

ORDER NO. 2021-001

FILED July 13, 2021
 AT 9:54 o'clock A M
 JERRI MCCUTCHEN
 County Clerk, Sterling County, Texas
 By [Signature] Deputy

AN ORDER OF THE COMMISSIONERS COURT OF STERLING COUNTY, TEXAS: (1) APPROVING AN ECONOMIC DEVELOPMENT PROGRAM FOR CERTAIN REAL PROPERTY LOCATED IN STERLING COUNTY, TEXAS, PURSUANT TO CHAPTER 381 OF THE TEXAS LOCAL GOVERNMENT CODE AND OTHER AUTHORITY; (2) DECLARING INTENT FOR STERLING COUNTY TO PARTICIPATE IN TAX ABATEMENT AGREEMENTS, AND THE ELIGIBILITY OF SAID COUNTY TO PARTICIPATE IN TAX ABATEMENT; (3) APPROVING THE DESIGNATION AND IMPLEMENTATION OF THE STERLING COUNTY, TEXAS TAX ABATEMENT REINVESTMENT ZONE NO. 2021-001 ON CONTIGUOUS REAL PROPERTY LOCATED IN SAID COUNTY, PURSUANT TO CHAPTER 312 OF THE TEXAS TAX CODE AND OTHER AUTHORITY; AND (4) ESTABLISHING AN EFFECTIVE DATE AND COMPLIANCE WITH THE TEXAS OPEN MEETING ACT.

WHEREAS, Sterling County, Texas (“County”) is a county of the State of Texas, having been duly created and organized under the constitution and laws of Texas, and further, the Sterling County Commissioners Court (“Commissioners Court”) is the governing body of said County; and

WHEREAS, pursuant to Article V, Section 18 and Article III Section 52-a of the Texas Constitution, Chapters 81 and 381 of the Texas Local Government Code, Chapter 312 of the Texas Tax Code, and other authority, the County may develop and implement economic development programs to stimulate business and commercial activity in Sterling County, Texas, including the creation of tax abatement reinvestment zones to be designated and implemented regarding authorized tax abatement agreements; and

WHEREAS, the Commissioners Court in the public interest and pursuant to its lawful authority, discretion, and best business judgment, finds that it should consider, from time to time, to directly engage and assist in the effort to stimulate and improve business and commercial activity in Sterling County, Texas through the successful enactment and implementation of worthwhile economic development programs, including but not limited to (1) the execution and implementation of worthwhile economic development agreements, (2) the creation and administration of tax abatement reinvestment zones, (3) the use of County employees or funds, (4) the acceptance of contributions, donations, gifts, or other resources, (5) the execution and implementation of tax abatement agreements, (6) the making of loans or grants of public funds, and/or (7) providing County personnel and services, and further, finds that these activities are authorized economic development tools available to the County to stimulate business and commercial activity pursuant to the authority herein described; and

WHEREAS, there exists certain real property wholly located in Sterling County, Texas and described as follows: all those certain contiguous tracts or parcels of land, being and

situated in Sterling County, Texas, containing approximately 9,331.90 acres, more or less, and more particularly described in the attached **Exhibit 1** (“Property”); and

WHEREAS, in order to stimulate business and commercial activity in Sterling County, Texas, the Commissioners Court desires by this order to enact and implement the following economic development program (or “Project”) for the Property: the acquisition, placement, location, construction, maintenance, and operation, by a private party or business entity, or by a governmental entity, on all or part of the Property, of machinery, equipment, structures, and/or infrastructure, including but not limited to wind turbines, used to generate, produce, and/or distribute electricity; and

WHEREAS, the acquisition, placement, location, construction, maintenance, and operation of the Project on the Property, due to its size and scope, will mean increased economic opportunity for the people of Sterling County, Texas and have a positive effect regarding local economic issues, including but not limited to (1) increased local tax bases, (2) increased employment and wages, (3) increased wholesale and retail sales, and (4) a decrease in the number of families living in poverty; and

WHEREAS, Edmondson Ranch Wind, LLC, or an affiliate or subsidiary thereof, has (1) indicated a desire by its submitted application to develop the Property in accordance with the Project requirements herein described, and (2) requested the County’s creation of a tax abatement reinvestment zone regarding the Property prior to the negotiation and potential execution of a tax abatement agreement with the County regarding the Property and Project; and

WHEREAS, all prerequisites to the creation and designation of a tax abatement reinvestment zone for the Property and Project, including public notice and a public hearing, have been properly accomplished by the County as required by law; and

WHEREAS, the Commissioners Court desires by this order to (1) enact, approve, and implement the economic development Project for the Property, (2) approve the County’s eligibility to participate in tax abatement, and (3) create, designate, and implement the **Sterling County, Texas Tax Abatement Reinvestment Zone No. 2021-001** regarding the Property and Project; and

WHEREAS, the Commissioners Court finds that all public purposes described in this order shall be obtained or substantially achieved through the creation, designation, and implementation of the aforesaid tax abatement reinvestment zone and economic development Project regarding the Property.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Sterling County Commissioners Court, for and on behalf of said County and in the public interest, as follows:

- (1) Unless otherwise designated, the past, present, or future tense shall each include the other, the masculine, feminine, or neuter gender shall each

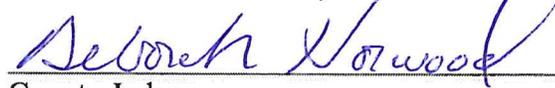
include the other, and the singular and plural number shall each include the other where necessary for a correct meaning.

- (2) All statements made in the caption and preliminary recitals of this order, and all attached documents, are incorporated by reference.
- (3) The following economic development program (or Project) is approved regarding the Property to stimulate business and commercial activity in Sterling County, Texas: the acquisition, placement, location, construction, maintenance, and operation, by a private party or business entity, or by a governmental entity, on all or part of the Property, of machinery, equipment, structures, and/or infrastructure, including but not limited to wind turbines, used to generate, produce, and/or distribute electricity.
- (4) All economic development tools and authority available to the County as herein described shall be considered, from time to time, for implementation regarding the Property and Project through the exercise of the lawful authority, discretion, and best business judgment of the Commissioners Court.
- (5) Pursuant to Chapter 312, of the Texas Tax Code and other authority, the Commissioners Court declares: (a) the County's intent to participate in tax abatement agreements, from time to time, through the exercise of its lawful authority, discretion, and best business judgment in order to stimulate business and commercial activity in Sterling County, Texas; and (b) that the County elects to become eligible to participate in tax abatement.
- (6) The following tax abatement reinvestment zone is hereby approved, created, and designated, and shall be implemented, by the County regarding the Property: the **Sterling County, Texas Tax Abatement Reinvestment Zone No. 2021-001** ("Zone"), containing approximately 9,331.90 acres, more or less, and hereby designated as all those certain contiguous tracts or parcels of land (Property), being wholly located in Sterling County, Texas and more particularly described in the attached **Exhibit 1**.
- (7) Pursuant to Chapter 312 of the Texas Tax Code and Chapter 551 of the Texas Government Code, the Commissioners Court finds that: (a) all public notice requirements for the creation and designation of the Zone on the Property have been accomplished as required by law; and (b) a public hearing regarding a proposed tax reinvestment zone for the Property was properly conducted this date at the public meeting of the Commissioners Court, after proper notice for said meeting and hearing was accomplished as required by law.

- (8) Pursuant to Chapter 312 of the Texas Tax Code and other authority, the Commissioners Court finds that: (a) the improvements sought within the Zone are feasible and practical and would be a benefit to the land in the Zone and to the County after the expiration of any tax abatement agreement; (b) the Zone area designation would contribute to the retention or expansion of primary employment or would attract major investment in the Zone that would be a benefit to the Property included in the Zone and would contribute to the economic development of Sterling County, Texas; (c) the Zone does not include any land area in the taxing jurisdiction of a municipality; (d) the Zone is eligible for commercial-industrial tax abatement; and (e) the Zone is designated this date in compliance with the active Tax Abatement Guidelines and Criteria for Sterling County, Texas enacted by the Commissioners Court on September 14, 2020.
- (9) This order shall take effect immediately after its passage.
- (10) This matter was ordered and approved at a meeting held in compliance with Chapter 551 of the Texas Government Code, the Texas Open Meetings Act.

ORDERED AND APPROVED on the 12th day of July, 2021.

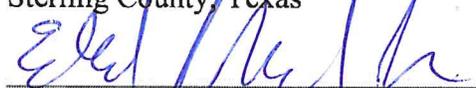
**THE COMMISSIONERS COURT OF
STERLING COUNTY, TEXAS**



County Judge
Sterling County, Texas



County Commissioner, Precinct 1
Sterling County, Texas



County Commissioner, Precinct 2
Sterling County, Texas

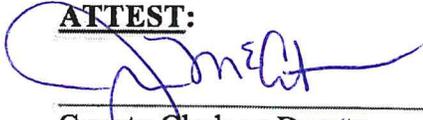


County Commissioner, Precinct 3
Sterling County, Texas



County Commissioner, Precinct 4
Sterling County, Texas

ATTEST:



County Clerk or Deputy
Sterling County, Texas

EXHIBIT 1
**(Property Description: Sterling County, Texas Tax Abatement
Reinvestment Zone No. 2021-001)**

**STERLING COUNTY RZ 2021-001
PARCEL LISTING**

OWNER	PROP ID	ACRES	LEGAL DESCRIPTION
LACY CREEK RANCHES LLC ET AL	3449	20	AB 1262 BLK 32 SEC 15 T&P RY, T5S
LACY CREEK RANCHES LLC ET AL	1184	615	AB 1251 BLK 32 SEC 14 T5S J L GLASS 1/3 UND INT
LACY CREEK RANCHES LLC ET AL	2096	640	AB 568 BLK 32 SEC 13 T&P RY T5 S
LACY CREEK RANCHES LLC ET AL	2092	637.2	AB 1139 BLK 31 SEC 4 T&P RY T5 S
LACY CREEK RANCHES LLC ET AL	2091	655.3	AB 1063 BLK 31 SEC 14 T&P RY T 5S
LACY CREEK RANCHES LLC ET AL	2097	640	AB 1097 BLK 32 SEC 24 T&P RY T 5S
LACY CREEK RANCHES LLC ET AL	2099	658.5	AB 1064 BLK 32 SEC 26 T&P RY T 5S
LACY CREEK RANCHES LLC ET AL	2098	659	AB 570 BLK 32 SEC 25 T&P RY TS S
LACY CREEK RANCHES LLC ET AL	1178	640	AB 553 BLK 31 SEC 15 T&P RY TS S 8.3%UND INT
LACY CREEK RANCHES LLC ET AL	2100	649.6	AB 1061 BLK 32 SEC 36 T&P RY T 5S
LACY CREEK RANCHES LLC ET AL	2093	644.9	AB 1066 BLK 31 SEC 22 T&P RY T 5S
LACY CREEK RANCHES LLC ET AL	2101	605.4	AB 1052 BLK 32 SEC 38 T&P RY T 5S
MCDERMOTT MICHAEL J JR	2675	20	AB 1052 BLK 32 SEC 38 T W KINSEY
DUESI CAROL	2672	20	AB 1052 BLK 32 SEC 38 T W KINSEY
LACY CREEK RANCHES LLC ET AL	1181	640	AB 565 BLK 32 SEC 47 T&P RY TS S 8.3% UND INT
BODINE JAYNELL COPE	1174	640	AB 52 EL & RR SEC 1 UND INT
CHASE DALE O JR	1784	300	AB 1197 BLK A SEC 2 HARRY TWEEDLE
CHASE DALE O JR	1778	323.5	AB 808 BLK 2 SEC 26 M A DOAK N /2
CHASE DALE O JR	1781	323.5	AB 973 BLK 2 SEC 26 S/2 M A PR ICE

