



COURT ORDER NO. _____

A COURT ORDER OF COMMISSINER COURT OF HOPKINS COUNTY, TEXAS, DESIGNATING A CERTAIN AREA AS an INDUSTRIAL REINVESTMENT ZONE, HOPKINS COUNTY, TEXAS, PROVIDING FOR THE ESTABLISHMENT OF AGREEMENTS WITHIN THE ZONE, AND OTHER MATTERS RELATING THERETO; PROVDIING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE FOR THE COMMENCEMENT OF THE REINVESTMENT ZONE AND THIS COURT ORDER; AND PROVIDING AN OPEN MEETINGS CLAUSE.

WHEREAS, the Commissioners Court of the Hopkins County, Texas, (the "County"), desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a Reinvestment Zone, as codified in Chapter 312 of the Texas Tax Code (the "Act"); and

WHEREAS, a hearing before the Commissioner Court was set for 9 a.m. on the 14th day of January 2019, such date being at least seven (7) days after the date of publication of the notice of such public hearing in a newspaper of general circulation in Hopkins County; and

WHEREAS, the County has called a public hearing and published notice of such public hearing, and has properly notified the proper officials of County of Sulphur Springs, Sulphur Springs Independent School District, and Hopkins County Hospital District as required by the Act; and

WHEREAS, upon such hearing being convened there was presented proper proof and evidence that notices of such hearing had been published and mailed as described above; and

WHEREAS, the County at such hearing invited any interested person, or his attorney, to appear and contend for or against the creation of the Reinvestment Zone, whether all or part of the territory, which is described by a legal description attached hereto as Exhibit "A" and depicted in the drawing attached hereto as Exhibit "B", should be included in such proposed Reinvestment Zone; and

WHEREAS, all owners of property located within the proposed Reinvestment Zone and all other taxing units and other interested persons were given the opportunity at such public hearing to protest the creation of the proposed Reinvestment Zone or the inclusion of their property in such Reinvestment Zone; and

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

WHEREAS, after considering all testimony and evidence offered at the public hearing, the Commissioners Court finds that improvements in the Reinvestment Zone will enhance significantly the value of all taxable real and personal property in the Zone, will be of general benefit to Hopkins County and that it will be in the public interest to pass this ordinance creating a Reinvestment Zone;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS COURT OF HOPKINS COUNTY, TEXAS:

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

SECTION 2: The County, after conducting such hearing and having heard such evidence and testimony, pursuant to Chapter 312 of the Texas Tax Code (TTC), has made the following findings and determinations based on the evidence and testimony presented to it:

- (a) That the public hearing on adoption of the Reinvestment Zone has been properly called, held and conducted and that notice of such hearing has been published as required by law.
- (b) That the County has jurisdiction to hold and conduct this public hearing on the creation of the proposed Reinvestment Zone pursuant to the Act; and
- (c) That creation of the proposed zone with boundaries as described in Exhibits "A" and "B" will result in benefits to the County, its residents and property owners, and to the property, residents and property owners in the reinvestment zone.
- (d) That the Reinvestment Zone, as defined in Exhibits "A" and "B", meets the criteria for the creation of a Reinvestment Zone as set forth in Chapter 312.192 of the Act in that:
 - (1) It is a contiguous geographic area located wholly within the jurisdiction of the County.
 - (2) The area will reasonably be likely, as a result of 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.
 - (3) No part of the property in the Reinvestment Zone is owned or leased by a member of the governing body of the County or town or by a member of a zoning or planning board or Council of the County.
 - (4) Improvements in the Reinvestment Zone will enhance significantly the value of all taxable real property in the Reinvestment Zone.

SECTION 3: That the County hereby creates a Reinvestment Zone over the area described by the description in Exhibit "A" attached hereto and depicted in a drawing attached hereto as Exhibit "B" and such Reinvestment Zone shall hereafter be identified as the Commercial-Industrial or Residential Reinvestment Zone, Number ____, of the County of Hopkins County, Texas (the "Zone").

SECTION 4: That operation of the Zone shall commence on January 2019, for a period of five years, may be renewed for an additional five years or may terminate sooner by subsequent Court Order

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

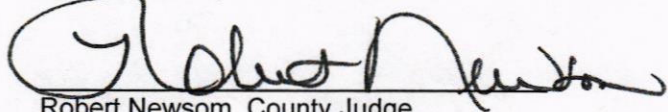
SECTION 6: That it is hereby officially found, determined, and declared that a sufficient written notice of the date, hour, place and subject of the meeting of the Commissioners Court at which this court order was adopted was posted at a place convenient and readily accessible at all times to the general public at the County Court House for the time required by law preceding this

meeting, as required by the Open Meetings Act, Chapter 551 et seq of the Texas Local Government Code, as amended, and that this meeting has been open to the public as required by law at all times during which this court order and the subject matter hereof has been discussed, considered and formally acted upon. The County Commissioners further ratifies, approves, and confirms such written notice and the contents and posting thereof.

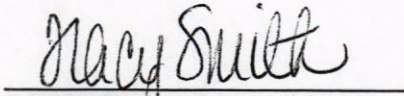
SECTION 7: That the contents of the notice of public hearing, which hearing was held before the County Council on June 6th, and the publication of said notices, is hereby ratified, approved and confirmed.

PASSED, APPROVED, and ADOPTED on this the 14th day of January 2019

Hopkins County, TEXAS

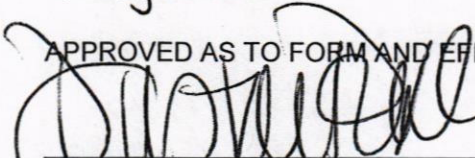

Robert Newsom, County Judge

ATTEST:


~~Debbie Shirley~~, County Clerk
Tracy Smith



APPROVED AS TO FORM AND EFFECT:


County Attorney

EXHIBITS TO ORDINANCE

Legal description of zone

Map of zone

EXHIBIT "A"

Legal Description of Property
117.34 acres on CR 1102
212.7 acres on FM 2297
145.201 acres on FM 2297
63 acres on FM 2297

EXHIBIT "A"

Legal Description of Property
117.34 acres on CR 1102
212.7 acres on FM 2297
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EXHIBIT A

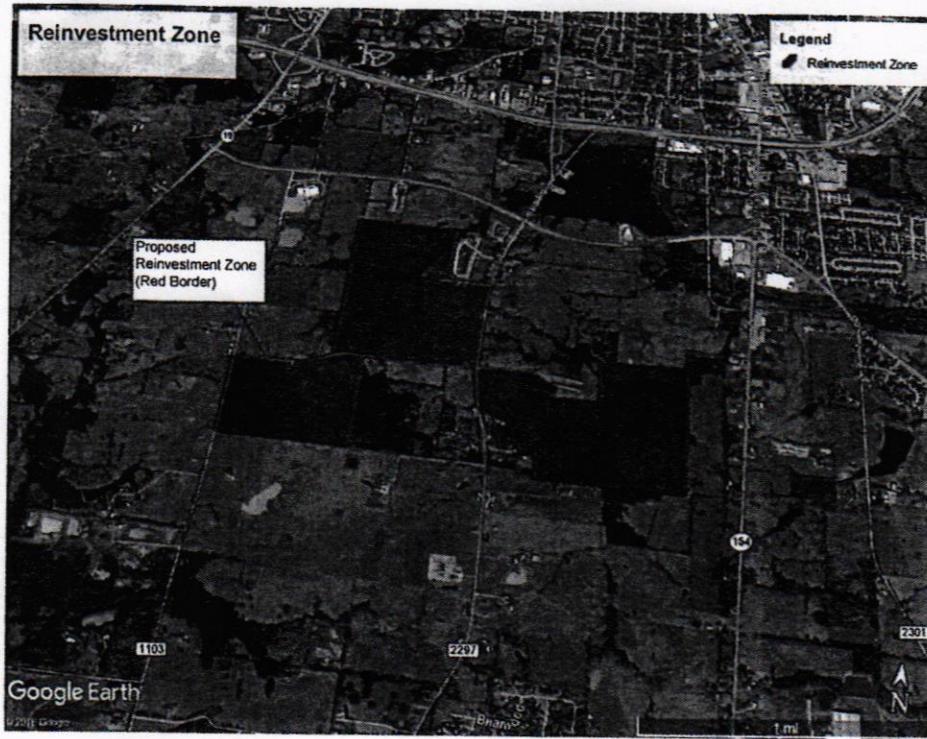


EXHIBIT B

Description of the PROPERTY

The PROPERTY includes all of the tangible personal property, equipment, and materials required to construct and operate a solar electric generating facility on the Premises. The facility itself is expected to have a total capacity of 80 Megawatts (ac), 100 MW DC and may include the property and equipment listed below. The list of equipment below is not intended to be an exhaustive list of the PROPERTY. The parties agree that the PROPERTY eligible for abatement under this AGREEMENT includes all of the tangible personal property, equipment, and materials required to construct and operate the facility.

- Solar Modules & Panels
- Racking & Mounting Structures
- Inverter Boxes
- Combiner Boxes
- Meteorological Equipment
- Operation & Maintenance Building(s)
- Fencing
- Electrical Substations
- Generation Transmission Tie Line
- Associated Towers
- Interconnection Facilities

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EXHIBIT C
PREMISES LEGAL DESCRIPTION

Parcel ID	Size (approximate acreage)	Owner	Property Address	Property Coordinates
R000018387	117.34	<u>Nina Russ fka Nina Lou Behzadpour, individually and as Trustee of the testamentary trust created for the benefit of Mitzi Magers, under the last Will and Testament and Codicil of Virginia Sue Magers,</u>	CR 1102 Sulphur Springs, TX 75482	33°05'29.29" N 95°37'07.23" W
R000018398	212.7	McGahee Ventures, LTD	FM 2297 Sulphur Springs, TX 75482	33°Q6'06.5r N 95°37'18.04" W
R000025335	145.201	McGahee, Marcus W.	FM 2297 Sulphur Springs, TX 75482	33°05'42.97" N 95°36'17.60" W
R000018405	63	McGahee Ventures, LTD	FM 2297 Sulphur Springs, TX 75482	33°05'38.60" N 95°36'40.94" W

Veronica Cocarlea 23/11/18 21:47
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