

JOHNSON COUNTY COMMISSIONERS COURT

Filed For Record 10:09 AM



FEB 03 2014

County Clerk Johnson County  
By      Deputy

RICK BAILEY  
Commissioner Pct. #1

ROGER HARMON  
County Judge

JERRY D. STRINGER  
Commissioner Pct. #3

KENNY HOWELL  
Commissioner Pct. #2

Alison Hitchcock  
Assistant to Commissioner's Court

DON BEESON  
Commissioner Pct. #4

ORDER NO. 2014-14

THE STATE OF TEXAS

§  
§  
§

February 3, 2014

COUNTY OF JOHNSON

**ORDER AUTHORIZING THE CREATION OF A  
COUNTY ENERGY TRANSPORTATION REINVESTMENT ZONE  
KNOWN AS**

**JOHNSON COUNTY ENERGY TRANSPORTATION  
REINVESTMENT ZONE NO. 4**

**ESTABLISHING A BASE YEAR FOR AD VALOREM TAX VALUES,  
CREATING AND STATING THE TERMS AND DUTIES OF THE  
JOHNSON COUNTY ENERGY TRANSPORTATION  
REINVESTMENT ZONE ADVISORY BOARD, AND  
ESTABLISHING AN AD VALOREM INCREMENT ACCOUNT**

BE IT REMEMBERED, that the Commissioners Court of Johnson County, Texas, prior to this date, has provided public notice by publication in a newspaper of general circulation in the county to be printed not less than seven (7) days prior to a public hearing, and after conducting said public hearing as required by §222.1071 of the Texas Transportation Code on the 23<sup>rd</sup> day of December, 2013, the Commissioners Court of Johnson County, Texas does hereby:

1. Make a formal determination that Johnson County has been severely affected by the development of new oil and gas activity within the county generally, and more particularly, adversely affected by the increased heavy truck traffic on county maintained roads, and
2. Further determine that Johnson County would benefit from the availability of funds provided by the State of Texas pursuant to the provisions of Chapter 256 of the Texas Transportation Code, and
3. The area described more fully herein is unproductive and underdeveloped and the creation of a County Energy Transportation Reinvestment Zone would promote the public safety, facilitate the improvement, development or redevelopment of the property affected and enhance the County's ability to sponsor transportation projects within the County to be funded by said zone.
4. Finally, the creation of a County Energy Transportation Reinvestment Zone and the establishment of an ad valorem tax increment account will assist the county in addressing the fiscal needs of the county, while permitting enhanced stability in the county budgeting process.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Commissioners Court of Johnson County, Texas, hereby establishes and creates a County Energy Transportation Reinvestment Zone as authorized by Chapter 222 of the Texas Transportation Code, such Zone to be titled as Johnson County Energy Transportation Reinvestment Zone No. 4 and operated in compliance with said Chapter, and the Commissioners Court further designates the contiguous territory identified in Exhibit A, attached hereto and incorporated herein by this reference, as the zone in which the captured appraised value of real property located within the zone shall be used to determine the tax increment funds to be devoted to transportation infrastructure projects within the limits of the County to be funded by said zone. The Court reserves the right to supplement this Order with corrections, modifications or other information which may be necessary to permit the correct determination of taxable values in subsequent years by filing an Order of Supplementation, and providing the same to the Johnson County Appraisal District.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the base year for purposes of determining the subsequent tax increment for the Johnson County Energy Transportation Reinvestment Zone No. 4 shall be the tax appraisal year of 2013, being

the tax appraisal roll in effect on the adoption of this Order, on the 3<sup>rd</sup> day of February, 2014.

In this regard, it is the FURTHER ORDER OF THIS COMMISSIONERS COURT, that an Advisory Board for the Johnson County Energy Transportation Reinvestment Zone No. 4, is hereby created, whose members shall serve for two years terms, and whose successors may be appointed by the Commissioners Court as their terms expire, or as vacancies may occur from time to time. The Advisory Board for the Johnson County Energy Transportation Reinvestment Zone No. 4, shall not be entitled to receive compensation for service on the board, nor entitled to reimbursement for expenses incurred in performing services as a member of the Advisory Board. The Advisory Board shall perform such tasks or functions as provided by law and as the Commissioners Court may from time to time require of the Advisory Board. The Advisory Board shall review all project plans for the zone created by this Order, and shall provide comment and recommendations to the Commissioners Court regarding the development of all plans and expenditure of funds from the Tax Increment Account established to benefit Transportation Infrastructure Projects within the County to be funded by the zone created by this Order. Such recommendations shall be duly considered by the Commissioners Court, but are not binding upon the Commissioners Court.

Members of the Advisory Board are:

Ottie Turner	Member
R.C. McFall	Member
Justin Bond	Member
Dee Ingram	Member
Tanner Riley	Member

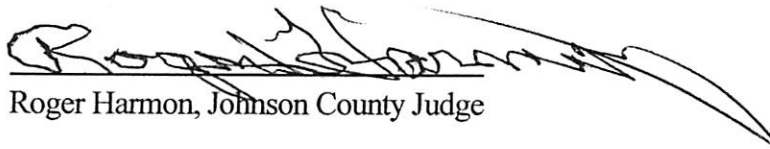
IT IS FURTHER ORDRED, ADJUDGED AND DECREED that the County Treasurer shall establish a suitable interest bearing account, to be known as the Johnson County Energy Transportation Reinvestment Zone No. 4 Tax Increment Account, and that such funds as may be accrued, pursuant to the provisions of §222.1701, Texas Transportation Code, shall be deposited annually into said account, together with such

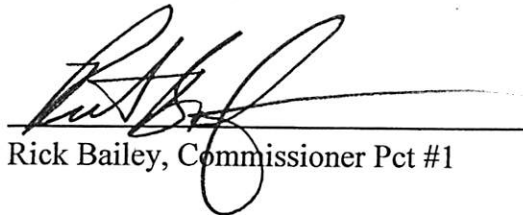
other and sundry funds as may be allocated to the said tax increment account by the Commissioners Court of Johnson County, Texas. Such funds may only be expended in compliance with Section 222.1071 (i) and (j), of the Texas Transportation Code, and only by separate Order of the Commissioners Court.

The Johnson County Energy Transportation Reinvestment Zone No. 4 shall remain in full force and effect for the initial term of ten years from the date of formation, and shall terminate on December 31 of the tenth (10<sup>th</sup>) year after designation of the zone, unless terminated earlier in conformity with law.

**IT IS THEREFORE READ AND ADOPTED** this 3<sup>rd</sup> day of February, 2014 by a vote of 5 ayes and ~~0~~ nays.

**GIVEN UNDER OUR HAND AND THE SEAL OF JOHNSON COUNTY THIS 3<sup>rd</sup> day of February 2014.**

  
Roger Harmon, Johnson County Judge

  
Rick Bailey, Commissioner Pct #1

  
Kenny Howell, Commissioner Pct #2

  
Jerry D. Stringer, Commissioner Pct #3

  
Don Beeson, Commissioner Pct #4

Attest: Becky Williams  
County Clerk



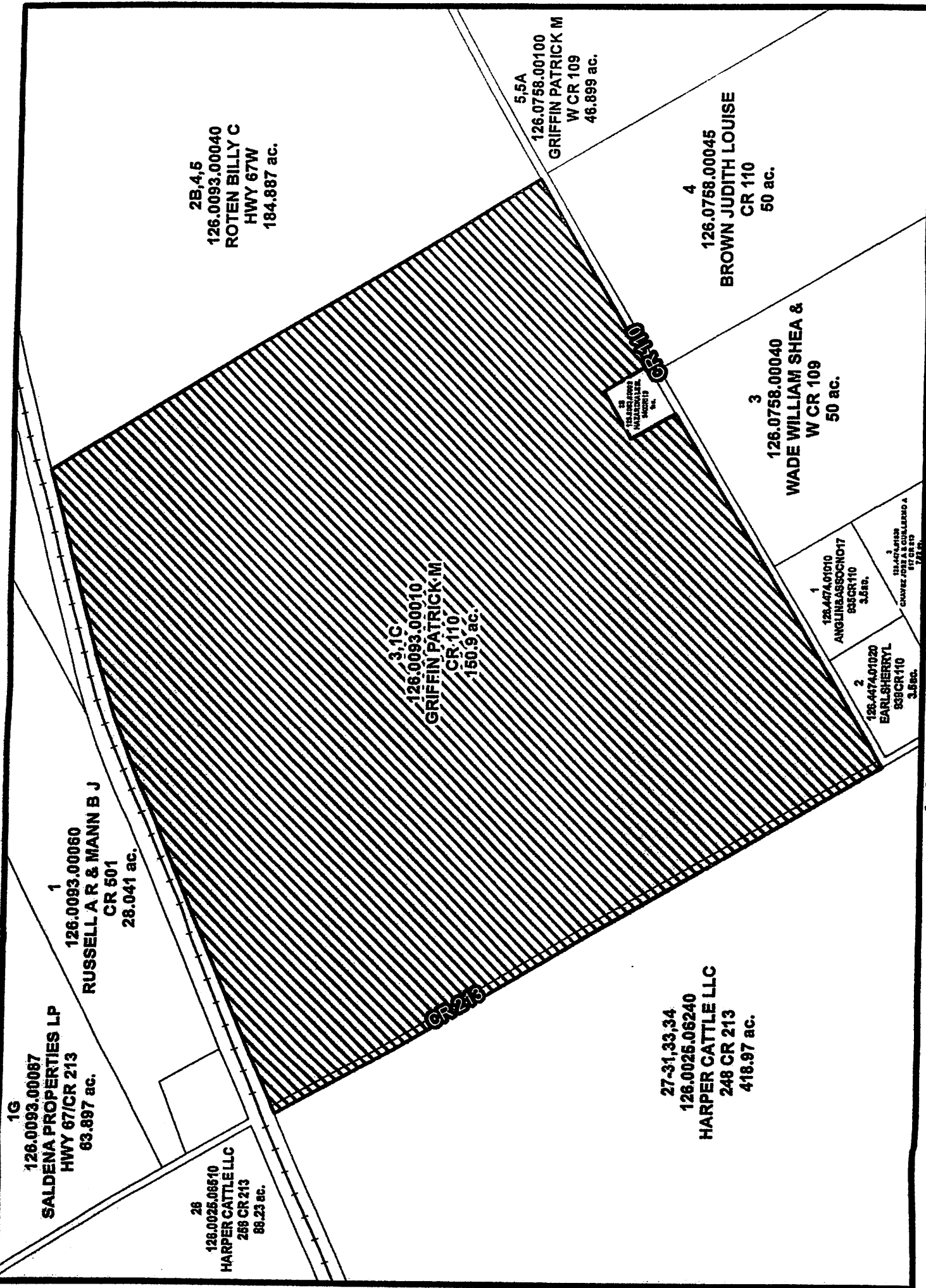
**Johnson County Energy Transportation  
Reinvestment Zone No. 4**

**Exhibit A**

Johnson County Energy Transportation Reinvestment Zone No. 4, as authorized by Chapter 222 of the Texas Transportation Code, will include the full existing right of way of Johnson County Road 213, beginning at the intersection County Road 110 and County Road 213, then continuing to the intersection of the railroad tracks and County Road 213 (the northwestern boundary line of the property listed herein), more or less the point of termination, identified in the map, attached hereto.

The following property will also be included in the zone:

Tax Parcel ID#	Acres	Description:
126.0093.00010	150.9	ABST 93 TR 3, 1C BBB & C RR CO



1G

126.0093.00067  
 SALDENA PROPERTIES LP  
 HWY 67/CR 213  
 63.897 ac.

1  
 126.0093.00060  
 RUSSELL A R & MANN B J  
 CR 501  
 28.041 ac.

26  
 126.0025.08610  
 HARPER CATTLE LLC  
 288 CR 213  
 88.23 ac.

2B,4,5  
 126.0093.00040  
 ROTEN BILLY C  
 HWY 67W  
 184.887 ac.

3,1C  
 126.0093.00010  
 GRIFFIN PATRICK M  
 CR 110  
 150.9 ac.

5,5A  
 126.0758.00100  
 GRIFFIN PATRICK M  
 W CR 109  
 46.899 ac.

27-31,33,34  
 126.0025.06240  
 HARPER CATTLE LLC  
 248 CR 213  
 418.97 ac.

4  
 126.0758.00045  
 BROWN JUDITH LOUISE  
 CR 110  
 50 ac.

3  
 126.0758.00040  
 WADE WILLIAM SHEA &  
 W CR 109  
 50 ac.

1  
 126.4474.01010  
 ANGLING ASSOCIATION  
 938CR110  
 3.6 ac.

2  
 126.4474.01020  
 EARL SHERRYLL  
 938CR110  
 3.5 ac.

3  
 126.4474.01030  
 CHAVEZ JOSE & LUCINDA A  
 W CR 110  
 3.6 ac.

**Johnson County Texas**  
**CR 213 & 126.0093.00010 - CETRZ - Precinct 4**



1 in = 0.09 miles