

FILED
AT 11:30 O'CLOCK A.M.

JAN 27 2016

**ORDER RESCINDING DECEMBER 15, 2015 ORDERS APPROVING
(1) AMENDMENT TO TAX ABATEMENT AGREEMENT EFFECTIVE AS OF
DECEMBER 22, 2014, BETWEEN HIDALGO COUNTY AND HIDALGO WIND FARM
LLC (PHASE I) AND
(2) TAX ABATEMENT AGREEMENT BETWEEN HIDALGO COUNTY AND
HIDALGO WIND FARM LLC (PHASE II)**

WHEREAS, on December 15, 2015, the Commissioners Court voted in favor of an amendment (the "**2015 Amendment**"), to the Guidelines and Criteria for Granting Tax Abatements in Hidalgo County, Texas (the "**2014 Guidelines and Criteria**"), but did not have the required three-fourths of the Commissioners Court present at the time of the vote, so the 2015 Amendment was not and is not effective;

WHEREAS, following the vote on the 2015 Amendment, the Commissioners Court voted to approve (1) that certain *Amendment to Tax Abatement Agreement Effective December 22, 2014 between Hidalgo County, Texas and Hidalgo Wind Farm LLC (Phase I)* (the "**2015 Phase I Amendment**"), which was to be entered into effective December 22, 2015, and (2) that certain *Tax Abatement Agreement between Hidalgo County, Texas and Hidalgo Wind Farm LLC (Phase II)* (the "**2015 Phase II Agreement**"), which was also to be entered into effective December 22, 2015;

WHEREAS, neither the 2015 Phase II Agreement nor the 2015 Phase I Amendment have been entered into by the parties because the 2015 Phase II Agreement relies on the 2015 Amendment to the 2014 Guidelines and Criteria and the 2015 Phase I Amendment is related to the 2015 Phase II Agreement; and

WHEREAS, the County now deems it necessary and appropriate to rescind the approval of both the 2015 Phase I Amendment and the 2015 Phase II Agreement;

NOW THEREFORE:

BE IT ORDERED BY THE COMMISSIONERS COURT OF HIDALGO COUNTY, TEXAS:

SECTION 1. RESCINDING APPROVAL OF 2015 PHASE I AMENDMENT AND 2015 PHASE II AGREEMENT. The approval of the 2015 Phase I Amendment and the 2015 Phase II Agreement by orders of the Commissioners Court on December 15, 2015, is hereby rescinded.

SECTION 2 EFFECTIVE DATE. This Order shall become effective immediately upon on the passage hereof.

PASSED, APPROVED, ADOPTED AND ORDERED this the 5th day of January, 2016, by the Commissioners Court of Hidalgo County, Texas.

SIGNED AND ENTERED ON THE ABOVE DATE BY THE FOLLOWING MEMBERS OF THE HIDALGO COUNTY COMMISSIONERS COURT

Ramon Garcia

RAMON GARCIA

County Judge

A.C. Cuellar, Jr.

A.C. CUELLAR, JR.

County Commissioner, Pct. 1

Eduardo "Eddie" Cantu

EDUARDO "EDDIE" CANTU

County Commissioner, Pct. 2

Joe M. Flores

JOE M. FLORES

County Commissioner, Pct.3

Joseph Palacios

JOSEPH PALACIOS

County Commissioner, Pct. 4

Attested to:

Arturo Guajardo, Jr.

ARTURO GUAJARDO, JR.

County Clerk



APPROVED AS TO FORM:

ATLAS, HALL & RODRIGUEZ, LLP

By:

Stephen L. Crain

Stephen L. Crain

APPROVED BY
COMMISSIONERS' COURT
ON: 1/5/16