

ORDER RENEWING TAX ABATEMENT GUIDLINES

July 22, 2019

WHEREAS, on May 10, 2010 the Commissioners' Court of Clay County, Texas adopted a resolution making an election for the County to participate in tax abatement pursuant to Chapter 312 of the Texas Tax Code and in the same resolution adopted certain guidelines and criteria governing tax abatement agreements (which guidelines and criteria were set forth in said resolution and are hereinafter referred to as the ("Tax Abatement Guidelines"); and


WHEREAS, the Commissioners' Court now desires to renew and extend the Tax Abatement Guidelines;

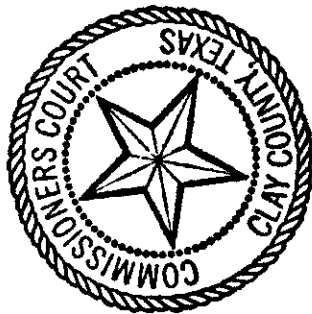
WHEREAS, the Commissioners' Court of Clay County, Texas has determined, and hereby finds and concludes: (1) that this order was approved by a majority of the Commissioners' Court in regular meeting held on the date set forth below; and (2) that said meeting was open to the public, was preceded by proper notice, as required by Chapter 551 of the Texas Government Code (the Open Meetings Act) and that a quorum of the members of the Commissioners' Court were present at said meeting; and (3) that following orders should be entered:

NOW, THEREFORE, IT IS ORDERED BY COMMISSIONERS' COURT OF CLAY COUNTY, TEXAS that the Tax Abatement Guidelines are hereby readopted, renewed and extended for a period of two years as permitted by Tex. Tax CODE §312.002.


PASSED AND PPROVED on the 22th day of July, 2019.

Attest:

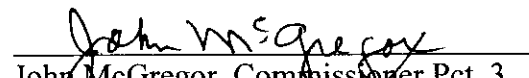

Sasha Kelton, County Clerk




Mike Campbell, County Judge


Richard Lowery, Commissioner Pct. 1


Johnny Gee, Commissioner Pct. 2


John McGregor, Commissioner Pct. 3


Chase Broussard, Commissioner, Pct. 4

COUNTY OF CLAY

STATE OF TEXAS

A RESOLUTION OF THE CLAY COUNTY COMMISSIONERS' COURT RENEWING GUIDELINES AND CRITERIA GOVERNING TAX ABATEMENT AGREEMENTS BY THE COUNTY OF CLAY, TEXAS

WHEREAS, Texas Tax Code Section 312.002 provides that no municipality or county may designate an area as a reinvestment zone, and that no taxing unit may execute a tax abatement agreement under Texas Tax Code chapter 312, unless it first (i) establishes guidelines and criteria for tax abatement agreements and (ii) adopts a resolution stating that the taxing unit elects to become eligible to participate in tax abatement; and

WHEREAS, the County of CLAY, Texas, desires to be eligible to participate in tax abatement under certain circumstances; now therefore,

BE IT RESOLVED BY THE COMMISSIONERS' COURT OF CLAY COUNTY,
TEXAS THAT

ARTICLE I.

CLAY County, Texas elects to be eligible to participate in tax abatement.

ARTICLE II

The following guidelines and criteria were previously established, are hereby established and shall hereafter govern tax abatement agreements by the County of CLAY, Texas:

1. Improvements proposed as part of a tax abatement agreement for property located within a duly designated reinvestment zone shall be commenced within 2 years of the date of said agreement.

2. All construction proposed, as part of any such improvements, shall meet applicable County of CLAY, Texas, Codes and Zoning requirements.
3. All property included in a tax abatement shall be maintained in accordance with all applicable County of CLAY, Texas, Codes and Zoning requirements during the term of the tax abatement agreement.
4. Throughout tax abatement agreement, the owner(s) or persons in possession and control of the improvements located thereon which is included within an area which is the subject of a tax abatement agreement shall pay all lawfully assessed ad valorem taxes levied on such property before the same shall become delinquent.
5. For property located in a commercial and/or industrial reinvestment zone, and proposed as the subject of a tax abatement agreement, the following criteria shall apply:
 - a. The proposed improvements must have the effect of increasing the value of the real property upon which they are located; and,
 - b. The proposed improvements shall have the effect of adding to the available number of jobs and/or retaining existing jobs in the greater CLAY County, Texas area.
6. For residential property located in a residential reinvestment zone, and proposed as the subject of a tax abatement agreement, the following criteria shall apply:
 - a. The proposed improvements shall address the blighting or deteriorating influences on the subject property;
 - b. The proposed improvements shall address building safety, unsanitary or unsafe conditions, or property deterioration; and
 - c. Where applicable, the improvements shall address faulty lot layout with respect to size, accessibility, or usefulness.
7. All improvements proposed, as part of a tax abatement agreement, shall further the purposes established by the Legislature of the State of Texas in Chapter 312 of the Texas Tax Code.
8. In accordance with Texas Tax Code section 312.002, these guidelines and criteria shall not limit the discretion of the County to decide whether to enter into a specific tax abatement agreement. Accordingly, the County may enter into a particular tax abatement agreement whenever it determines that it is in the best interests of the County to enter into such agreement and provide such abatement with respect to a particular applicant, In doing so, the County may vary from the

provisions of this Tax Abatement Policy Statement in any respect that is not contrary to state law.

ARTICLE III

This resolution shall be effective from its adoption on May 10, 2010, for the full period authorized by law.

PASSED, APPROVED, RATIFIED, AND ADOPTED THIS 10 day

of May 2010

COUNTY OF CLAY

Kenneth Liggett
Kenneth Liggett,
County Judge of CLAY County, Texas

R. L. Lindy Choate
R. L. "Lindy" Choate,
County Commissioner, Prct. 1, CLAY County

Johnny Gee
Johnny Gee,
County Commissioner, Prct. 2, CLAY County

John McGregor
John McGregor,
County Commissioner, Prct. 3, CLAY County

Brice Jackson
Brice Jackson,
County Commissioner, Prct. 4, CLAY County

ATTEST:

Kay Hutchison
Kay Hutchison,
County Clerk of CLAY County, Texas