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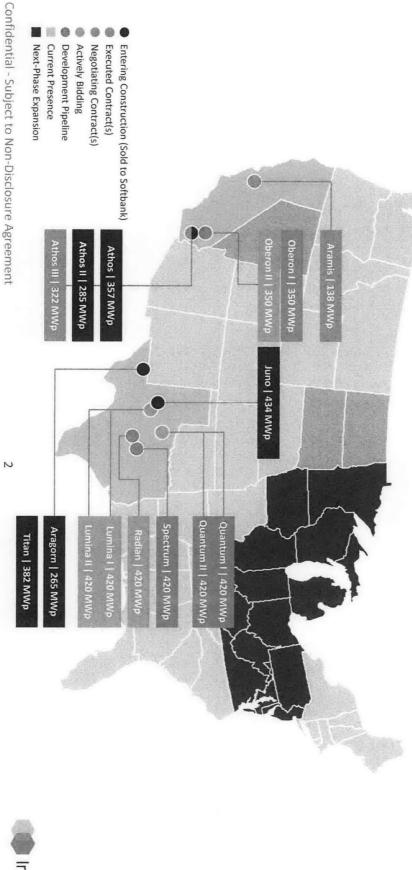
Radian Solar Project Presentation to Brown County December 7, 2020

December M. 2020 (Exhibit #7)

Rapid Development of Mature Portfolio

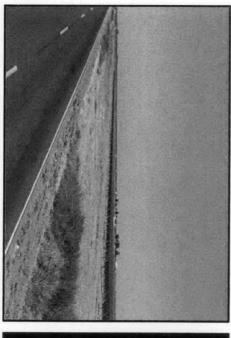
permitting and interconnection which are now attractive for power marketing offtakers equity investors for all of these projects; IP has also developed up to 3 GWp of early and mid-stage projects in advanced stages of site control Pace of Development: IP has taken over 1.75 GWp of projects from inception to commence construction in ~2.5yrs and brought in long term

interconnection, siting, permitting and engineering informed by the experience of the IP team and reinforced by industry leading partners offtakers, financeable contracts, and a mix of offtake structures yielding superior risk adjusted returns; IP projects utilize high quality Quality of Development: The 1.75GWp portfolio entering construction has a weighted average contract life of 12.5yrs with reputable

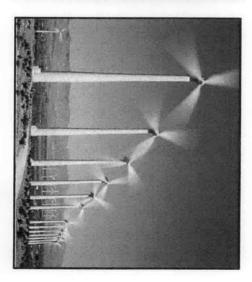


Local Solar Inhibits Local Wind

- Solar panels are no taller than 10 feet, while new wind turbines are 600+
- Solar systems don't have night lights, while wind systems are required to have elevated, red, blinking FAA lighting
- Radian Solar actively discourages local wind development by locking up usable land and transmission capacity

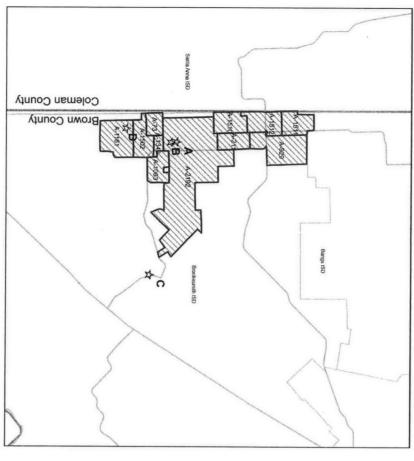






Radian Solar Project Overview

Reinvestment Zone Map



- 300 megawatts of solar under development by a highly credible developer in a competitive location
- 300+ construction jobs anticipated
- 2 qualifying permanent jobs
- Project economics rely on 85% tax abatement (or equivalent)
- Abatement request consistent with those granted by other counties

☆ B. Project Substation
☆ C. Brookesmith ISD Scho

Texas Land Survey Abstract Number

Independent School District Solar Development Area

A O&M Building

Anticipated Solar Development Footprint





Why Tax Abatement?

- the 35-year life of a solar project Tax abatement creates long-term economic benefits for the county for
- Project locating in Brown County and Brookesmith ISD is dependent on securing a tax abatement agreement
- with tax abatement The project will generate tax revenue for the county every year - even
- project is not currently on the tax roll Abatement does not cause a "tax loss" for the county because the
- successfully bid for power contracts agreements to ensure projects are economically competitive and can Investors in solar energy projects generally require tax abatement
- Ongoing property taxes are a significant operating expense



Tax Abatement Process (Chapter 312 Texas Tax Code)

- Commissioners Court must pass a resolution stating that it elects to become eligible to participate in tax abatement.
- Commissioners Court must pass a resolution adopting guidelines and criteria governing tax abatement agreements. A public hearing is required. Adoption of projects it approves for tax abatement. for anyone that applies. The county has complete discretion to choose the guidelines and criteria does not obligate the county to approve a tax abatement
- ω. the tax abatement will be located as a reinvestment zone. Commissioners Court must designate the area in which the property subject to
- Commissioners Court may not enact an ordinance or resolution designating an designation. interested persons are entitled to speak and present evidence for or against the area as a reinvestment zone until it has held a public hearing at which all
- 5 The county must deliver notice of the public hearing to the presiding officer of reinvestment zone than the seventh (7th) day before the date of the public hearing on the property that is to be included within the proposed reinvestment zone not later the governing body of each taxing unit that includes within its boundaries real



Tax Abatement Process (Chapter 312 Texas Tax Code) - Continued

- 6 before the date of the public hearing reinvestment zone in the local newspaper not later than the seventh (7th) day The county must publish notice of the public hearing on the designation of the
- After the reinvestment zone has been designated, the county must give notice to agreement to the notice. Failure to give this notice does not affect the validity of the tax abatement agreement. the presiding officer of the governing body of each taxing unit in which the into a tax abatement agreement and attach a copy of the tax abatement property subject to tax abatement is located that the taxing unit intends to enter
- Commissioners Court may enter into a tax abatement agreement with the owner or lessee of property located within the reinvestment zone with the approval of a majority of the members of the Commissioners Court at a regulatory scheduled



Radian Would Increase County Revenues

Taxable Use	Current Land Use ¹	Radian Solar
Tax Payments to County Through 10-Year 85% Abatement Period	\$18,892	\$1,378,760
Tax Payments to County Through 35-Year Useful Life of Project ²	\$60,111	\$6,744,481
Tax Payments to Brookesmith ISD Through 35-Year Useful Life of Project	\$111,353	\$12,736,134

Assumes Agricultural Value of \$93.85/Acre and 2019 Brown County tax rate



^{2.} See Appendix for Detailed Calculations Assumes 85%, 10-Year Tax Abatement

Appendix



Shared Experience of Intersect Team

Prior Performance: The IP team has shared experience delivering over 2 GWp prior to Intersect

and capital efficiency Current Results: With a refined, focused and differentiated business model, Intersect is outpacing prior performance both in terms of speed



Intersect Power

1.75 GWp+

in construction

3 GWp

pipeline

		Unc	Under Construction	
Project	MWp	ISO	Offtake Structure	Offtaker(s)
Athos I	357	CAISO	PPA	Direct Energy
Athos II	285	CAISO	Hedge & REC	Unnamed
Aragorn	265	ERCOT	PPA	A STATE OF THE PARTY OF THE PAR
Juno	434	ERCOT	PPA	& unnamed
Titan	382	ERCOT	PPA	Unnamed
Total	1,723			

Historical Team Results ¹

2 GWp+
delivered to COD

return on capital

\$6bn asset value created

Sunset	Kaiser C&I Portfolio	SMUD	Pearl Portfolio	Ontario FIT Portfolio	Apollo Portfolio	Astoria 1 & 2 Garland	Barren Ridge	Roserock	Mustang	Tranquillity	Project
5	11	80	106	220	186	503	78	212	134	539	MWp
CAISO	CAISO	SMUD	CAISO	OPA	CAISO	CAISO	LADWP	ERCOT	CAISO	CAISO	ISO
2010	2010	2012	2013	2013/14	2014	2016	2016	2016	2016	2016-18	СОВ
SAN SP arcumor Water constraint arms	PERMANENTE.	• SMUD	HDISON MANACIME	ONTARIO	SALA MOSITIFICATION	SCRA STORES	LA Cas Anyeles DWP Value & Power		Sonoma Clean MCE	MCE JEBSON	Offtaker(s)
DUKE ENERGY.	PERMANENTE.	スス 刀 Google	XXII Google	♦ FIERACAPITAL SON OSAKA GAS	Dominion Energy	Some of the state	(S) (Sbank report)	▲ Southern Company	Tax Equity	Sempra Energy' Scatter Company Tax Equity	Investors

(1)Projects comprise over 60 physical sites.



Detailed County Tax Payment Scenarios

Age William Petr Acre	County Tax Feature F	w.									
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County Tax Cou	CHANA	,			-	27,696,600	$\overline{}$		_		34
County Tax	County Tax Fixample County Tax Without Abatement Abateme	s			-	27,696,600	$\overline{}$		-		33
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County Tax	COUNTY Tax Fample County Tax Without Matement	\$			-	27,696,600			+	1	30
County Tax	COUNTY TAX	45		,	-	27,696,600			+	1	20
County Tax	COUNTY Tax Fix COUNTY Tax Fix COUNTY Tax COUN	S			-	27,696,600			+	1	002
County Tax	CHANA	\$			+	27,696,600	0%		+	1	200
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County Tax	County Tax	S		,	+	41,495,800	0%		+	1	2/
Section Sect	County Tax	S			-	41,498,000	0%		+	1	22
S	County Tax	s		,	-	41,500,200			+	+	177
County Tax	S	S			+	41,502,500			+	+	20
S	S	\$			+	41,504,800			+	1	20
S	County Tax	\$			+	41,507,200			+	1	10
S	County Tax	\$			-	41,509,600			+	1	10
S	County Tax	\$			+	41,512,000	0%		+	1	17
Section Sect	County Tax	43			+	41,514,500	0%		+	+	15
Section Sect	Section Sect	\$			+-	41,517,000	0%		+	1	14
Section Sect	Section Sect	\$			-	41,519,500	0%		+	\perp	13
Section Sect	Section Sect	\$				41,522,100	0%		+	1	77
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Section Sect	Society Soci	Ş		311,800	-	9,020,250	85%		+	1	10
Section Sect	Society Soci	\$		343,974		9,951,030	85%		-	1	9
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Section Sect	May 300 Sq. 6100	\$		708,514	-	20,497,020	85%		+	L	5
Section Sect	May 300 Sample Example Example County Tax Total Taxable Abatement % Abatement Matement Savings Savin	\$		805,009	-	\$ 23,288,595	85%		-		4
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(MW) 300 \$ 0.6100 \$ 93.85 Example County Tax Tax County Tax Tax Power Tax 3,000 acres	(MW) 300 \$ 0.6100 \$ \$93.85 Example County Tax Tax County Tax Tax Example Power Tax 3,000 acres		used for sola	Abatement Savings	Abatement		Abatement %	Abatement	Value	Year	Year
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(MW) \$ 0.63	(MW) \$ 0.63							\$93.85		er Acre	Ag Value P
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TAX ABATEMENT PROCESS CHAPTER 312, TEXAS TAX CODE

- 1. Each taxing unit wishing to grant tax abatements must pass a resolution stating that the taxing unit elects to become eligible to participate in tax abatement.
- 2. Each taxing unit wishing to grant tax abatements or designate an area as a reinvestment zone must pass a resolution adopting guidelines and criteria governing tax abatement agreements. A public hearing is required, and the tax abatement guidelines and criteria must be posted on the taxing unit's website.
- 3. Unless the property upon which the property subject to the tax abatement is located within an existing tax reinvestment zone or an enterprise zone, the taxing unit must designate the area in which the property subject to the tax abatement is located as a reinvestment zone.
- 4. The taxing unit may not enact an ordinance or resolution designating an area as a reinvestment zone until it has held a public hearing at which all interested persons are entitled to speak and present evidence for or against the designation.
- 5. The taxing unit must deliver notice of the public hearing to the presiding officer of the governing body of each taxing unit that includes within its boundaries real property that is to be included within the proposed reinvestment zone not later than the seventh (7th) day before the date of the public hearing on the reinvestment zone.
- 6. The taxing unit must publish notice of the public hearing on the designation of the reinvestment zone in a newspaper of general circulating in the taxing unit not later than the seventh (7th) day before the date of the public hearing.
- 7. After the reinvestment zone has been designated, the taxing unit must give notice to the presiding officer of the governing body of each taxing unit in which the property subject to tax abatement is located that the taxing unit intends to enter into a tax abatement agreement and attach a copy of the tax abatement agreement to the notice. Failure to give this notice does not affect the validity of the tax abatement agreement.
- 8. The taxing unit may enter into a tax abatement agreement with the owner or lessee of property located within the reinvestment zone with the approval of a majority of the members of the governing body at a regularly scheduled meeting of the governing body.

Application for Tax Abatement and Designation of Reinvestment Zone Brown County, Texas

Applicant Name:
Applicant Address and Phone:
Type of Business Association:CorporationPartnership
Proprietorship LLC
Proposed Project or Facility Address:
1. Brief description of project or facility for which tax abatement is sought:
2. This application is for (choose one):
2. This application is for (choose one):new project/facilityproject/facility expansion
project/facility modernization
3. Please list all the taxing jurisdictions in which the proposed project or facility is located:
4. What is the total estimated taxable value or total range of taxable values of the project or facility for which the abatement is sought?
5. What will be the total estimated taxable value or total range of taxable values of the project or facility in the first year after the expiration of the abatement?
6. Please attach information describing how the proposed project or facility meets the minimum requirement for tax abatement outlined in the Guidelines & Criteria, which is:
a. Minimum requirement. In order to approve a designated reinvestment zone, Commissioners Court must find by majority vote that the following requirements have been met:
b. Type and value of proposed improvements;
c. Productive life of proposed improvements;
d. Number of existing jobs to be retained by proposed improvements;
e. Number and type of new jobs, if any, to be created by proposed improvements;
f. Costs to be incurred by Borden County, if any, to provide facilities or services directly resulting from the new improvements;
g. Types and values of public improvements, if any, to be made by applicant seeking abatement;

h. The amount of ad valorem property taxes to be paid to Borden County after expiration of the

abatement agreement;

- i. The impact on the business opportunities of existing businesses and the attraction of new businesses to the area if any; and
- j. The overall compatibility with the zoning ordinances and comprehensive plan, if any, for the area.
- 8. Please attach the following information to this application:
 - a. A map and description of the property for which abatement is sought; and
 - b. A time schedule for completing the planned improvements.

rattest that the information provided in	this application is true and correct to the best of my knowledge.
Applicant Signature:	
A U d- N	
Applicant's Name:	
Applicant's Title:	
Name of Applicant Occasion	
Name of Applicant Organization:	
Date of Application Submission:	

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COMMISSIONERS COURT §

HASKELL COUNTY

8

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

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

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

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

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

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

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

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

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

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

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

County Clerk

Mat Scul

Commissioner, Procinct 4, Haskell County

HASKELL COUNTY

CUIDELINES AND CRITERIA FOR GRANTING TAX ABATEMENT AND REINVESTMENT ZONES

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

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

DEFINITIONS - Section 1

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

- "Manufacturing Facility" means products, buildings and structures, including machinery and equipment, the primary purpose of which is or will be the manufacture of tangible goods or materials or the processing of such goods or materials by physical or chemical change.
- j. "Modernization" means a complete or partial demolition of facilities and/or the completion of partial construction, reconstruction, or installation of a facility or facilities of similar or expanded production capacity. Modernization may result from the construction, alteration, or installation of buildings, structures, machinery or equipment. Modernization shall include improvements for the purpose of increasing productivity or updating the technology of machinery and equipment, or both.
- k. "New Facility" means a property previously undeveloped which is placed into service by means other than or in conjunction with expansion or modernization.
- 1. "Other Basic Industry" means buildings and structures including fixed machinery and equipment not elsewhere described, used or to be used for the production of products or services, which serve a market primarily outside of HASKELI. County, resulting in the creation of new permanent jobs bringing in new wealth.
- m. "Personal Property" means personal property, as designated by the HASKELI. County Appraisal District, which includes but is not limited to any tangible thing (including gasses, steams, and other non-solid state things) that can be removed from real property without destroying or changing such real property. Personal Property also includes, for example, any machinery or equipment that may be bolted to the floor, but has a shorter life than the building and is used in the primary line of business.
- n. "Productive Life" means the number of years a property improvement is expected to be in service in a facility.
- o. "Real Property" means real property improvements, as designated by the HASKELL. County Appraisal District, which includes but is not limited to any buildings, buildings built on skids, portable buildings, parking areas, and fences attached to land.
- p. "Regional Entertainment/Tourism Facifity" means buildings and structures, including fixed machinery and equipment, used or to be used to provide entertainment through the admission of the general public where the majority of users reside outside any part of HASKELL County.
- q. "Research Facility" means buildings and structures, including fixed machinery and equipment, used or to be used primarily for research or experimentation to improve or develop new tangible goods or materials or to improve or develop the production processes thereto.
- r. "Regional Service Facility" means buildings and structures, including fixed machinery and equipment, used or to be used to service goods where a majority of the goods being serviced originate outside any part of HASKELL County.
- s. "Spec Building" means the new building construction to create an enclosed area of a commercial facility that would normally qualify for abatements built without an occupying tenant at the time the construction is complete.
- "Urgent Care Facility" a facility dedicated to the delivery of unscheduled, walk-in diagnosis and treatment of acute, but non-life threatening injuries and illnesses, outside of a hospital cuergency department or doctor's office.

ABATEMENT AUTHORIZED - Section 11

- a. Authorized Facility. An applicant's facility may be eligible for abatement if it is a Manufacturing Facility, Research Facility, Distribution Center, Regional Service Facility, Regional Facility, Spec Building, Hospital, Urgent Care Facility or Other Basic Industry.
- b. Creation of New Value. Abatement may only be granted for the additional value of eligible real property improvements made subsequent to and specified in an abatement Agreement between HASKELL County and the applicant (property owner and/or lessee), subject to such limitations as HASKELL County Commissioners' Court may require.
- c. New and Existing Facilities. Abatement may be granted for new facilities and improvements to existing facilities for purposes of modernization or expansion.
- d. Eligible Property. Abatement may be extended to the value of buildings, structures, fixed machinery and equipment, site improvements and related fixed improvements necessary to the primary operation of the facility.
- for abatement: land; inventories; supplies; tools; furnishings, and other forms of movable personal property; vehicles; vessels; housing; hotels accommodations; retail facilities; deferred maintenance investments; property to be rented or leased, except as provided in Section II (f); improvements for the generation or transmission of electrical energy not wholly consumed by a new facility or expansion; any improvements, including those to produce, store or distribute natural gas, fluids or gases, which are not integral to the operation of the facility; property which has a productive life of less than 10 years; property owned or used by the State of Texas or its political subdivisions or by any organization owned, operated or directed by a political subdivision of the State of Texas; or any other property for which abatement is not allowed by state law.
- Owned/Leased Facilities. If a leased facility is granted abatement the Agreement shall be executed with the lessor and the lessee.
- yaluation date immediately following the date of execution of the Agreement. The value of new eligible properties shall be abated according to the approved Agreement between applicant and HASKFLL County. HASKELL County, in its sole discretion, shall determine the amount of any abatement. The term of any abatement may not exceed ten (10) years. The abatement may be extended through an initial agreement and a subsequent agreement as may be required to comply with state law regarding the term of the reinvestment zone.
- h. Construction in Progress. If a qualifying facility has not been placed in service within one year after execution of the abatement Agreement, the applicant may apply for a one year extension of the term of abatement, to be granted or denied in accordance with the Agreement. Said extension must be applied for prior to the expiration of the one year anniversary of execution of the abatement Agreement.
- Economic Qualification. In order to be eligible for designation as a reinvestment zone and receive tax abatement for planned improvements:
 - The applicant must complete an economic impact analysis consistent with the requirements of the WCEDP.

- For projects located within the jurisdiction of any incorporated city or town, the
 applicant must first be approved for tax abatement by the economic development organization
 authorized by that respective city or town to act on its behalf before the County can provide
 assistance.
- 3. The applicant's facility must be expected to retain or create employment on a permanent basis in HASKELL County.
- The applicant's facility must not be expected to solely or primarily have the effect
 of transferring employment from one part of HASKELI. County to another.
- The applicant's facility must be necessary because capacity cannot be provided efficiently by utilizing existing improved property when reasonable allowance is made for necessary improvements.
 - The applicant's facility must have no serious adverse effect on jurisdictions.
- 7. The applicant's facility must be in an area outside of the taxing jurisdiction of an incorporated city or town, unless the city or town has granted a tax abatement for the planned improvements, and ninety (90) days have not passed since the granting of such abatement.
- 8. The applicant's facility must have a significantly positive result from the economic impact analysis performed as part of the application process (i.e., the local economic benefit must significantly exceed the amount of anticipated tax revenues foregone by the Agreement).
- j. Standards for Tax Abatement. The following factors, among others, shall be considered by the County in determining whether to grant Tax Abatement:
 - 1. The value of land and existing improvement, if any,
 - 2. The type and value of the proposed improvements.
 - 3. The expected economic life of the proposed improvements.
 - The number and quality of existing, permanent jobs to be retained by the proposed improvements.
 - The number of new permanent jobs to be created by the proposed improvements.
 - 6. The amount of local payroll to be created or enhanced.
 - Whether the new jobs to be created will be filled by persons residing or projected to reside in the County.
 - 8. The amount the property tax base will be increased during the term of Abatement and after Abatement.
 - 9. The costs to be incurred by the County to provide facilities or services directly resulting from the new improvements. The amount of ad valorem taxes to be paid to the County during the Abatement period considering (a) existing values, (b) the percentage of new value abated, (c) the Abatement period, and (d) the value after expiration of the Abatement period.

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

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

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

- 1. Denial of Abatement. No Abatement Agreement shall be authorized if:
- 1. There would be substantial adverse affect on the tax base or costs associated with the providing of government services.
- The applicant has insufficient financial capacity, which reasonably could be expected to jeopardize the success of the undertaking.
- 3. The planned or potential use of the property would constitute a hazard to public safety, health or morals.
- 4. The area considered for abatement lies within the taxing jurisdiction of an incorporated city or town, unless the city or town has already granted abatement to the concerned entity and ninety (90) days have not passed since the granting of such abatement.
 - Granting abatement might lead to the violation of other codes or laws.
 - For any other reason deemed appropriate by Commissioners' Court.

1. The value of ineligible property as provided in Section II (e) shall be fully taxable;

2. The base year value of existing eligible property as determined each year shall be fully taxable; and

3. The additional value of new eligible property shall be taxable in the manner and for the period provided for in the abatement Agreement; and

4. The additional value of new eligible property shall be fully taxable at the end of the abatement period.

APPLICATION - Section III

- a. Any present or potential owner of taxable property in HASKELL County may request the creation of a reinvestment zone and tax abatement by filing a written request, along with the application processing fee set forth herein, to the County Judge of HASKELL County (cheeks should be made payable to HASKELL County).
 - The application shall consist of a completed application form accompanied by:
 - A copy of the executive overview from the economic impact analysis.
 - A general description of the proposed use and the general nature and extent of the modernization, expansion or new improvements to be undertaken.
 - A descriptive list of the improvements which will be a part of the facility;
 - A site map and property description, including a complete legal description of the property;
 - 5. A time schedule for undertaking and completing the planned improvements. In the case of modernization, a statement of the assessed value of the facility, separately stated for real and personal property, shall be given for the tax year immediately preceding the application. The application form may require such financial and other information as the County deems appropriate for evaluating the financial capacity and other factors of the applicant.
 - Certification from the Haskell County Appraisal District verifying that no taxes are past due on applicant's property located in the proposed reinvestment zone.
 - Disclosure of any environmental permits required or additional environmental impacts.
 - A \$1,000.00 non-refundable application fee.
- c. Upon receipt of a completed application and prior to acting on the application the County Judge shall notify in writing and provide a copy of the application to each presiding officer of the governing body of each taxing unit in which the property to be subject to the Agreement is located.

- d. Upon receipt of a completed application for the creation of a reinvestment zone and application for abatement, the County shall determine whether the application qualifies for a tax abatement under the guidelines and criteria. If it is determined that an application qualifies for abatement, the Commissioners Court shall notify the applicant in writing that subject to a public hearing and approval of a contract by Commissioners Court, the project qualifies for abatement.
- e. The Commissioners Court may not adopt a resolution designating a reinvestment zone for the purposes of considering approval of a tax abatement until it has held a public hearing. Notice of the hearing shall (1) be posted no later than the seventh day before the public hearing and (2) published in a newspaper of general circulation within such taxing jurisdiction not later than the seventh day before the public hearing. Before acting upon the application, HASKELL County shall through public hearing afford the applicant and the designated representative of any affected jurisdiction, and any other interested person, opportunity to show cause why the abatement should or should not be granted. Notice of the public hearing shall be clearly identified on Commissioners' Court agenda to be posted at least seven (7) days prior to the hearing.
- f. HASKELL County, not more than 60 days after receipt of the application, shall by order either approve or disapprove the application for tax abatement at a regularly scheduled meeting by a majority vote. The county judge shall notify the applicant of approval or disapproval. If disapproved, a Commissioner may request a second review, in which case a new application and hearing shall be required.
- g. HASKELL County shall not establish a reinvestment zone for the purpose of abatement if it finds that the request for the abatement was filed after the commencement of construction, alteration, or installation of improvements related to a proposed modernization, expansion, or construction of new facility.
- h. Variance. Requests for variance from the provisions of Section II may be made in written form to the Commissioners' Court. Such request shall include all the items listed in Section III (b), together with a complete description of the circumstances which prompt the applicant to request a variance. The approval process for a variance request requires a three-fourths (3-4) vote of the governing body and shall be identical to that for a standard application and may be supplemented by such additional requirements as may be deemed necessary by the Commissioners' Court.
- i. Confidentiality Required. Information that is provided to the County in connection with an application or request for Lax Abatement and that describes the specific processes or business activities to be conducted or the equipment or other property to be located on the property for which Lax Abatement is sought is confidential and not subject to public disclosure until the Tax Abatement Agreement is executed. That information in the custody of a taxing unit after the Agreement is executed is Public Record, and not confidential.

PUBLIC HEARING - Section IV

- a. Should any affected jurisdiction be able to show cause in the public hearing why the granting of abatement will have a substantial adverse affect on its bonds, tax revenue, service capacity or the provision of service, that showing shall be reason for the Commissioners' Court to deny any designation of the reinvestment zone, the granting of abatement, or both.
- b. Neither a reinvestment zone nor abatement Agreement shall be authorized if it is determined that:

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

AGREEMENT - Section V

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

- Contractual obligations in the event of default, violations of terms or conditions, delinquent taxes, recapture, administration and assignment as provided herein and other provisions that may be required for uniformity or by State law and;
- Amount of investment, increase in assessed value and number of jobs involved for the period of Abatement.
- 9. A requirement that the applicant annually submit to the Haskell County Judge, a January employee count for the abated facility which corresponds to employment accounts reported in the facility's Employer's Quarterly Report to the Texas Workforce Commission for the quarter most recently ended at calendar year-end, and a separate notarized letter certifying the number of jobs, created or retained as a direct result of the abated improvements and the number of employees in other facilities located in Haskell County. Submission shall be used to determine abatement eligibility for that year and shall be subject to audit if requested by the governing body. Failure to submit will result in the ineligibility to receive abatement for that year.
- c. Such agreement shall be executed within sixty (60) days after the applicant has forwarded all necessary information and documentation to HASKELL County.
 - d. Mandatory contract provisions. Any tax abatement entered into by the County must:
 - Include a list of the kind, number, and location of all proposed improvements to
 - Provide access to and authorize inspection of the property by the taxing unit to ensure compliance with the agreement.
 - Limit the use of the property consistent with the taxing unit's development goals.
 - 4. Provide for recapturing property tax revenues that are lost if the applicant fails to make the improvements or create the jobs as provided by the application agreement.
 - Include each term that was agreed upon with the applicant and require the applicant to annually certify compliance with the terms of the agreement to each taxing unit.
 - Allow the taxing unit to cancel or modify the agreement at any time if the applicant fails to comply with the terms of the agreement.

RECAPTURE - Section VI

- a. In the event that the applicant's facility is completed and begins producing products or services, but subsequently discontinues producing a product or service for any reason for a period of one year during the abatement period, other than because of fire, explosion ,or other casualty, accident, or natural disaster, then the agreement shall terminate and so shall the abatement of the taxes for the calendar year during which the applicant's facility no longer produces. The taxes otherwise abated for that calendar year shall be paid to the County within sixty (60) days from the date of termination.
- b. Should the County determine that the applicant is in default according to the terms and conditions of its agreement, the County shall notify the applicant in writing at the address stated in the agreement, and if such default is not cured within sixty (60) days from the date of such notice ("Cure Period"), then the agreement shall be terminated and all taxes previously abated by virtue of the agreement

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

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

ADMINISTRATION - Section VII

- a. The Chief Appraiser of HASKELL County shall annually determine an assessment of the real and personal property within the reinvestment zone. Each year, the applicant receiving abatement shall furnish the Appraiser with such information as may be necessary to determine compliance with the Agreement, including but not limited to the number of new or retained employees associated with the applicant's facility. Once value has been established, the Chief Appraiser shall notify the affected jurisdictions which levy taxes of the amount of the assessment.
- b. The Agreement shall stipulate that employees and/or designated representatives of HASKELI. County will have access to the applicant's facilities within the reinvestment zone during the term of the abatement to inspect the facility to determine if the terms and conditions of the Agreement are being met. All inspections will be made only after the giving of reasonable notice and will only be conducted in a manner as to not unreasonably interfere with the construction and/or operation of the facility. All inspections will be made with one or more representatives of the applicant, and in accordance with its safety standards.
- c. Upon completion of construction, HASKFLL County shall annually evaluate each facility receiving abatement to insure compliance with the Agreement and report possible violations of the Agreement to the Commissioner's Court.
- d. Timely Filing. The County shall timely file, with the appropriate person, agency, department, or board of the State of Texas, all information required by the Tax Code.

ASSIGNMENT - Section VIII

- a. Abatement may be transferred and assigned to a new owner or lessee of the applicant's facility upon the approval by written consent of the HASKELI. County Commissioners' Court, subject to the financial capacity of the assignee and provided that all conditions and obligations in the abatement Agreement are guaranteed by the execution of a new Agreement with the County.
- b. The Agreement with the new owner or lessee shall not exceed the termination date of the abatement Agreement with the original applicant.
- c. No assignment or transfer shall be approved if the parties to an existing Agreement, the new owner, or the new lessee is liable to HASKELL County or any affected jurisdiction for outstanding taxes or other obligations.
 - d. Approval shall not be unreasonably withheld.

SUNSET PROVISION - Section IX

- a. These Guidelines and Criteria are effective upon the date of their adoption and will remain in force for two (2) years, unless amended by three-quarters (3/4) vote of the Commissioners' Court of HASKELL County as so provided for in the Tax Code, at which time all Reinvestment Zones and Tax Abatement Agreements, created pursuant to these provisions will be reviewed by the County to determine whether the goals have been achieved. Based on that review, the Guidelines and Criteria may be modified, renewed or eliminated.
- b. This policy is mutually exclusive of existing Industrial District Contracts and owners of real property in areas deserving of special attention as agreed by the affected jurisdictions.
- e. This policy is effective this 23rd Day of July, 2019, and supersedes any previous policy on Tax Abatement. It will remain in effect until changed by court order.

Guidelines and Criteria for Granting Tax Abatements in Reinvestment Zones

Borden County, Texas

Preamble

Pursuant to Chapter 312 of the Texas Tax Code, Borden County may consider an application for tax abatement, designate a reinvestment zone and enter into a tax abatement agreement as provided for in these Guidelines and Criteria.

I. Abatement Application Procedure

- a. Who may apply. Any present or potential owner or lessee of taxable property in Borden County may submit an application for tax abatement conforming to the requirements outlined herein.
- b. <u>Eligible property</u>. Abatement may only be granted for the following property constructed or otherwise put in place after the effective date of the tax abatement agreement: new, expanded or modernized buildings and structures, fixed machinery and equipment; site improvements; related fixed improvements; other tangible items necessary to the operation and administration of the project or facility; and all other real and tangible personal property permitted by Chapter 312 of the Texas Tax Code.
- c. <u>Application provisions</u>. The application shall consist of a completed Borden County Tax Abatement Application form, which shall contain the following:
 - Information showing how the project meets the requirements of the criteria outlined in Section II below;
 - 2. a map and description of the property;
 - 3. a time schedule for completing the planned improvements;
 - 4. the estimated taxable value or range of values of the project or facility; and
 - basic financial information about the principles sufficient to enable evaluation of the applicant's financial capacity.
 - 6. Application shall be accompanied by an application fee of \$1,000.00 payable to Borden County.
- d. <u>Procedure for Application Consideration</u>. The procedure for consideration by the County of a Tax Abatement Application is as follows.
 - 1. An applicant may request a Tax Abatement Application from the County Judge's Office.
 - After an applicant completes the Tax Abatement Application, applicant provides a copy to each member of the Borden County Commissioners Court and the County Judge's Administrative Assistant.
 - 3. Upon receipt of an application, the Commissioners Court determines, within forty-five (45) days, how to proceed with the application. The Commissioners Court shall choose either to deny the application, consider the application on an expedited basis.
 - A. Denial of application. If the Commissioners Court chooses to deny the application, it shall make a finding by majority vote at a regularly scheduled meeting that the application does not meet the requirements of the criteria provided below in Section II.

- B. Consideration of application. If the Commissioners Court determines that the application should be further considered, the County Judge shall schedule a hearing to obtain public input on the application. At least seven (7) days prior to the hearing, the County must send written notice to the presiding officers of all taxing units with jurisdiction over the property for which an abatement is sought and must publish notice of the hearing time, place, and subject in the local newspaper. At the hearing, the Commissioners Court evaluates the application against the criteria in Section II and decides whether to designate the property for which the abatement is sought as a reinvestment zone. If the reinvestment zone is not designated, the application fails, although it may be amended and resubmitted. If the reinvestment zone is designated, the Commissioners Court shall pass an order to that effect and may then arrange to consider for approval of the tax abatement agreement between the applicant and the County at its next regularly scheduled meeting. At least seven (7) days prior to entering into a tax abatement agreement, the county must give written notice of its intent to do so to the presiding officers of all taxing units with jurisdiction over the property for which an abatement is sought, along with a copy of the proposed tax abatement agreement. At the regularly scheduled meeting, the Commissioners Court may finally vote by simple majority to enter into the tax abatement agreement or to decline. An approved tax abatement agreement may be executed in the same manner as other contracts made by the county.
- C. Expedited consideration of application. If the County determines that the application should receive expedited consideration, the County Judge shall schedule an opportunity to obtain public input on the application at the Commissioners Court next meeting. At least seven (7) days prior to the meeting, the County must send written notice to the presiding officers of all taxing units with jurisdiction over the property for which an abatement is sought and must publish notice of hearing time, place and subject in the local newspaper. Also at this time, the County must give written notice of its intent to enter into a tax abatement agreement to the presiding officers of all taxing units with jurisdiction over the property for which an abatement is sought, along with a copy of the proposed tax abatement agreement. During the regularly scheduled meeting, the Commissioners Court evaluates the application against the criteria in Section II and decides whether to designate the property for which the abatement is sought as a reinvestment zone. If the reinvestment zone is not designated, the Commissioners Court shall pass an order to that effect and may then immediately consider for approval the tax abatement agreement between the applicant and the County. After consideration, The Commissioners Court may finally vote by simple majority to enter into the tax abatement agreement, or to decline. An approved tax abatement agreement may be executed in the same manner as other contracts made by the County.
- e. <u>Confidentiality.</u> As required by Section 312.003 of the Texas Tax code, information that is provided to Borden County in connection with an application or request for tax abatement under this chapter and that describes the specific processes or business activities to be conducted or the equipment or the property to be located on the property for which tax abatement is sought is confidential and not subject to public disclosure until the tax abatement agreement is executed.

II. Criteria for Designating a Reinvestment Zone

- a. <u>Minimum requirement.</u> To be designated a reinvestment zone, County Commissioners must find by majority vote that:
 - the property for which the abatement is sought will be reasonably likely as a result the
 designation to contribute to the retention or expansion of primary employment or to attract major
 investment in the zone that would be a benefit to the property and that would contribute to the
 economic development of the County, or meet one or more of the other requirements provide in
 Section 312.202 of the Texas Tax Code; and
 - 2. that the improvements sought are feasible and practical and would be a benefit to the land to be included in the zone and to the County after expiration of the tax abatement agreement.
- b. <u>Criteria.</u> In determining whether to designate a reinvestment zone and whether to enter into a tax abatement agreement, the Commissioners Court shall consider the following factors, among others determined appropriate by the Court:
 - 1. value of land and existing improvements, if any;
 - 2. type and value of proposed improvements;
 - 3. productive life of proposed improvements;
 - 4. number of existing jobs to be retained by proposed improvements;
 - 5. number and type of new jobs, if any, to be created by proposed improvements;
 - costs to be incurred by Borden County, if any, to provide facilities or services directly resulting from the new improvements;
 - 7. types and values of public improvements, if any, to be made by applicant seeking abatement;
 - the amount of ad valorem property tax to be paid to Borden County after expiration of the abatement agreement;
 - 9. the impact on the business opportunities of existing businesses and the attraction of new business to the area, if any; and
 - 10. the overall compatibility with the zoning ordinances and comprehensive plan, if any, for the area.

III. Format for Tax Abatement Agreement

- a. <u>Required provisions</u>. If the Borden County Commissioners Court designates a reinvestment zone, it may consider and execute a tax abatement agreement with the owner of the designated property and lessee, as appropriate, as outlined above. Any tax abatement agreement shall include at least the following:
 - 1. the kind, number and location of all proposed improvements of the property;
 - provisions allowing for reasonable access to the property for initial and intermittent inspection purposes by County employees or designated representatives to ensure improvements are made in compliance with the agreement;
 - 3. provisions limiting the use of the property consistent with the general purpose of encouraging development or redevelopment of the area during the period of abatement;
 - provisions for recapturing property tax revenue lost as a result of the agreement if the owner of the property fails to make the improvements or repairs as provided in the agreement;
 - 5. each term agreed to by the recipient of the abatement;

- a requirement that the abatement recipient certify its compliance with the agreement annually to the County; and
- provisions allowing the County to cancel or modify the agreement if the recipient is out of compliance with the agreement.
- b. Optional provisions. The tax abatement agreement may also contain any or all of the following items, in addition to any others deemed appropriate by the contracting parties;
 - 1. the estimated taxable value to be abated each year;
 - 2. percent of value to be abated each year;
 - 3. the commencement and termination dates of the abatement;
 - 4. proposed use of the property;
 - 5. nature of the construction, time schedule, map and property description;
 - 6. contractual obligations in the event of default or violation of terms or conditions;
 - 7. size of investment and number of temporary and permanent jobs involved, if any;
 - 8. provisions for dispute resolution.
- c. <u>Duration and portion of abatement</u>. A tax abatement agreement granted by Borden County shall be up to but not exceeding ten (10) years in duration and up to but not exceeding 100% in portion of ad valorem property taxes abated.
- d. <u>Time limit.</u> Such agreement shall be executed within thirty (30) days after passage of the resolution approving the agreement, unless the County and the applicant mutually agree otherwise.

IV. Administration of Tax Abatement Agreement

- a. <u>Inspections.</u> County employees or their designated representatives shall have reasonable access to the property for initial and intermittent inspection purposes in order to ensure that the improvements or repairs are made according to the specifications and conditions of the agreement.
- b. <u>Cure provisions</u>. Should Borden County determine that the company or individual receiving the abatement is in default of the tax abatement agreement, it shall notify the company or individual of such default in writing at the address specified in the agreement, and if such is not cured within sixty (60) days of notice, the agreement may be terminated by the County.
- c. <u>Modification and termination</u>. At any time before the expiration of a tax abatement agreement, an agreement may be modified by the parties to include other provisions that could have been included in the original agreement or to delete provisions that were not necessary to the original agreement. The modification must be made by the same procedure by which the original agreement was made. An agreement may also be terminated by the mutual consent of the parties in the same way the agreement was made, or by other means as agreed by the parties according to the provisions of the agreement.

V. Assignment

An abatement granted by Borden County may be transferred and assigned by the holder to a new owner or lessee of the same property, upon the approval by resolution of Borden County, subject to the financial capacity of the assignee and provided that all conditions and obligations in the tax abatement agreement with Borden County are fulfilled. Approval shall not be unreasonably withheld by Borden County.

VI. Sunset and Amendment of Guidelines and Criteria

These Guidelines and Criteria are effective upon the date of their adoption and will remain in force for two (2) years, unless amended by three-fourths (3/4) vote of the Borden County Commissioners Court.

Passed and approved at a regular meeting of the Borden County Commissioners Court, at which a quorum was present on the 8th day of January, 2019.

Ross D. Sharp County Judge

Monte Smith

Commissioner Precinct 1

Frnest Reves

Commissioner Precinct 3

Randy Adcock

Commissioner Precinct 2

Reyes Greg Stansell

Commissioner Precinct 4

ATTEST:

Jana Underwood County Clerk

IP Radian Solar Project - Comparison of Percentage Abatement vs. Payment In-Lieu of Tax

PILOT Pay	ment @ \$1	PILOT Payment @ \$150,000 (\$500/MW)	(//										
Assumed I	Assumed Megawatts (MW)	5 (MW)	300					PILOT Payment Calculations	ent Calcula	tions	S/MW		
County Tax Rate	x Rate		\$ 0.6100										
								PILOT \$/Yr		\$ 150,000 \$	\$ 500		
Tax Abatement %	ment %		78.527%										
			County Tax	Тах			Radian Project				County Tax		Radian Project Tax
k	312 Tax	Tot	Without	Abatement	Value After	County Tax With	Tax Abatement		312 Tax	Total Taxable	Without	County PILOT	Abatement
Year	Year	Value	Abatement	%	Abatement	Abatement	Savings	Year	Year	Value	Abatement	Payment	Savings
0	2022	\$ 62,025,300	. \$		The state of the s		- \$	0	2022	\$ 62,025,300	. \$	Salthallan Saltha	
1	2023	\$ 206,951,000	\$ 1,262,401	78.5%	\$ 44,438,588	\$ 271,075	\$ 991,326	1	2023	\$ 206,951,000 \$		1,262,401 \$ 150,000 \$ 1,112,401	\$ 1.112.401
2	2024	\$ 173,867,800	\$ 1,060,594	78.5%	\$ 37,334,633	\$ 227,741	\$ 832,852	2	2024	\$ 173,867,800 \$		\$ 150,000	\$ 910,594
n	2025	\$ 155,257,300	\$ 947,070	78.5% \$	\$ 33,338,400	\$ 203,364	\$ 743,705	3	2025	\$ 155,257,300	\$ 947,070 \$	\$ 150,000	070,797 \$
4	2026	\$ 136,646,800	\$ 833,545	78.5% \$	\$ 29,342,167	\$ 178,987 \$	\$ 654,558	4	2026	\$ 136,646,800	\$ 833,545 \$	\$ 150,000	\$ 683,545
2	2027	\$ 118,036,300	\$ 720,021	78.5%	\$ 25,345,935	\$ 154,610	\$ 565,411	2	2027	\$ 118,036,300	\$ 720,021 \$	\$ 150,000	\$ 570,021
9	2028	\$ 97,358,400	\$ 593,886	78.5%	\$ 20,905,769	\$ 127,525	\$ 466,361	9	2028	\$ 97,358,400	\$ 593,886	\$ 150,000	\$ 443,886
7	2029	\$ 78,748,000	\$ 480,363	78.5% \$	\$ 16,909,558	\$ 103,148 \$	\$ 377,214	7	2029	\$ 78,748,000	\$ 480,363	\$ 150,000	\$ 330,363
00	2030	\$ 66,340,200	\$ 404,675	78.5% \$	\$ 14,245,231	\$ 86,896	\$ 317,779	8	2030	\$ 66,340,200	\$ 404,675 \$	\$ 150,000	\$ 254,675
6	2031	\$ 60,135,000	\$ 366,824	78.5%	\$ 12,912,789	\$ 78,768	\$ 288,055	6	2031	\$ 60,135,000 \$	\$ 366,824 \$	\$ 150,000	\$ 216,824
10	2032	\$ 51,862,300	\$ 316,360	78.5%	\$ 11,136,392	\$ 67,932	\$ 248,428	10	2032	\$ 51,862,300	\$ 316,360 \$	\$ 150,000	\$ 166,360
Total			\$ 6,985,739			\$ 1,500,048 \$	\$ 5,485,691	Total			\$ 6,985,739	\$ 1,500,000	\$ 5,485,739