

STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

RESOLUTION AND ORDER

WHEREAS, the Commissioners Court of Hidalgo County, at a duly called and noticed meeting on _____, 2006 came to be heard the Hidalgo County Auditor;

WHEREAS, pursuant to an Order dated December 28, 2001 by the Commissioners Court of Hidalgo County, Hidalgo County designated certain unincorporated areas of Hidalgo County as a reinvestment zone;

WHEREAS, pursuant to the Order dated December 28, 2001, with respect to such reinvestment zone, Hidalgo County entered into a tax abatement agreement of the same date with Brownsville West Sea, Ltd., a Texas limited partnership ("Brownsville West Sea"), and Ticketmaster, LLC, a Delaware limited liability company and into a tax abatement agreement of the same date with Brownsville West Sea, Ltd., and Hotel Reservations Network, Inc, a Delaware corporation, pursuant to which Hidalgo County granted such entities certain tax abatements subject to the terms contained in the respective tax abatement agreements;

WHEREAS, the Hidalgo County Auditor has provided information to the Commissioners Court of Hidalgo County demonstrating that Brownsville West Sea did not fully comply with the terms of the tax abatement agreements, but did partially comply with such tax abatement agreements; and had more taxes abated than Brownsville West Sea is entitled to under the tax abatement agreements;

WHEREAS, the Hidalgo County Auditor has provided information to the Commissioners Court of Hidalgo County demonstrating that, based on Brownsville West Sea's performance under the tax abatement agreements, treating the tax abatement agreements in the aggregate, Brownsville West Sea received an excess of \$21,667.79 in taxes abated (due to the abatement being incorrectly calculated at 80% instead of 25%) as set forth in the attached Exhibit A;

WHEREAS, tax abatement agreements entitle Hidalgo County to recapture certain of the abated taxes upon the occurrence of certain events; and

WHEREAS, the granting of a tax abatement to Brownsville West Sea required treating the two tax abatement agreements collectively and it is in the best interests of Hidalgo County to clarify the tax abatement agreements;

NOW THEREFORE, BE IT ORDERED, ADJUDGED AND DECREED that the requirements for recapturing the taxes abated pursuant to the above-referenced tax abatement agreements have been met in the amounts set forth in the attached Exhibit A and that the excess taxes abated as set forth in the attached Exhibit A shall be recaptured;

IT IS FURTHER ORDERED that Hidalgo County shall enter in the amendment to the tax abatement agreements attached hereto as Exhibit B.

PASSED, APPROVED, ADOPTED AND ORDERED, this the ___ day of _____, 2006 by the Commissioners Court of Hidalgo County, Texas.

Ramon Garcia, County Judge

Sylvia Handy, Commissioner Pct. # 1

Hector "Tito" Palacios, Commissioner Pct. # 2

Joe M. Flores, Commissioner Pct. # 3

Oscar Garza, Jr., Commissioner Pct. # 4

ATTEST:

Eddy Treviño, County Clerk