



Biennial Progress Report for Texas Economic Development Act

Economic Development and Analysis
Form 50-773-A

INTRODUCTION

- You have been assigned an application number. Please verify this number on the website prior to completing the form. This form will indicate the sections you need to complete based on application number.
- This form must be filled out by each applicant that is party to a limitation agreement.
- If the original application was made by a group of two or more companies, each company must complete this form.
- If the original applicant split into two or more applicants after the original agreement, all current agreement holders must complete this form.
- Applicants should only complete the information for their years as an agreement holder, noting what year they were formed after the original agreement was approved.
- Each agreement holder should respond as a current agreement holder in Section 2.
- Applicants should report their proportionate share of required employment and investment information.
- In addition to the Biennial Progress Report required from each applicant that is a party to an agreement, a separate Biennial Progress Report summarizing the combined applicants' data for the entire agreement must be completed.
- If one of the applicants cannot provide this information, a summarization report must be completed by the school district.
- Projects spanning more than one school district must complete forms for each school district.
- Please return signed hard copy forms and electronic spreadsheets to the school district before May 15 of each even-numbered year.

Note:

- The school district that is a party to the Chapter 313 agreement is collecting the data required by Chapter 313.008 on this form for the Comptroller of Public Accounts (CPA).
- The CPA requests companies complete the electronic spreadsheet version of the form. Please submit both an *electronic version* and a *signed hard copy version* of the spreadsheet (with any attachments) to the district. Please contact CPA if you have questions about the form. The spreadsheet version of this form can be downloaded at: www.texasahead.org/tax_programs/chapter313/forms.php.
- After ensuring that all forms are complete, the school district will forward that data to the CPA for inclusion in a statutorily required report to the Texas Legislature.

SECTION 1: Applicant Information

1. Application number 188
2. Name of school district Archer City ISD
3. Name of central appraisal district (CAD) appraising the qualified property in this school district Archer CAD
4. Name of project on original application (or short description of facility) Windthorst-2, LLC
5. Name of applicant on original application Windthorst-2, LLC
6. Name of company entering into original agreement with district Windthorst-2, LLC
7. If you are one of two or more companies originally applying for a limitation, list all other applicants here and describe their relationships. (Use attachments if necessary.)

SECTION 4: Value Limitation Details

- 1 Original limitation amount (*for entire agreement*): 10,000,000.00
- 2 Amount of qualified investment during the qualifying time period the recipient committed to spend or allocate for this project on application (*not total investment*): 60,000,000.00
- 3 Total qualified investment made from the beginning of the qualifying time period through the end of the qualifying time period or the last complete tax year, if still in the qualifying time period. 27,534,000.00
- 4 Has the description of the qualified property changed from that in the application? Yes No
- 4a. If yes, please describe on an attachment how the actual qualified property — for which you are providing actual and estimated market values on subsequent pages — differs from that property described in the agreement. Include only property located in this school district.
- 5 What was the number of permanent existing jobs at this facility prior to application? 0
(See guidelines for definition of existing job.)

SECTION 5: Job Details

- 1 For agreements before Jan. 1, 2014, does the agreement includes a definition of "new job" other than TAC §9.1051(14)(C), as the rule existed at the time of application? Yes No
- 1a. If yes, please provide the definition of "new job" as used in the agreement. (Use attachments if needed.)

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CHART A1: Job Data for Applications 1 through 999

App Number: 188 Project Name: Windthorst-2
 District Name: Archer City ISD 1st Yr. of Qualifying Time Period: 2013
 Company Name: Windthorst-2, LLC

	Qualifying Time Period			Limitation Period							Viable Presence Period		
	Year 1 (First Complete Tax Year)	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13
Tax year (YYYY)	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
1 Number of qualifying jobs ¹ applicant committed to create on application (cumulative)	3	3	3	3	3	3	3	3	3	3	3	3	3
2 Number of qualifying jobs ¹ applicant actually created (cumulative)	0	3	3	3	3	3	3	3	3	3	3	3	3
3 Number of new jobs ² created (cumulative)	0	3	3	3	3	3	3	3	3	3	3	3	3
4 Median annual wage of new jobs applicant created	41,968.00	41,968.00	41,968.00	41,968.00	41,968.00	41,968.00	41,968.00	41,968.00	41,968.00	41,968.00	41,968.00	41,968.00	41,968.00
5 Total wages for new jobs applicant created	0.00	125,904.00	125,904.00	125,904.00	125,904.00	125,904.00	125,904.00	125,904.00	125,904.00	125,904.00	125,904.00	125,904.00	125,904.00

Actual and projected data. Use actual data for prior years. Estimates are required for current and future years.

Notes:

- Jobs meeting all of the requirements of Tax Code §9.1051(3) as the statute existed before Jan. 1, 2014. Do not include construction jobs in counts of qualifying jobs.
- For new job definition see TAC §9.1051(14) as rules existed before Jan. 1, 2014.

By signing below, I, Russell Laplante, certify that I am the authorized representative of Windthorst-2, LLC a current agreement holder of a limitation on appraised value, and the contents of this form and the attached documentation are true and correct to the best of my knowledge and belief.

print here **sign here** Russell Laplante

Print Name/Title
646 898 3697

Phone
5/14/19

Date

The CPA requests companies complete the electronic spreadsheet version of the form. Please submit both an electronic version and a signed hard copy version of the spreadsheet (with any attachments) to the district.

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CHART A2: Investment and Market Values for Applications 1 through 999

Applicant Number: 188 Current Agreement Holder Name: Windthorst-2, LLC

ISD Name: Archer City ISD

Year	School Year (MM/YY-YY)	Tax Year (factual tax year) (YYYY)	Total Investment (cumulative)	Market value of qualified property on Jan. 1 BEFORE any exemptions	Market value less any exemptions (such as pollution control) and before limitation	Taxable value of qualified property for purposes of I&D
Prior to start of value limitation period	1-2	2014-2015	60,000,000.00	0.00	0.00	0.00
Value limitation period	3	2015-2016	60,000,000.00	52,000,000.00	52,000,000.00	10,000,000.00
	4	2016-2017	60,000,000.00	48,880,000.00	48,880,000.00	10,000,000.00
	5	2017-2018	60,000,000.00	47,320,000.00	47,320,000.00	10,000,000.00
	6	2018-2019	60,000,000.00	45,760,000.00	45,760,000.00	10,000,000.00
	7	2019-2020	60,000,000.00	44,200,000.00	44,200,000.00	10,000,000.00
Viable presence period	8	2020-2021	60,000,000.00	42,640,000.00	42,640,000.00	10,000,000.00
	9	2021-2022	60,000,000.00	41,080,000.00	41,080,000.00	10,000,000.00
	10	2022-2023	60,000,000.00	39,520,000.00	39,520,000.00	10,000,000.00
	11	2023-2024	60,000,000.00	37,960,000.00	37,960,000.00	37,960,000.00
	12	2024-2025	60,000,000.00	36,400,000.00	36,400,000.00	36,400,000.00
	13	2025-2026	60,000,000.00	34,840,000.00	34,840,000.00	34,840,000.00

Notes:

- Total investment is all investment at original cost, including land acquired after filing of application. Investments made in a year should be reflected in the subsequent year's market value.
- Use appraisal values from CAD as available. For future years, use market value that the entity estimates will approximate the market value for ad valorem tax purposes in that year.
- This amount is typically the taxable value for the purpose of I&S fund or debt service reserve fund.

By signing below, I, Russell Laplante, certify that I am the authorized representative of Windthorst-2, LLC a current agreement holder of a limitation on appraised value, and the contents of this form and the attached documentation are true and correct to the best of my knowledge and belief.

print here Russell Laplante, VP Asset Management

Phone 646 898 3697

Date 5/14/19

sign here Russell Laplante

Authorized Official Signatdfr

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CHART B1 - Job Data for Applications 1000+

App Number: _____ Project Name: _____
 District Name: _____ 1st Yr. of Qualifying Time Period: _____
 Company Name: _____

	Qualifying Time Period			Limitation Period							Viable Presence Period				
	Year 1 (First complete tax year)	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
Tax Year (YYYY)															
1	Number of qualifying jobs ¹ applicant committed to create on application (cumulative)														
2	Number of qualifying jobs ¹ applicant actually created (cumulative)														
3	Median annual wage of qualifying jobs ¹ applicant created														
4	Total wages for qualifying jobs ¹ applicant created														
5	Number of non-qualifying jobs ² applicant created (cumulative)														
6	Average annual wage of non-qualifying jobs ² applicant created														
7	Total wages for non-qualifying jobs ² applicant created														

- Notes:**
- Jobs meeting all of the requirements of Tax Code §313.021(3).
 - For non-qualifying job definition see TAC §9.1051.

By signing below, I, _____, certify that I am the authorized representative of a current agreement holder of a limitation on appraised value, and the contents of this form and the attached documentation are true and correct to the best of my knowledge and belief.

print here →

Print Name/Title _____
 Phone _____

sign here →

Authorized Official Signature _____
 Date _____

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For more information, visit our website: www.TexasAhead.org/tax_programs/chapter313/

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CHART B2: Investment and Market Values for Applications 1000+

Applicant Number: _____ Current Agreement Holder Name: _____
 ISD Name: _____

Year	School Year (YYYY-YYYY)	Tax Year (actual tax year) YYYY	Total Investment (cumulative)	Market value of qualified property on Jan. 1 BEFORE any exemptions	Market value less any exemptions (such as pollution control) and before limitation	Taxable value of qualified property for purposes of I&D
0						
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						

CHART B2 -- Only complete this for applications 1000+
 Prior to start of value limitation period or most recent year end

Value limitation period

Viable presence period

Notes:

- Total investment is all investment at original cost, including land acquired after filing of application. Investments made in a year should be reflected in the subsequent year's market value.
- Use appraisal values from CAD as available. For future years, use market value that the entity estimates will approximate the market value for ad valorem tax purposes in that year.
- This amount is typically the taxable value for the purpose of I&S fund or debt service reserve fund.

By signing below, I, _____, certify that I am the authorized representative of a current agreement holder of a limitation on appraised value, and the contents of this form and attached documentation are true and correct to the best of my knowledge and belief.

print here ▶

sign here ▶

Print Name/Title _____ Phone _____

Authorized Official Signature _____ Date _____

The CPA requests companies complete the electronic spreadsheet version of the form. Please submit both an electronic version and a signed hard copy version of the spreadsheet (with any attachments) to the district.

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