

**Tyler County Application for
Tax Abatement**

Filing Instructions

This application must be filed prior to the commencement of construction or the installation of equipment associated with the project for which the abatement is being sought. This filing acknowledges that the applicant has read and understands the "Guidelines and Criteria for Granting Tax Abatement in a Reinvestment Zone in Tyler County." Furthermore, the applicant agrees to comply with all requirements stated in the Guidelines.

This application will become a part of any tax abatement agreement or contract executed between the applicant and Tyler County, and knowingly false representations therein will be grounds for voiding such agreement or contract. An original and two copies of this application and attachments (Recommended either by certified mail or equivalent method) should be submitted to:

County Judge
Tyler County Courthouse
100 West Bluff Rm #105
Woodville, Texas 75979

Executive Director
Tyler County EDG
100 West Bluff Rm #105
Woodville, Texas 75979

Applicant Information

Company Name: _____
Mailing Address: _____
Street Address: _____
Phone Number: (____) _____
Fax Number: (____) _____
Email _____

Parent Company Name: _____

(if applicable)
Mailing Address: _____
Street Address: _____
Phone Number: (____) _____
Fax Number: (____) _____
Email _____

Primary Contact Person: _____
Title: _____
Phone Number: (____) _____
Fax Number: (____) _____
Email _____
Second Contact Person: _____
Title: _____
Phone Number: (____) _____
Fax Number: (____) _____
Email _____

Type of Business:

- Privately Held Corporation
- Publicly Held Corporation
- Partnership
- Sole Proprietorship
- Limited Liability Partnership
- Other: _____

Attach One of the Following Documents:

- Articles of Incorporation
- Assumed Name Certificate
- Certificate to do Business in Texas

Federal Tax ID No.: _____

Is this a start-up company or operation? _____

Primary Activity (Good/Service Produced): _____

North American Industry Classification System (NAICS) code(5-digit): _____

Annual Sales at Time of Application (If applicable): _____

Number of Permanent, Full-time Employees at Time of Application: _____

Number of Permanent, Part-time Employees at Time of Application: _____

Project Information

Type of Facility for Which Abatement is Sought:

- | | |
|--|--|
| <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Agriculture/Aquaculture* |
| <input type="checkbox"/> Research | <input type="checkbox"/> Regional Distribution* |
| <input type="checkbox"/> Regional Service* | <input type="checkbox"/> Regional Entertainment/Tourism* |
| <input type="checkbox"/> Other Basic Industry* | <input type="checkbox"/> Other _____ |

*Note: Applicant must provide evidence that a majority of the revenues generated by this facility are from sources outside of Tyler County.

Type of Improvements:

- New Plant
- Modernization of Existing Facility
- Expansion of Existing Facility
- Machinery & Equipment

FACILITY ANALYSIS:

Estimated value of new facility \$ _____
Estimated value of machinery equipment \$ _____
Estimated value of personal property \$ _____
Estimated value of inventory \$ _____
Estimate the annual amount of electricity (KWH) _____
Estimate the annual amount of water usage (Gallons) _____
Estimate the annual amount of natural gas consumption _____
Size of building _____ sq. ft.
Acreage of property _____
Estimate of Economic Life of the Equipment _____

Project Location (address and legal description, please provide a map if available):

Description of the Machinery or Equipment:

CONSTRUCTION INFORMATION:

Anticipated date construction will begin: _____
Anticipated date construction will be completed: _____
Anticipated operations start date: _____
Anticipated date of purchase of machinery or equipment: _____
Anticipated peak construction work force: _____
Average monthly construction worker salary \$ _____
Estimate % of construction workers' salaries to be spent in Tyler County % _____
Estimation of the amount of taxable furniture, fixtures and equipment, construction materials
to be purchased in Tyler County \$ _____
Length of construction period, in months _____

EMPLOYMENT INFORMATION:

Projected number of new permanent employees: _____

Projected number of new part-time employees: _____

Total jobs retained (if modernization*): _____

*Note: Applicant must provide evidence that the company would reduce or cease operations within Tyler County, if not for the proposed modernization.

Present payroll amount \$ _____

Number of employees currently living in Tyler County (if known): _____

Please list job titles or classification of new employees with average hourly or annual earnings and the number of jobs in each position:

Other Information

Estimate the number of out of town visitors to the company per year: _____

Average length of stay of each visitor: _____

Estimated average daily spending of each visitor: \$ _____

How much does the company pay in property taxes to taxing entities in Tyler County:

\$ _____

Has the Company had a tax abatement from any taxing authority in Tyler County?

_____ Yes _____ No If "Yes", which taxing entity: _____

Public Service Requirements and School District Impacts

Needed volume of public water required, if water will come from a public utility company or district: (Gallons Per Day): _____

Projected volume of effluent to be treated, if effluent will be treated by a public utility company or district: (Gallons Per Day): _____

Other Abatement Agreement Applications

Has the applicant made application for abatement of the value of real property improvements to any other taxing jurisdiction or county?

_____ Yes _____ No

If yes, please provide the following information on each pending application:

Name of Jurisdiction:

Date of Application:

Date of Public Hearings (if required):

Action Taken by Jurisdiction (if any):

Variance

Does approval of this application by the County Commissioners Court require a variance from the Guideline and Criteria, adopted by the Commissioners Court and implemented for January 1, 2022 through December 31, 2024?

_____ Yes _____No

If yes, applicant must provide a complete description of the circumstances explaining why the applicant should be granted a variance. Approval of a request for variance requires a three-fourths (3/4) vote of the governing body.

Attachments

All applications must contain the attachments listed in *Guidelines and Criteria for Granting Tax Abatement in Reinvestment Zones and/or Enterprise Zones Created in Tyler County* which is located in Section 5, Paragraph B of these guidelines (see also Exhibit A). The Commissioners' Court may not review an application until the requested information has been provided.

Assurances

I do hereby certify:

- (1) The information provided above is, to the best of my knowledge, complete and accurate.
- (2) That I have received and read a copy of the "Guidelines and Criteria for Granting Tax Abatement in Reinvestment Zones in Tyler County," dated May 5, 2015, and that I understand the conditions and terms under which a tax abatement agreement may be executed.
- (3) That employees and/or designated representatives of the County shall have access to the facility during the period of the abatement agreement to determine if the company is in compliance with the terms and conditions of the agreement, as provided in Section 7(b) of the "Guidelines and Criteria," referenced above.
- (4) I understand that failure to comply with the terms and conditions of the abatement agreement may result in the recapture by the County of any and all taxes previously abated by virtue of the agreement.
- (5) I understand that participation in an abatement agreement does not remove any obligation to satisfy all codes and resolutions issued by the County or any other affected taxing jurisdiction that may be in effect and applicable at the time this project is implemente

Signature of Authorized Officer

Date

Name of Officer (Type or Print)

Title (Type or Print)

IF YOU HAVE ANY QUESTIONS, CALL THE TYLER COUNTY JUDGE'S OFFICE AT 409-283-2141.

Exhibit A

Attachments:

1. A cover letter clearly stating the abatement time frame sought, abatement percentages sought and any variances requested from these Guidelines and Criteria. The letter should also identify any considerations or proffers the Applicant may want to offer to the County.
2. A non-refundable application fee of \$1,000 payable to Tyler County;
3. A general written description of the proposed use and the general nature and extent of the modernization, expansion or new improvements to be undertaken;
4. A descriptive list of the improvements that will be a part of the facility;
5. An estimate of the cost of improvements;
6. A map, metes and bounds, and legal property description;
7. A time schedule for undertaking and completing the planned improvements;
8. Such financial and other information as deemed appropriate by the County Commissioners Court for purposes of evaluating the application;
9. An estimate of the number of employees during construction and thereafter to operate the facility;
10. A proposed program for the recruitment of local employees in the construction and operation of the facility together with a statement affirming the Applicant's commitment to equal employment opportunity and hiring, at all levels, including a plan to implement and ensure such equal employment opportunity;
11. A certification prepared by the County Tax Assessor-Collector stating that all of Applicant's tax accounts within the County are paid on a current basis or that the applicant does not have a tax account within the County;
12. Information pertaining to the reasons that the requested tax abatement is necessary to ensure the proposed project is built in the County (i.e., documentation supporting assertion that "*but for*" a tax abatement, the stated project could not be constructed in the County);
13. For a leased facility, the Applicant shall provide with the application the name and address of the lessor and a draft copy of the proposed lease or option to contract. In the event a lease or option contract has already been executed with the owner of the site, the document must include a provision whereby the abatement applicant may

terminate such contract without penalty or loss of earnest money in the event the County does not grant a tax abatement;

14. A narrative addressing the points raised in the description of narrative accompanying the Application for Tax Abatement form;
15. Applicant shall include its history of environmental compliance;
16. Confirmation on whether the property is located within a reinvestment zone established under the Tax Increment Financing Act (TIFA), and if so, then Applicant shall also provide a list of the members of the board of directors for the TIFA reinvestment zone, detailing their positions on the board, and, at minimum, contact information for the chair of the board and the secretary of the board; and
17. For abatement of property located within a municipality, Applicant shall provide a true and complete copy of the respective city ordinance or ordinances designating the reinvestment zone, including any amendments to the city ordinance or ordinances designating the reinvestment zone. For abatement of property located within a municipality and located within an enterprise zone, the Applicant shall provide a true and complete copy of the ordinance or ordinances designating the enterprise zone, including any amendments to the respective designation ordinance or ordinances, or when applicable, documentation from the Governor's Office showing the enterprise zone is active. Such ordinances or ordinances or documentation shall show that the reinvestment zone or enterprise zone remain active at the time of the submission of Applicant's application. Applicant further acknowledges and agrees that the respective zone must also still be active at the time of full execution of the Agreement on the date of the last Party executing thereto.