance of 793.86 feet;

THENCE South $02^{\circ}53'29''$ East, along the East line of County Road 305, the West line of said Westhoff tract, and generally with a barbed wire fence line lying East of an existing overhead service line, a distance of 1,381.64 feet, to a found iron rod, for the Northeast corner of a 101.5 acre tract of land, recorded in Volume 162, Page 315, Deed Records of Jackson County, Texas, and the Southeast corner of this tract;

THENCE South $68^{\circ}11'44''$ West, along the North line of said 101.5 acres, same being the North line of a 58.00 acre tract of land, described as Tract No. One, in partition deed to Robert Kent Miller, recorded in Volume 281, Page 419, O.R.J.C.T., at a distance of 3,419.92 feet, a found iron rod with cap marked Ganem & Kelly Surveying, and continuing for a total distance of 3,567.84, to the center of "Dry Creek", for the Southwest corner of this tract;

THENCE, Northeasterly, following the meanders of "Dry Creek", and East line of said Brookside Addition Subdivision, the following calls:

North $06^{\circ}57'34''$ East, a distance of 42.14 feet; North $06^{\circ}15'11''$ West, a distance of 54.25 feet; North $00^{\circ}44'20''$ West, a distance of 51.81 feet; North $11^{\circ}38'58''$ East, a distance of 74.30 feet; North $34^{\circ}04'57''$ West, a distance of 65.05 feet;

JACKSON COUNTY, TEXAS

EXHIBIT "A"
102.01 ACRE SURVEY DESCRIPTION (continued)

May 27, 2011
Sheet 3 of 3

North 27°46'15" West, a distance of 55.64 feet; North 01°45'40" West, a distance of 42.99 feet; North 19°18'57" East a distance of 89.18 feet; North 31°23'51" East, a distance of 79.38 feet; North 31°19'48" East, a distance of 66.96 feet; North 12°33'32" East, a distance of 106.83 feet; North 18°08'30" East, a distance of 63.46 feet; North 34°59'07" East, a distance of 61.83 feet; North 58°57'29" East, a distance of 65.45 feet; North 38°11'10" East, a distance of 47.07 feet; North 19°14'41" East, a distance of 59.42 feet; North 32°00'03" East, a distance of 28.54 feet; North 21°01'37" West, a distance of 35.25 feet; North 31°51'13" West, a distance of 59.72 feet; North 14°16'25" West, a distance of 67.21 feet; North 20°41'03" East a distance of 70.82 feet; North 20°22'10" East, a distance of 83.84 feet; North 01°51'08" West, a distance of 84.72 feet; North 00°49'00" West, a distance of 45.75 feet; North 11°10'15" East, a distance of 27.79 feet; North 33°50'39" East, a distance of 41.56 feet; North 31°51'02" East, a distance of 48.13 feet; North 37°18'01" East, a distance of 52.14 feet;

THENCE North 03°01'15" East, a distance of 30.25 feet, to the POINT OF BEGINNING containing 102.01 acres of land.

LESS AND EXCEPT a 50.0 foot wide strip of land containing 1.59 acres, across the East end of this tract, being the same strip of land, described as 1.9 acres, in deed to Jackson County, recorded in Volume 16, Page 334, O.R.J.C.T.

All bearings contained herein are grid, based upon the Texas State Plane Coordinate System, South Central Zone, of the North American Datum 1983, in U.S. Survey Feet. Distances have been converted to surface values, using a combined scale factor of 0.99990001.

Plat of even date accompanies this field note description.

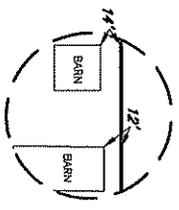


Patrick A. Fox R.P.L.S. # 5069

EXHIBIT "A"
STYVANTUS HATCH SURVEY A-27
 JACKSON COUNTY, TEXAS
 SURVEY OF 102.01 ACRES



SCALE 1" = 400'
 0' 200' 400'



P.I.B.
 X=272786.4
 Y=13537306.9

BROOKSIDE AUSTIN SUBDIVISION
 TRACT NO. ONE
 411.9 ACRES
 (OR.LACT.)

OPEN PASTURE

DAVID STEFFEK AND WIFE,
 CYNTHIA STEFFEK
 VOLUME 127, PAGE 589
 (DEED) 98.1 ACRES
 (SURVEY) 102.01
 (OR.LACT.)

STYVANTUS HATCH
 A-27

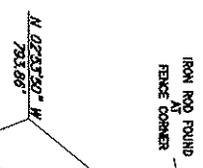
CORN FIELD

JACKSON COUNTY PUBLIC ROAD
 VOLUME 18, PAGE 334
 (DEED) 1.4 ACRES
 (OR.LACT.)

JOSEPH RECTOR
 A-82

LOUIS WERBA AND ELLI WERBA
 VOLUME 3261 PAGE 678
 44.81 ACRES
 (OR.LACT.)

CONTROL POINT
 1/2" IRON ROD
 X=2729835.45
 Y=13538832.19
 ELEV.=52.78



LINE TABLE

LINE	BEARING	DISTANCE
1	N 68°11'44" E	313.82
2	S 02°53'29" E	1391.64
3	S 68°11'44" W	3367.24
4	N 08°57'34" E	42.14
5	N 08°15'17" W	84.28
6	N 08°42'20" W	84.28
7	N 11°38'58" E	71.30
8	N 34°04'07" W	69.03
9	N 27°46'15" W	55.64
10	N 01°45'40" W	42.99
11	N 18°18'57" E	78.38
12	N 31°23'51" E	78.38
13	N 31°19'48" E	88.88
14	N 12°33'32" E	106.83
15	N 18°08'30" E	63.48
16	N 34°58'07" E	61.83
17	N 68°07'29" E	66.45
18	N 28°11'10" E	47.07
19	N 19°14'41" E	58.42
20	N 32°00'03" E	28.54
21	N 21°01'57" W	35.25
22	N 31°51'13" W	58.72
23	N 14°18'25" W	67.21
24	N 20°41'03" E	70.82
25	N 20°22'10" E	83.84
26	N 01°51'08" W	84.72
27	N 00°48'00" W	45.75
28	N 11°10'15" E	37.76
29	N 33°50'39" E	41.56
30	N 37°81'02" E	48.13
31	N 37°18'01" E	62.14
32	N 03°01'13" E	302.25

TOPOGRAPHIC

Supervising • Mapping • GIS • GPS
 1400 EBBELIN PARKWAY, SUITE 107 • FT. WORTH, TEXAS 76140
 TELEPHONE: (817) 744-7512 • FAX (817) 744-7548
 WWW.TOPOGRAFIC.COM

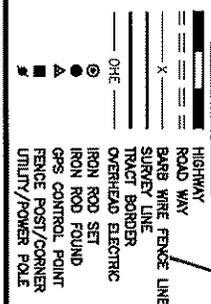
PROPOSED
 LAKE TEXANA
 PLANT

REVISION:

DATE:	MAY 27, 2011
FILE:	BO_STEFFEK_SITE
DRAWN BY:	B.S.Z.
SHEET:	1 OF 2

P.I.B. = POINT OF BEGINNING
 JACKSON COUNTY, TEXAS
 OBJECT = OFFICIAL PUBLIC RECORDS JACKSON COUNTY, TEXAS

ALL BEARINGS AND COORDINATE VALUES CONTAINED HEREON ARE GRID BASED
 UNLESS OTHERWISE NOTED. GRID COORDINATE VALUES ARE DERIVED
 FROM THE NORTH AMERICAN DATUM 1983. U.S. SURVEY FEET AS DETERMINED
 FROM GPS OBSERVATIONS. DISTANCES HAVE BEEN CONVERTED TO SURFACE
 VALUES, USING A COMBINED SCALE FACTOR OF 0.999990001



CERTIFICATION IS MADE THAT THIS PLAY WAS PREPARED FROM AN ACTUAL
 SURVEY MADE ON THE GROUND UNDER MY SUPERVISION IN THE MONTH OF
 MAY 2011.

PATRICK A. FOX R.P.L.S. No. 5069
 MAY 27, 2011



ATTACHMENT 11

Detailed Map Showing Location of the Land with Vicinity Map

See Attachment 7

ATTACHMENT 12

Description of All Existing Improvements

A small concrete pad for equipment lay down has been poured along with preliminary site surveying and preparation work.

ATTACHMENT 14

Calculation of Three Possible Wage Requirements

ALL INDUSTRIES:

Quarterly Employment and Wages (QCEW)

Page 1 of 1 (40 results/page)

Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Emp
2010	1st Qtr	Jackson County	Private	00	0	10	Total, All Industries	3,829
2011	1st Qtr	Jackson County	Private	00	0	10	Total, All Industries	4,038
2010	2nd Qtr	Jackson County	Private	00	0	10	Total, All Industries	3,909
2011	2nd Qtr	Jackson County	Private	00	0	10	Total, All Industries	4,249
2010	3rd Qtr	Jackson County	Private	00	0	10	Total, All Industries	4,081
2011	3rd Qtr	Jackson County	Private	00	0	10	Total, All Industries	4,421
2010	4th Qtr	Jackson County	Private	00	0	10	Total, All Industries	4,078

Year	Period	Avg Weekly Wages
2011	1st Qtr	\$ 678
2011	2nd Qtr	\$ 723
2011	3rd Qtr	\$ 722
2010	4th Qtr	\$ 737
	Average	\$ 715
	110%	\$ 787

MANUFACTURING:

Quarterly Employment and Wages (QCEW)

Page 1 of 1 (40 results/page)

Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2011	1st Qtr	Jackson County	Private	31	3	332	Fabricated Metal Product Manufacturing	\$402
2011	2nd Qtr	Jackson County	Private	31	3	332	Fabricated Metal Product Manufacturing	\$746
2010	3rd Qtr	Jackson County	Private	31	3	332	Fabricated Metal Product Manufacturing	\$484
2011	3rd Qtr	Jackson County	Private	31	3	332	Fabricated Metal Product Manufacturing	\$709
2010	4th Qtr	Jackson County	Private	31	3	332	Fabricated Metal Product Manufacturing	\$1,818

Year	Period	Avg Weekly Wages
2011	1st Qtr	\$ 402
2011	2nd Qtr	\$ 746
2011	3rd Qtr	\$ 484
2010	4th Qtr	\$ 1,818
	Average	\$ 919
	110%	\$ 1,011

**2010 Manufacturing Wages by Council of Government Region
Wages for All Occupations**

COG	Wages	
	Hourly	Annual
Texas		
<u>1. Panhandle Regional Planning Commission</u>	\$18.60	\$38,683
<u>2. South Plains Association of Governments</u>	\$16.21	\$33,717
<u>3. NORTEX Regional Planning Commission</u>	\$18.34	\$38,153
<u>4. North Central Texas Council of Governments</u>	\$23.45	\$48,777
<u>5. Ark-Tex Council of Governments</u>	\$15.49	\$32,224
<u>6. East Texas Council of Governments</u>	\$17.63	\$36,672
<u>7. West Central Texas Council of Governments</u>	\$17.48	\$36,352
<u>8. Rio Grande Council of Governments</u>	\$15.71	\$32,683
<u>9. Permian Basin Regional Planning Commission</u>	\$19.90	\$41,398
<u>10. Concho Valley Council of Governments</u>	\$15.33	\$31,891
<u>11. Heart of Texas Council of Governments</u>	\$17.91	\$37,257
<u>12. Capital Area Council of Governments</u>	\$25.37	\$52,778
<u>13. Brazos Valley Council of Governments</u>	\$15.24	\$31,705
<u>14. Deep East Texas Council of Governments</u>	\$15.71	\$32,682
<u>15. South East Texas Regional Planning Commission</u>	\$27.56	\$57,333
<u>16. Houston-Galveston Area Council</u>	\$24.52	\$51,002
<u>17. Golden Crescent Regional Planning Commission</u>	\$20.07	\$41,738
<u>18. Alamo Area Council of Governments</u>	\$17.28	\$35,952
<u>19. South Texas Development Council</u>	\$13.27	\$27,601
<u>20. Coastal Bend Council of Governments</u>	\$21.55	\$44,822
<u>21. Lower Rio Grande Valley Development Council</u>	\$14.35	\$29,846
<u>22. Texoma Council of Governments</u>	\$18.10	\$37,651
<u>23. Central Texas Council of Governments</u>	\$17.21	\$35,788
<u>24. Middle Rio Grande Development Council</u>	\$13.21	\$27,471

Source: Texas Occupational Employment and Wages

Data published: June 2011

Data published annually, next update will be June 2012.

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.

$$\text{ANNUAL } \$41,738 \times 110\% = \$45,912$$

$$\text{WEEKLY } \$41,738 / 4 = \$802.65 \times 110\% = \$882.92$$

ATTACHMENT 15

Description of Benefits

Boardwalk Field Services offers its employees the following benefits:

- 401K plan
- Medical
- Dental
- Vision
- RX Plan
- Flex Spending Account
- Life and AD&D insurance
- Paid Vacation, Sick, and Holidays
- Wellness Programs
- Employee Assistance Programs
- Extended Sick Leave
- Annual Merit & Bonus Eligibility
- Long-term Incentives

ATTACHMENT 17 - 20

Schedules A - D

Schedule A (Rev. May 2010): Investment

Applicant Name: Flag City Processing Partners, LLC
 ISD Name: Edna ISD

Form 50-296

PROPERTY INVESTMENT AMOUNTS										
(Estimated investment in each year. Do not put cumulative totals.)										
	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	Column A: Tangible Personal Property The amount of new investment (original cost) placed in service during this year	Column B: Building or permanent nonremovable component of building (annual amount only)	Column C: Sum of A and B Qualifying investment (during the qualifying time period)	Column D: Other investment that is not qualified investment but investment affecting economic impact and total value	Column E: Total Investment (A+B+D)			
The year preceding the first complete tax year of the qualifying time period (assuming no deferrals)	2012-2013	2012	\$ -	\$ -	\$ -	\$ -	\$ -			
	2012-2013	2012	\$ 9,150,000	\$ -	\$ -	\$ -	\$ 9,150,000			
	2012-2013	2012	\$ 51,850,000	\$ -	\$ 51,850,000	\$ -	\$ 51,850,000			
	Complete tax years of qualifying time period	1 2013-2014	2013	\$ 4,000,000	\$ -	\$ 4,000,000	\$ -	\$ 4,000,000		
		2 2014-2015	2014	\$ -	\$ -	\$ -	\$ -	\$ -		
		3 2015-2016	2015							
		4 2016-2017	2016							
		5 2017-2018	2017							
	Value Limitation Period	6 2018-2019	2018							
		7 2019-2020	2019							
		8 2020-2021	2020							
		9 2021-2022	2021							
		10 2022-2023	2022							
	Continue to Maintain Viable Presence	11 2023-2024	2023							
		12 2024-2025	2024							
13 2025-2026		2025								
14 2026-2027		2026								
15 2027-2028		2027								
Post-Settle-Up Period										

Qualifying Time Period usually begins with the final board approval of the application and extends generally for the following two complete tax years.
 Column A: This represents the total dollar amount of planned investment in tangible personal property the applicant considers qualified investment - as defined in Tax Code §313.021(1)(A)-(D).
 For the purposes of investment, please list amount invested each year, not cumulative totals.

Column B: For the years outside the qualifying time period, this number should simply represent the planned investment in new buildings or nonremovable components of buildings.
 Dollar value of other investment that may not be qualified investment but that may affect economic impact and total value for planning, construction and operation of the facility.
 The most significant example for many projects would be land. Other examples may be items such as professional services, etc.
 Note: Land can be listed as part of investment during the "pre-year 1" time period. It cannot be part of qualifying investment.

Column C: For the years outside the qualifying time period, this number should simply represent the planned investment in new buildings or nonremovable components of buildings.
 Dollar value of other investment that may not be qualified investment but that may affect economic impact and total value for planning, construction and operation of the facility.
 The most significant example for many projects would be land. Other examples may be items such as professional services, etc.
 Note: Land can be listed as part of investment during the "pre-year 1" time period. It cannot be part of qualifying investment.

Column D: For the years outside the qualifying time period, this number should simply represent the planned investment in new buildings or nonremovable components of buildings.
 Dollar value of other investment that may not be qualified investment but that may affect economic impact and total value for planning, construction and operation of the facility.
 The most significant example for many projects would be land. Other examples may be items such as professional services, etc.
 Note: Land can be listed as part of investment during the "pre-year 1" time period. It cannot be part of qualifying investment.

Column E: For the years outside the qualifying time period, this number should simply represent the planned investment in new buildings or nonremovable components of buildings.
 Dollar value of other investment that may not be qualified investment but that may affect economic impact and total value for planning, construction and operation of the facility.
 The most significant example for many projects would be land. Other examples may be items such as professional services, etc.
 Note: Land can be listed as part of investment during the "pre-year 1" time period. It cannot be part of qualifying investment.

Notes: For advanced clean energy projects, nuclear projects, projects with deferred qualifying time periods, and projects with lengthy application review periods, insert additional rows as needed.
 This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

[Signature]
 SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

4/16/12
 DATE

Schedule B (Rev. May 2010): Estimated Market And Taxable Value

Applicant Name: Flag City Processing Partners, LLC
 ISD Name: Edna ISD

Applicant Name ISD Name	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Qualified Property			Reductions from Market Value		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 building or "in or on the new improvement"	Exempted Value	Final taxable value for I&S - after all reductions	Final taxable value for M&O--after all reductions	
	pre-year 1	2012-2013	2012	241,600	-	-	-	241,600	241,600	241,600
	1	2013-2014	2013	241,600	-	61,000,000	3,100,000	58,141,600	58,141,600	58,141,600
	2	2014-2015	2014	241,600	-	62,600,000	3,100,000	59,741,600	59,741,600	59,741,600
	3	2015-2016	2015	241,600	-	60,000,000	3,000,000	57,241,600	57,241,600	10,000,000
	4	2016-2017	2016	241,600	-	57,600,000	2,900,000	54,941,600	54,941,600	10,000,000
	5	2017-2018	2017	241,600	-	55,300,000	2,800,000	52,741,600	52,741,600	10,000,000
	6	2018-2019	2018	241,600	-	53,100,000	2,700,000	50,641,600	50,641,600	10,000,000
	7	2019-2020	2019	241,600	-	51,000,000	2,600,000	48,641,600	48,641,600	10,000,000
	8	2020-2021	2020	241,600	-	49,000,000	2,500,000	46,741,600	46,741,600	10,000,000
	9	2021-2022	2021	241,600	-	47,000,000	2,400,000	44,841,600	44,841,600	10,000,000
	10	2022-2023	2022	241,600	-	45,100,000	2,300,000	43,041,600	43,041,600	10,000,000
	11	2023-2024	2023	241,600	-	43,300,000	2,200,000	41,341,600	41,341,600	41,341,600
	12	2024-2025	2024	241,600	-	41,600,000	2,100,000	39,741,600	39,741,600	39,741,600
	13	2025-2026	2025	241,600	-	39,900,000	2,000,000	38,141,600	38,141,600	38,141,600
	14	2026-2027	2026	241,600	-	38,300,000	1,900,000	36,641,600	36,641,600	36,641,600
	15	2027-2028	2027	241,600	-	36,800,000	1,800,000	35,241,600	35,241,600	35,241,600

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

J. [Signature]

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

4/16/12

DATE

Schedule C- Application: Employment Information

Applicant Name Flag City Processing Partners, LLC
 ISD Name Edna ISD

Form 50-296

	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Construction		New Jobs		Qualifying Jobs		
				Column A: Number of Construction FTE's or man- hours (specify)	Column B: Average annual wage rates for construction workers	Column C: Number of new jobs applicant creates to create (cumulative)	Column D: Average annual wage rate for all new jobs.	Column E: Number of qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Column F: Average annual wage of qualifying jobs	
	pre-year 1	2012-2013	2012	86,500 man hours	52,000					
Complete tax years of qualifying time period	1	2013-2014	2013	21,600 man hours	52,000	10	60,000	10	60,000	
	2	2014-2015	2014			10	60,000	10	60,000	
	3	2015-2016	2015			10	60,000	10	60,000	
	4	2016-2017	2016			10	60,000	10	60,000	
	5	2017-2018	2017			10	60,000	10	60,000	
	6	2018-2019	2018			10	60,000	10	60,000	
Tax Credit Period (with 50% cap on credit)	7	2019-2020	2019			10	60,000	10	60,000	
	8	2020-2021	2020			10	60,000	10	60,000	
	9	2021-2022	2021			10	60,000	10	60,000	
	10	2022-2023	2022			10	60,000	10	60,000	
	11	2023-2024	2023			10	60,000	10	60,000	
Credit Settle-Up Period	12	2024-2025	2024			10	60,000	10	60,000	
	13	2025-2026	2025			10	60,000	10	60,000	
Post- Settle-Up Period	14	2026-2027	2026			10	60,000	10	60,000	
Post- Settle-Up Period	15	2027-2028	2027			10	60,000	10	60,000	

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

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


 SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

4/16/12
 DATE

ATTACHMENT 21

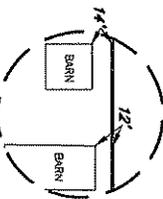
Map of Reinvestment Zone

EXHIBIT "A"
STYANUS HATCH SURVEY A-27
 JACKSON COUNTY, TEXAS
 SURVEY OF 102.01 ACRES



SCALE: 1" = 400'
 0' 200' 400'

DETAIL VIEW
 SCALE: 1" = 100'



P.A.B.
 X=2727890.4
 Y=13537306.9

CONTROL POINT
 1/2" IRON ROD
 X=2729835.45
 Y=13536832.19
 ELEV.=92.78

LEONA JOHNSON AND SON JOSEPHKA
 VOLUME 9691 PAGE 970
 4.91 ACRES
 (OR.ACT.)

DAVID STEFFEK AND WIFE,
 CYNTHIA STEFFEK
 VOLUME 127, PAGE 599
 (DEED) 98.1 ACRES
 (SURVEY) 102.01
 (OR.ACT.)

JONSON COUNTY PUBLIC ROAD
 VOLUME 10 PAGE 304
 (DEED) 1.8 ACRES
 (SURVEY) 1.8 ACRES
 (OR.ACT.)

DAVE L. WENTWORTH
 VOLUME 613 PAGE 9
 20.04 ACRES
 (OR.ACT.)

LINE TABLE

LINE	BEARING	DISTANCE
1	N 89°11'44" E	5136.28'
2	S 02°43'59" E	1391.64'
3	S 88°11'42" W	3697.84'
4	N 98°47'34" E	42.14'
5	N 08°14'17" W	64.23'
6	N 00°44'20" E	51.81'
7	N 11°38'58" E	74.30'
8	N 34°04'57" W	65.05'
9	N 27°48'15" W	62.99'
10	N 01°48'40" W	42.99'
11	N 18°18'57" E	99.18'
12	N 31°23'51" E	78.38'
13	N 31°19'48" E	88.98'
14	N 12°53'52" E	108.83'
15	N 18°08'50" E	63.46'
16	N 34°58'07" E	61.83'
17	N 68°57'29" E	65.45'
18	N 38°11'10" E	47.07'
19	N 19°44'41" E	59.42'
20	N 32°00'53" E	28.54'
21	N 21°01'57" W	35.25'
22	N 31°51'13" W	59.72'
23	N 14°18'25" W	67.21'
24	N 20°41'03" E	70.82'
25	N 20°22'10" E	83.84'
26	N 01°51'09" W	84.72'
27	N 00°48'00" W	45.75'
28	N 11°10'15" E	27.79'
29	N 33°50'38" E	41.58'
30	N 31°31'02" E	48.13'
31	N 37°18'01" E	62.14'
32	N 05°01'15" E	50.25'

PROPOSED
 LAKE TEXANA
 PLANT

REVISION:

DATE:	MAY 27, 2011
FILE:	BO STEFFEK_SITE
DRAWN BY:	B.S.Z.
SHEET:	1 OF 2

TOPOGRAPHIC

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 WWW.TOPOGRAFIC.COM

P.O.B. = POINT OF BEGINNING
 OBJECT = OFFICIAL PUBLIC RECORDS JACKSON COUNTY, TEXAS

ALL BEARINGS AND COORDINATE VALUES CONTAINED HEREON ARE GPS BASED
 DATA. THE DATA IS BASED ON THE NAD 83 DATUM. THE DATA IS DETERMINED
 FROM GPS OBSERVATIONS. DISTANCES HAVE BEEN CONVERTED TO SURFACE
 VALUES USING A COMBINED SCALE FACTOR OF: 0.9999990001

LEGEND

- Highway
- Road Way
- Barbed Wire Fence Line
- Survey Line
- Tract Border
- Overhead Electric
- Iron Rod Set
- GPS Control Point
- Fence Post/Corner
- Utility/Power Pole



PATRICK A. FOX R.P.L.S. No. 5069
 MAY 27, 2011

CERTIFICATION IS MADE THAT THIS PLAN WAS PREPARED FROM AN ACTUAL
 SURVEY MADE ON THE GROUND UNDER MY SUPERVISION IN THE MONTH OF
 MAY, 2011.

ATTACHMENT 22

Order, Resolution, or Ordinance Establishing the Zone

ORDER DESIGNATING BFS REINVESTMENT ZONE

NOW WHEREAS the Jackson County Commissioners Court is authorized by Texas Tax Code §312.401 to designate reinvestment zones; and

WHEREAS property owner Boardwalk Field Service, LLC (BFS) has applied for a tax abatement in an area of Jackson County which is described in Exhibit A (which is attached to this Order) and which does not include area in the taxing jurisdiction of a municipality; and

WHEREAS a reinvestment zone must be designated if an abatement is to be granted regarding the property described in Exhibit A; and

WHEREAS the Commissioners Court has held a public hearing on the designation and hereby finds that the designation of the BFS Reinvestment Zone:

would attract major investment into the Reinvestment Zone that would be a benefit to the property to be included in the zone; and

would contribute to the economic development of Jackson County; and

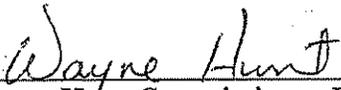
WHEREAS THE Commissioners Court has established guidelines and criteria governing its tax abatement agreements and a resolution stating that the Commissioners Court has elected to become eligible to participate in tax abatements;

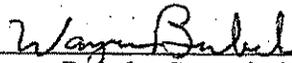
NOW THEREFORE BE IT ORDERED that the real property consisting of approximately 102.01 acres located between 260 and 406 on County Road 305 (the legal description of which is attached to this Order as Exhibit A) is hereby designated as a reinvestment zone to be known as the 2012 Jackson County BFS Reinvestment Zone; and

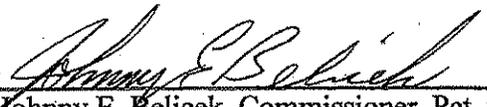
BE IT FURTHER RESOLVED that the designation of this reinvestment zone will expire five years after the date that this Order of designation is signed, unless it is renewed for one or more subsequent periods not to exceed five years each.

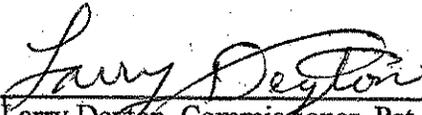
APPROVED BY MAJORITY VOTE OF THE JACKSON COUNTY COMMISSIONERS COURT AT A SPECIAL PUBLIC MEETING ON THE 12th DAY OF April, 2012.


Dennis Simons, County Judge


Wayne Hunt, Commissioner, Pct. #1


Wayne Bubela, Commissioner, Pct. #2


Johnny E. Belicek, Commissioner, Pct. #3


Larry Dayton, Commissioner, Pct. #4

BY

BARBARA WILLIAMS-Clerk of County Court
FILED 4-12-12

ATTACHMENT 23

Legal Description of Reinvestment Zone

JACKSON COUNTY, TEXAS

EXHIBIT "A"
102.01 ACRE SURVEY DESCRIPTION

May 27, 2011
Sheet 2 of 3

BEING a 102.01 acre tract of land, situated in the Sylvanus Hatch Survey, Abstract No. 27, Jackson County, Texas, said 102.01 acres being the same 98.1 acre tract of land, described in deed to David Steffek and wife, Cynthia Steffek, recorded in Volume 127, Page 599, Official Public Records, Jackson County, Texas (O.R.J.C.T.), and described by metes and bounds as follows:

BEGINNING (P.O.B.) at the center of "Dry Creek", in the East line of Brookside Addition, a subdivision of record in Volume 8, Page 562, Deed Records of Jackson County, Texas, for the Northwest corner of this tract;

THENCE North 68°11'44" East, along said East line Brookside Addition Subdivision, at a distance of 119.31 feet, to a 1/2-inch iron rod with cap marked, Topographic, set for reference; at a distance of 1,000.7 feet, a fence corner post found for the approximate Southwest corner of a 44.91 acre tract of land, recorded in Volume 3291, Page 675, O.R.J.C.T., and continuing along same bearing and generally along a barbed wire fence line, and South line of said 44.91 acre tract, a total distance of 3,136.26 feet, to a 1/2-inch iron rod with cap marked Topographic, set in the East line of a 50.0 foot wide County Road # 305, and West line of a 250.84 acre tract of land, described in deed to Mavis L. Westhoff, recorded in Volume 613, Page 9, O.R.J.C.T., for the Northeast corner of this tract, from which a found iron rod at a fence corner for the North corner of said Westhoff tract bears: North 02°53'50" West, a distance of 793.86 feet;

THENCE South 02°53'29" East, along the East line of County Road 305, the West line of said Westhoff tract, and generally with a barbed wire fence line lying East of an existing overhead service line, a distance of 1,381.64 feet, to a found iron rod, for the Northeast corner of a 101.5 acre tract of land, recorded in Volume 162, Page 315, Deed Records of Jackson County, Texas, and the Southeast corner of this tract;

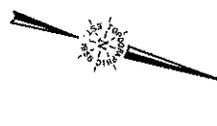
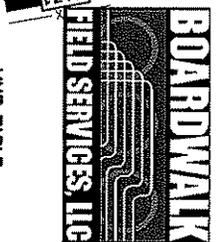
THENCE South 68°11'44" West, along the North line of said 101.5 acres, same being the North line of a 58.00 acre tract of land, described as Tract No. One, in partition deed to Robert Kent Miller, recorded in Volume 281, Page 419, O.R.J.C.T., at a distance of 3,419.92 feet, a found iron rod with cap marked Ganem & Kelly Surveying, and continuing for a total distance of 3,567.84, to the center of "Dry Creek", for the Southwest corner of this tract;

THENCE, Northeasterly, following the meanders of "Dry Creek", and East line of said Brookside Addition Subdivision, the following calls:

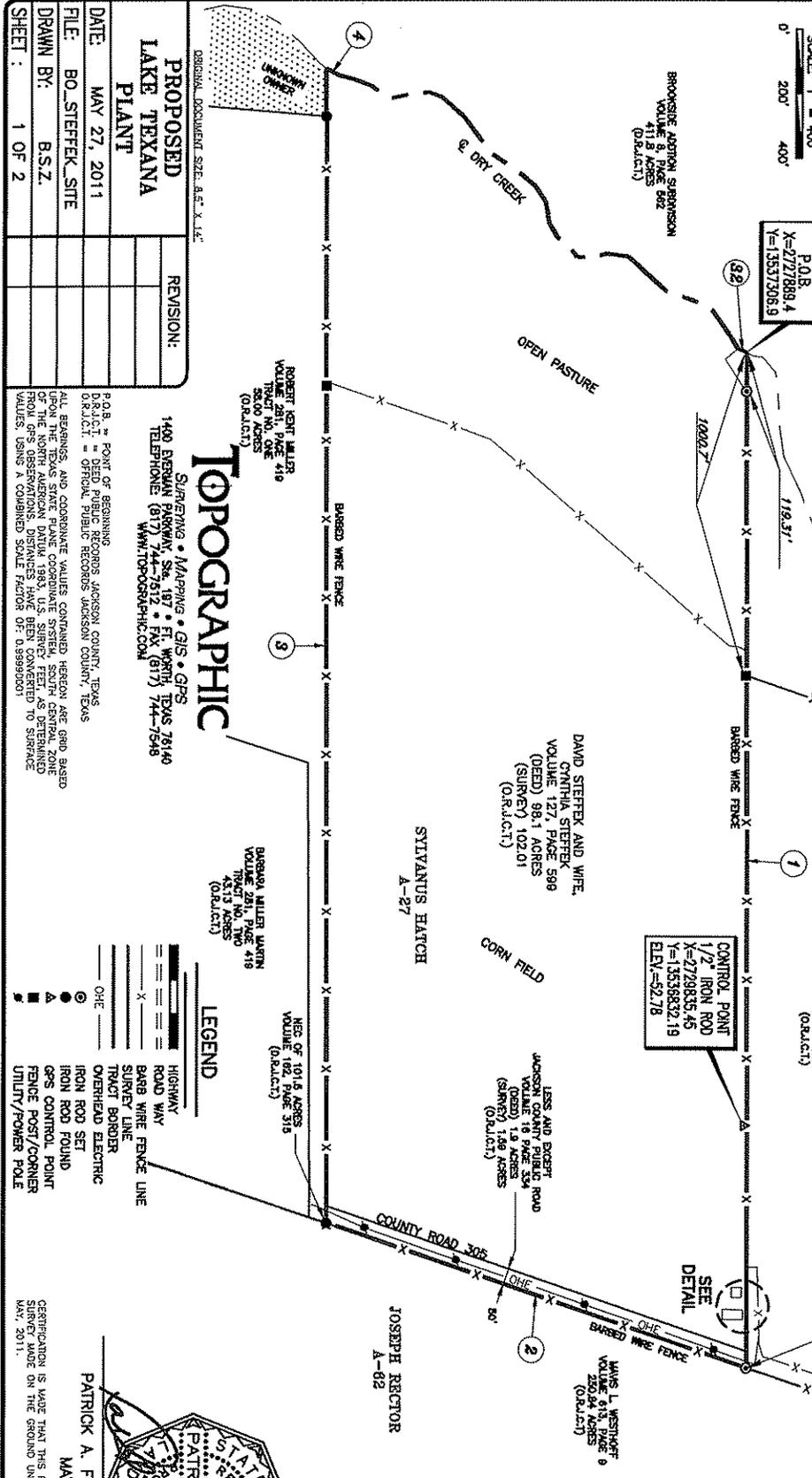
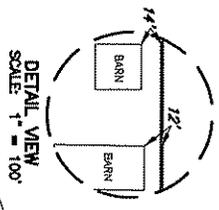
North 06°57'34" East, a distance of 42.14 feet; North 06°15'11" West, a distance of 54.25 feet; North 00°44'20" West, a distance of 51.81 feet; North 11°38'58" East, a distance of 74.30 feet; North 34°04'57" West, a distance of 65.05 feet;

EXHIBIT "A"

STYLIANUS HATCH SURVEY A-27 JACKSON COUNTY, TEXAS SURVEY OF 102.01 ACRES



SCALE 1" = 400'
0 200' 400'



LINE TABLE

LINE	BEARING	DISTANCE
1	N 08°11'44" E	3186.28
2	S 02°53'29" E	1381.84
3	S 88°11'44" W	3587.84
4	N 08°57'34" E	42.14
5	N 08°18'11" W	84.28
6	N 07°44'20" W	51.81
7	N 11°38'58" E	74.30
8	N 34°04'57" W	65.05
9	N 27°48'19" W	65.64
10	N 01°48'40" W	42.99
11	N 19°18'57" E	89.18
12	N 31°23'51" E	79.38
13	N 31°18'48" E	66.88
14	N 12°33'32" E	106.83
15	N 18°08'30" E	63.48
16	N 54°59'07" E	61.83
17	N 68°57'29" E	65.48
18	N 58°11'40" E	47.07
19	N 19°14'41" E	59.49
20	N 32°00'03" E	28.54
21	N 21°01'57" W	38.96
22	N 51°51'13" W	83.79
23	N 14°18'25" W	67.41
24	N 02°41'02" E	70.80
25	N 02°24'10" E	83.92
26	N 01°51'08" W	84.72
27	N 00°48'00" W	45.78
28	N 11°10'15" E	27.78
29	N 33°50'58" E	41.38
30	N 51°51'02" E	48.13
31	N 57°18'01" E	52.14
32	N 03°01'15" E	30.25

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POINT OF BEGINNING
CORNER OF SECTION 06, T12N, R10E, S12E, JACKSON COUNTY, TEXAS
OFFICIAL PUBLIC RECORDS JACKSON COUNTY, TEXAS

ALL BEARINGS AND COORDINATE VALUES CONTAINED HEREON ARE GRID BASED
UNLESS OTHERWISE NOTED. ALL DISTANCES ARE IN FEET AND DECIMALS
HEREOF. THE NORTH AMERICAN DATUM 1983, U.S. SURVEY FEET, IS REFERRED
TO. ALL DISTANCES AND BEARINGS HAVE BEEN CONVERTED TO SURFACE
VALUES, USING A COMBINED SCALE FACTOR OF: 0.99999001

PROPOSED
LAKE TEXASNA
PLANT

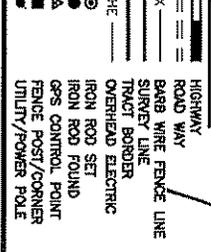
REVISION:

DATE: MAY 27, 2011

FILE: BO_STEFFEK_SITE

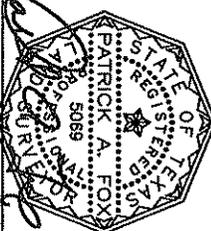
DRAWN BY: B.S.Z.

SHEET: 1 OF 2



CERTIFICATION IS MADE THAT THIS PLAT WAS SUPERVISION IN THE NORTH OF
MAY, 2011.

PATRICK A. FOX R.P.L.S. No. 5069
MAY 27, 2011



JACKSON COUNTY, TEXAS

EXHIBIT "A"
102.01 ACRE SURVEY DESCRIPTION (continued)

May 27, 2011
Sheet 3 of 3

North 27°46'15" West, a distance of 55.64 feet; North 01°45'40" West, a distance of 42.99 feet; North 19°18'57" East a distance of 89.18 feet; North 31°23'51" East, a distance of 79.38 feet; North 31°19'48" East, a distance of 66.96 feet; North 12°33'32" East, a distance of 106.83 feet; North 18°08'30" East, a distance of 63.46 feet; North 34°59'07" East, a distance of 61.83 feet; North 58°57'29" East, a distance of 65.45 feet; North 38°11'10" East, a distance of 47.07 feet; North 19°14'41" East, a distance of 59.42 feet; North 32°00'03" East, a distance of 28.54 feet; North 21°01'37" West, a distance of 35.25 feet; North 31°51'13" West, a distance of 59.72 feet; North 14°16'25" West, a distance of 67.21 feet; North 20°41'03" East a distance of 70.82 feet; North 20°22'10" East, a distance of 83.84 feet; North 01°51'08" West, a distance of 84.72 feet; North 00°49'00" West, a distance of 45.75 feet; North 11°10'15" East, a distance of 27.79 feet; North 33°50'39" East, a distance of 41.56 feet; North 31°51'02" East, a distance of 48.13 feet; North 37°18'01" East, a distance of 52.14 feet;

THENCE North 03°01'15" East, a distance of 30.25 feet, to the POINT OF BEGINNING containing 102.01 acres of land.

LESS AND EXCEPT a 50.0 foot wide strip of land containing 1.59 acres, across the East end of this tract, being the same strip of land, described as 1.9 acres, in deed to Jackson County, recorded in Volume 16, Page 334, O.R.J.C.T.

All bearings contained herein are grid, based upon the Texas State Plane Coordinate System, South Central Zone, of the North American Datum 1983, in U.S. Survey Feet. Distances have been converted to surface values, using a combined scale factor of 0.999990001.

Plat of even date accompanies this field note description.



Patrick A. Fox R.P.L.S. # 5069

ATTACHMENT 24

Guidelines and Criteria for Reinvestment Zone

- **Edna ISD**
- **Jackson County**

Edna ISD
120901

LOCAL REVENUE SOURCES
AD VALOREM TAXES

CCG
(LOCAL)

NO DISCOUNTS OR
SPLIT PAYMENTS

Discount or split payment options shall not be provided for the payment of property taxes in the District.

TEXAS ECONOMIC
DEVELOPMENT ACT
PURPOSE

These provisions shall outline the procedures the District shall use for filing, accepting, and reviewing applications made under the Texas Economic Development Act, as set forth in Chapter 313 of the Texas Tax Code.

DEFINITIONS

As used in this policy, the following phrases, words, and terms shall have the following meanings, unless the context clearly indicates otherwise:

"Act" shall mean the Texas Economic Development Act, as set forth in Chapter 313 of the Texas Tax Code, as amended.

"Annual application deadline" shall mean September 2 of any year for an appraised value limitation to be effective as of January 1 of the next year following the date of application.

"Applicant" shall mean a business entity, including an "affiliated group" that is subject to taxation under Tax Code Chapter 171 that applies to the District for a limitation on the appraised value of qualified property in a reinvestment zone under the Act.

"Application" shall mean the Application For Appraised Value Limitation on Qualified Property adopted by the comptroller at 34 Administrative Code Rule Section 9.1052, together with its supporting schedules and documentation.

"Application fee" shall mean the nonrefundable application fee to be paid to the District by an applicant, determined in accordance with this policy, to cover the District's costs incurred in the processing and consideration of the application.

"Application review period" shall mean the period of time during which the Board is required to consider the application. The application review period shall begin on the day the application is filed with the District and expires on the 150th day after the application is filed with the District, unless the application review period is extended by Board action taken prior to the expiration date.

"Appraisal district" shall mean each appraisal district that appraises property proposed to be subject to a limitation on appraised value.

"Board" shall mean the Board of Trustees of the District.

"Comptroller" shall mean the comptroller of public accounts of the State of Texas.

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(LOCAL)

"Comptroller's rules" shall mean those rules adopted by the comptroller set forth at 34 Texas Administrative Code, Chapter 9, Subchapter F.

"District" shall have the meaning set out in policy AB(LOCAL).

FILING OF THE
APPLICATION

Five copies of the application filed under this policy shall be filed by the applicant with the Superintendent. The Superintendent shall acknowledge the date of the receipt of each complete and accurate application that is accompanied by an entire application fee.

Applications shall be considered for final approval by the Board only after the District's receipt of the application fee established by the Board and after completion of the economic analysis and the school facilities impact analysis required by the Act.

Applications submitted without the application fee shall be held by the Superintendent until satisfactory arrangements have been made for the payment of the application fee. The Superintendent's determination of whether satisfactory arrangements for the payment of the application fee have been made shall be final.

AMENDING
APPLICATION

An application may be amended by applicant at any time prior to the Board's final action on the application. In the event that an amended application is filed within 60 days of the end of the application review period, the application review period shall be automatically extended to the 61st day after the date on which the last amended application was filed.

Upon receipt of any amended application or supplemental information, the Superintendent shall review and forward the material to the comptroller and to each applicable appraisal district.

STANDARD
APPLICATION FEE

The standard application fee shall be \$75,000 and shall be nonrefundable except:

1. For large project fees after the initial tender, as set forth below; or
2. In the event the application is denied after an initial Board review, as defined in this policy.

The standard application fee does not include any amount charged by the comptroller's office for its economic impact study, if such a fee is charged.

LARGE PROJECT
APPLICATION
FEE

For each application for an appraised value limitation on qualified property where the qualified investment exceeds \$300,000,000, the Board may, at its discretion, set an application fee higher than the standard application fee, if in the opinion of the Board, an analysis of the application is of such complexity so as to require a

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higher fee. An applicant proposing a qualified investment in excess of \$300,000,000 in value shall initially tender an application fee of \$75,000. In the event that the Board sets a higher fee, the applicant shall be entitled to withdraw its application and its application fee if the applicant disagrees with the higher fee set by the Board.

PROCESSING THE
APPLICATION

Upon receipt of a completed application and the application fee, the Superintendent shall take the following actions:

1. Accept the filing of the application, and send written confirmation of receipt of the application and application fee to the applicant.
2. Identify appropriate consultants to assist the Board in completing the application review process and schedule Board action to retain such consultants.
3. Review the application and, require the applicant, as necessary, to submit additional and/or supplementary information, including the completion of all schedules required by the comptroller's rules.
4. Within seven days of receipt by the District, file with the comptroller three copies of the application, required schedules, accompanying documentation, and proof of payment of the application fee.
5. Schedule Board consideration of the application for initial Board review, in accordance with INITIAL BOARD REVIEW, below.
6. If the Board elects to consider the application after conducting its initial Board review, request that the comptroller provide to the District an economic impact evaluation of the application.
7. Deliver a copy of the application to the appraisal district in which the project is located for review.
8. Create a link on the District's Web site to the location on the Texas comptroller's Web site where copies of the economic development act applications are posted.
9. Ensure that the applicant and the District's consultants conduct all required analyses to properly protect the District's financial interests.
10. Ensure that the applicant and the District's consultants provide all required supplemental information necessary to assist the comptroller and TEA with the analyses required by the Act and the comptroller's rules.

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11. If an extension of the application review period is requested by the applicant, report each request for an extension to the comptroller and each applicable appraisal district.
12. Ensure that upon the completion of Board action, if any, on the application, all required information is transmitted to the comptroller and to each applicable appraisal district.
13. Ensure that the applicant makes all required post-approval submissions to the comptroller and the District.

INITIAL BOARD
REVIEW

Following the filing of an application, the Board should conduct an initial review of the application. At the initial review, the Board may consider either a written or oral presentation concerning the application.

If, after the initial review, the Board determines that the application is not in the best interests of the District, the Board shall reject the application and shall return the application fee, less the necessary and reasonable cost of the initial review of the application, to the applicant.

In the event that the Board decides to proceed with a full consideration of the application and the qualified investment in the application exceeds \$300,000,000, the Board shall set an appropriate large project application fee, in accordance with this policy.

CONSULTING
SERVICES

Upon receipt by the Board, the District's consultants shall review the application to ensure that the application documents include all information required by the comptroller's rules. The consultants shall simultaneously begin an analysis of the impact on District finances, any legal implications of the application, development of a revenue protection agreement, and when the reports become available, the studies from both the comptroller's office and the TEA.

The consultants shall be paid for their services from the application fee. The consultants will complete their analysis within sufficient time to be considered by the Board in its final determination on the application.

BOARD ACTION ON
APPLICATION

Before the 91st day after the comptroller receives a copy of the application, the comptroller shall:

1. Determine whether the property that is the subject of the application is eligible for a limitation on appraised value; and
2. If the comptroller determines the property is eligible, submit a recommendation to the Board as to whether the application should be approved or disapproved.

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LOCAL REVENUE SOURCES
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If the comptroller determines that the property that is the subject of the application is not eligible for a limitation in appraised value, the District may not approve the application.

If the comptroller determines that the property that is the subject of the application is eligible for a limitation in appraised value and recommends that the Board approves the application, before the 151st day after the day the application was filed with the District, the Board shall make written findings of fact as to each criteria listed in Tax Code Section 313.026 and shall consider approval of the application.

If the comptroller recommends that the Board disapproves the application, the Board may approve the application only if:

1. The Board holds a public hearing, the sole purpose of which is to consider the application and the comptroller's recommendation; and
2. At a subsequent meeting of the Board held after the date of the public hearing, at least two-thirds of the members of the Board vote to approve the application.

ADOPTION OF
AGREEMENT

The Board shall also consider and adopt an agreement with the applicant to provide for protection from and/or compensation for any financial risks undertaken by the District in accepting the application.

WAIVER OF JOBS
REQUIREMENT

The Board may waive the new jobs creation requirement of Tax Code Section 313.021(2)(A)(iv)(b) or 313.051(b) and may approve an application if the Board makes a finding that the jobs creation requirement exceeds the industry standard for the number of employees reasonably necessary for the operation of the facility described in the application.

In the event that such request is made other than at the time of the original application, the Board may charge the applicant a fee to cover the costs of any consultant required by the Board in making the requisite finding.

APPLICANT'S
REPORTING
OBLIGATIONS

During the course of its agreement with the District, the applicant shall timely make any and all reports that are or may be required under the provisions of law or administrative regulation, including but not limited to the annual report or certifications that may be required to be submitted by the applicant to the comptroller under the provisions of Tax Code Section 313.032. The applicant shall forward to the District a copy of all such required reports or certifications contemporaneously with the filing thereof. The obligation to make all such required filings shall be a material obligation under this agreement.

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LOCAL REVENUE SOURCES
AD VALOREM TAXES

CCG
(LOCAL)

DISTRICT'S
REPORTING
OBLIGATIONS

If the comptroller requests information reasonably necessary to complete the recommendation or economic impact evaluations, the Superintendent shall provide the requested information within 20 working days from the date of request. The Superintendent may request for an extension of time, not to exceed ten working days, to provide the additional information to the comptroller.

PUBLIC ACCESS TO
INFORMATION

The Superintendent shall provide a copy of the economic impact evaluation and the facilities impact study to the applicant and the District's consultants upon receipt thereof.

TAX CREDIT
ELIGIBILITY

An applicant meeting all requirements in Tax Code Chapter 313 and the agreement shall become eligible to receive tax credits under the provisions of Tax Code Chapter 313, Subchapter D. The District shall begin the processing of an applicant's tax credit request following the payment by the applicant of all ad valorem taxes due to the district of taxes levied in each year of the qualifying time period as defined by Tax Code Section 313.021(4).

EXHIBIT "D"

**GUIDELINES AND CRITERIA FOR GRANTING TAX ABATEMENT IN A
REINVESTMENT ZONE CREATED IN JACKSON COUNTY, TEXAS**

SECTION I

BACKGROUND

- (A) Pursuant to the Texas Tax Code (hereinafter the "Code"), Jackson County, Texas (hereinafter "the County"), is authorized to designate Reinvestment Zones in areas of the County that do not include areas in the taxing jurisdiction of a municipality, to enter into tax abatement agreements with regard to properties located in Reinvestment Zones, and to enter into tax abatement agreements with regard to properties for which a municipality has given tax abatement incentives by agreement.
- (B) The Code requires that the County establish guidelines and criteria governing tax abatement agreements. These guidelines and criteria are for the purpose of promoting the efficient and reasonably consistent administration of tax abatement incentives. These guidelines are effective for two (2) years from date adopted by the Jackson County Commissioners Court (the "Commissioners Court"). A three-quarter (3/4) vote by the Commissioners Court is required to amend or repeal these guidelines.
- (C) These guidelines and criteria, and the procedures established herein, are in compliance with the requirements of the Code.
- (D) **NOTHING HEREIN SHALL IMPLY OR SUGGEST THAT THE COUNTY IS UNDER ANY OBLIGATION TO PROVIDE ANY TAX ABATEMENT, OR PROVIDE ANY LENGTH, LEVEL OR VALUE OF TAX ABATEMENT, TO ANY APPLICANT.**

SECTION II

DEFINITIONS

- (A) "Abatement" means the full or partial exemption from County ad valorem taxation of the increased values of eligible properties in a Reinvestment Zone designated as such in accordance with state law, or the full or partial exemption from County ad valorem taxation of the increased values of eligible properties located within a municipality's taxing jurisdiction where

the municipality has granted full or partial exemption to those properties from...
municipal ad valorem taxation.

- (B) "Agreement" means a contractual agreement between a property owner and a taxing jurisdiction for the purpose of tax abatement.
- (C) "Base Year Value" means the market value of any property eligible for abatement under these guidelines and criteria on January 1 of the year of the execution of the agreement. In addition, Base Year Value may include a guaranteed minimum agreed upon value of any property improvements or additions eligible for abatement under these guidelines and criteria made after such January 1 but before execution of such agreement.
- (D) "Economic Life" means the number of the years a property improvement is expected to be in service in a facility.
- (E) "Expansion" means the addition of buildings, structures, machinery, or equipment for the purpose of increasing production capacity.
- (F) "Facility" means property improvements completed or in the process of construction which together comprise an integral whole.
- (G) "Lease" means a relationship whereby the person applying for a tax abatement has a contract for exclusive possession of the real property on which improvements are to be made and/or personal property to be used for the operation of the business for a defined period of time.
- (H) "Modernization" means the replacement and upgrading of existing facilities which increase the productive input or output, updates the technology, or substantially lowers the unit cost of operation, and extends the economic life of the facility. Modernization may result from the construction, alteration, or installation of buildings, structures, machinery, or equipment. Modernization shall not include reconditioning, refurbishing, repairing, or completion of deferred maintenance.
- (I) "New facility" means a Facility on property previously undeveloped and which is placed into service by means other than expansion or a modernization.
- (J) "Personal Property" means machinery, equipment and/or tools used, or bought or leased for use, in the operations of the person applying for tax abatement, other than that which was located on the real property at any time before execution of the tax abatement agreement. "Personal Property" shall not include inventory, supplies, office furniture, office equipment, motor vehicles, vessels, aircraft, housing, hotel accommodations, or deferred maintenance investments.

(K) "Real Property" means the area of land defined by legal description as being owned or leased by the person applying for a tax abatement, including any improvements thereto, which is to be improved and valued for property tax purposes, and which is to be included in the Reinvestment Zone.

(L) "Reinvestment Zone" is an area designated as such for the purpose of a tax abatement as authorized by the County in accordance with the Code.

SECTION III

REINVESTMENT ZONE DESIGNATION

- (A) A Reinvestment Zone may only be designated in accordance with the Code.
- (B) A Reinvestment Zone may only be designated by the Commissioners Court in an area of the County that does not include an area within the taxing jurisdiction of a municipality.
- (C) An area may be designated as a Reinvestment Zone if the Commissioners Court, after a public hearing on the proposed designation, finds that the designation would attract major investment into the Reinvestment Zone that would be a benefit to the property to be included in the Reinvestment Zone and would contribute to the economic development of the County.
- (D) A public hearing on a proposed Reinvestment Zone designation must be held prior to the findings and action of the Commissioners Court on the proposal. The public hearing shall be conducted in accordance with all applicable provisions of the Code. Notice of the hearing shall be given in accordance with the Code. The public hearing must also be posted as an agenda item in accordance with Chapter 551 of the Texas Government Code (the "Texas Open Meetings Act").
- (E) Property may be located both in a Reinvestment Zone designated by the County and in a Reinvestment Zone designated by a municipality.
- (F) If the Commissioners Court finds that designation of an area as a Reinvestment Zone is proper, such proposed designation shall be put to a vote of the Commissioners Court, and will pass if a majority of the members of the Commissioners Court in attendance vote to approve the designation. The order of the Commissioners Court designating the area as a Reinvestment Zone shall contain a sufficient description of the boundaries of the Reinvestment Zone.

- (G) The designation of a Reinvestment Zone shall be for a period of five (5) years. No designation of a Reinvestment Zone shall exceed five (5) years, and a designation of a Reinvestment Zone shall automatically expire five (5) years after the date of designation unless renewed by the Commissioners Court for one or more subsequent periods not to exceed five (5) years each. The expiration of a designation of a Reinvestment Zone does not affect any existing tax abatement agreement relating to property in such Reinvestment Zone.

- (H) Tax abatement agreements entered into by the County shall be in compliance with all applicable requirements set forth in the Code.

SECTION IV

ABATEMENT AUTHORIZED

- (A) Abatement is authorized, subject to approval of the Commissioners Court and execution of a tax abatement agreement, for properties located within a Reinvestment Zone designated by the Commissioners Court.
- (B) Abatement is also authorized for properties located within a municipal Reinvestment Zone when the municipality has entered into a tax abatement agreement with regard to property located within the Reinvestment Zone if the County enters into a tax abatement agreement with regard to that property. Such an agreement must be in compliance with all applicable requirements set forth in the Code.
- (C) Authorized Facilities: Tax abatement may be granted for New Facilities or for the Expansion or Modernization of existing Facilities. The economic life of a Facility or improvements thereto must exceed the life of the tax abatement agreement.
- (D) Eligible Property: Tax abatement may be granted for improvements to owned real property or real property subject to a Lease and for Personal Property located on such real property to the extent allowed by state law.
- (E) Value of Abatement: Authorized Facilities may be granted abatement on all or a portion of the increased taxable value of eligible property over the base year value for a period not to exceed ten (10) years. Such abatement, if granted as to real property, is not with regard to the entire value of the real property, but only to the extent that the value of the real property exceeds the value for the year in which the abatement is granted (i.e., the Base Year Value). Ad valorem taxes on

tangible Personal Property may be abated to the extent of additions, but cannot be abated as to personal property located on the real property at any time before the tax abatement agreement is executed, and cannot be abated for inventory, supplies, office furniture, office equipment, motor vehicles, vessels, aircraft, housing, hotel accommodations, or deferred maintenance investments.

SECTION V

PROJECT IMPACT DATA

(A) Introduction

The information required in this Section V will be used by the Commissioners Court to determine whether or not it is in the best interest of the County to offer tax abatement to a particular applicant. The County may request that the applicant describe the methodologies used to respond to the questions below and to supply supporting documentation.

(B) Proposed Investment

The applicant must submit information providing answers to the following inquiries:

- (1) Identify and describe the type and location of the proposed real property improvements and/or personal property additions to the property and describe the planned development schedule for the proposed improvements and/or additions.
- (2) To what extent, if any, will material, additional public improvements be needed? Describe the plans, if any, in existence for the provision of such improvements.
- (3) What material governmental approvals or permits will be required for the improvements?
- (4) Is the financial capital required to complete the project already available (financing commitments, reserved funds, etc.)? Explain in reasonable detail.

(C) Fiscal Impact

The applicant must submit information providing answers to the following inquiries:

- (1) What is the estimated cost of the proposed real property improvements and/or personal property additions?
- (2) What is the proposed depreciation schedule for the real and personal property to be abated?

(D) Community Impact

The applicant must submit information providing answers to the following inquiries:

- (1) Provide a copy of an economic impact study prepared with respect to the proposed project. An economic impact evaluation prepared in connection with an application for appraised value limitation under Chapter 3.13 of the Code will satisfy this requirement.
- (2) What support services or products, if any, does the applicant anticipate will be procured from the local community in the construction of improvements or additions of personal property, and with regard to its operations?

(E) A legal description of the subject real property must be supplied to the County by the applicant:

(F) Pursuant to the Code, information submitted in the application process is confidential; and is not subject to public disclosure, unless and until a tax abatement agreement is executed. If an application for abatement is granted, the information submitted in the application process will be considered public once the abatement agreement has been signed by representatives for both parties.

SECTION VI

GUIDELINES

(A) Economic Qualification

To be eligible for designation of a Reinvestment Zone and to receive tax abatement, the proposed project must be reasonably shown to have an estimated cost upon completion of at least \$5,000,000.00

(B) Eligibility

The Commissioners Court shall determine eligibility for abatement on a case-by-case basis.

(C) Rate and Duration of Tax Abatement

When a determination has been made to offer tax abatement, the County will determine the percent of value abated and the length of abatement on a case-by-case basis.

SECTION VII

PROCEDURE

(A) Any person or entity desiring that the County consider tax abatement for a proposed project must comply with the following procedural guidelines.

(B) Application Process

The applicant shall submit a letter of application for tax abatement to the County Judge for submission to the Commissioners Court. The application must:

- (1) give a reasonably detailed explanation of the proposed project (improvements to owned or leased real property, and/or addition of owned or leased Personal Property);
- (2) address all criteria questions and inquiries outlined in Section V above;
- (3) provide a current survey of the real property and information showing the proposed location of the proposed improvements and additions on such real property, together with a legal description of such real property;
- (4) identify the name, address, telephone number, fax number, and e-mail address of the applicant's contact person for purposes of the application;
- (5) identify the form of organization of the applicant (e.g., sole proprietorship, partnership, corporation, limited liability company, etc.) and any assumed or trade names under which the applicant operates; and
- (6) identify how the project will comply with or fit within the criteria and guidelines set forth in the preceding sections.

All applications will be reviewed by the Commissioners Court's designee or designees for accuracy and completeness. If requested by the Commissioners Court or its designee, the applicant shall verify any information submitted to the Commissioners Court. In addition, the applicant shall provide any additional information requested by the Commissioners Court or its designee. Upon completion of the application process, the

application will be placed on the agenda for a meeting of the Commissioners Court for consideration.

- (C) The application shall be considered at a meeting of the Commissioners Court held in compliance with the Texas Open Meetings Act. If the abatement would involve the designation of a Reinvestment Zone, a public hearing regarding such designation must first be held in accordance with the procedures and notice requirements in the Code. No applicant has a legal right or expectation to a favorable determination by the Commissioners Court with respect to its application.
- (D) The abatement, if granted, must be made pursuant to a tax abatement agreement which meets all of the requirements of law and is acceptable to the Commissioners Court. Any such tax abatement agreement shall provide that in filling any new employment positions created as a result of the project, the applicant will use commercially reasonable efforts to hire qualified applicants located in the County and willing to perform the work required by such positions. A tax abatement agreement must be approved by the Commissioners Court for execution by the County Judge before it can be effective.
- (B) Any abatement is for County ad valorem taxes only, and does not provide abatement from taxation by other taxing jurisdictions in which the property may be located unless otherwise provided by state law. Property owned or leased by a member of the Commissioners Court is not eligible for tax abatement.

SECTION VIII

ADMINISTRATION

- (A) The tax abatement agreement shall stipulate that employees of the County and/or designated representatives of the County will have access to the Reinvestment Zone during the term of the abatement to inspect the Facility to determine if the terms and conditions of the agreement are being met. All inspections will be made only after giving forty-eight (48) hours prior notice and will only be conducted in such manner as to not unreasonably interfere with the construction and/or operation of the Facility. All inspections will be made with one or more representatives of the company and in accordance with the safety standards for the Facility.
- (B) The employees and/or designated representatives of the County who conduct an inspection of the Facility shall within ten days of the inspection submit a written report to the Jackson County Commissioners Court regarding the property owner's compliance with the terms and conditions of the agreement.

(C) Violations of the terms of the tax abatement agreement by the tax abatement recipient may result in the full or partial loss of the abatement and give rise to the right of the County to recoup taxes abated and terminate the agreement, all as may be more fully provided for in the agreement:

SECTION IX

ASSIGNMENT

A tax abatement agreement may be assigned to a new owner or lessee of the Facility with the prior written consent of the Commissioners Court, which consent shall not be unreasonably withheld, delayed or conditioned. Any assignment shall provide that the assignee shall irrevocably and unconditionally assume all the duties and obligations of the assignor upon the same terms and conditions as set out in the agreement. Any assignment of a tax abatement agreement shall be to an entity that contemplates the same improvements or repairs to the property, except to the extent such improvements or repairs have been completed. No assignment shall be approved if the assignor or the assignee are indebted to the County for delinquent ad valorem taxes or other obligations;

SECTION X

SUNSET PROVISION

These Guidelines and Criteria are effective September 27, 2010, and will remain in force until September 27, 2012, at which time all tax abatement agreements created pursuant to these provisions will be reviewed by the County to determine whether the goals have been achieved. Based on that review, the Guidelines and Criteria will be modified, renewed, or eliminated.