

MONTGOMERY COUNTY, TEXAS



APPLICATION FOR TAX ABATEMENT

NOTICE TO ALL PERSONS REVIEWING THIS APPLICATION:

Pursuant to Section 312.003 of the Texas Tax Code, information provided to a taxing unit in connection with an application or request for tax abatement which information describes the specific process or business activities to be conducted or the equipment or other property to be located on the property for which tax abatement is sought is confidential and not subject to public disclosure until the tax abatement agreement is executed.

The application and all supporting documentation should be treated as CONFIDENTIAL unless and until a tax abatement agreement is executed and approved by the Commissioners Court of Montgomery County, Texas.

APPLICATION FOR TAX ABATEMENT

MONTGOMERY COUNTY, TEXAS

All applicants requesting tax abatement from Montgomery County, Texas must submit to Tammy McRae, Tax Assessor/Collector at 400 N. San Jacinto St., Conroe, Texas 77301 an original completed application, including all supporting documentation and a \$1,000 non-refundable application fee made payable to Tammy McRae, Tax Assessor/ Collector. No action shall be taken prior to submission of the completed application, payment of the application fee and receipt of any additional information requested by Montgomery County. This application will become part of the Tax Abatement Agreement, if any. If granted, the tax abatement and the Tax Abatement Agreement may be rescinded upon finding any representation made in the application and/or supporting documentation was incorrect or false.

Pursuant to Section 312.003 of the Texas Tax Code, information provided to Montgomery County in connection with an application or request for tax abatement which information describes (a) the specific process or business activities to be conducted or (b) the equipment or other property to be located on the property for which tax abatement is sought is confidential and not subject to public disclosure until the tax abatement agreement is executed. **After execution of a tax abatement agreement, such information is NOT confidential under Section 312.003 of the Texas Tax Code.**

SECTION 1. APPLICANT INFORMATION

Application Date ____/____/____

Applicant/Company Name:	
Street Address:	
City, State, Zip:	
Website:	

Contact Name:	
Title:	
Telephone Nos.	
Address (if different from above):	
City, State, Zip:	
Email:	

a. Type of Entity: ____ corporation ____ limited liability company ____ limited partnership
____ general partnership ____ other (describe) _____

b. State and/or (if not U.S.) country of formation: _____ Date of formation: _____

c. Is the Applicant currently authorized to do business in the State of Texas? Yes No.

d. List below or on a separate sheet all senior officers of the Applicant and all shareholders or members owning 15% or more of Applicant, if applicable.

Name	Title	Ownership %

e. Is Applicant a subsidiary of another company? Yes No. If “Yes”, identify the parent company or companies (use additional sheets if necessary):

Company Name:	
Street Address:	
City, State, Zip:	
Website:	

SECTION 2. APPLICANT’S BUSINESS/PROJECT INFORMATION

a. Description of Project (e.g. a 35,000 sf manufacturing and warehouse facility for the manufacture of widgets). Please provide as much detail as reasonably possible so that persons reviewing the application may understand the scope of the project.

b. Type of Project: New Construction Expansion of an existing facility?

If the project is an expansion of an existing facility, please provide a description of existing facility:

Tax account nos. and/or MCAD reference nos. of current facility: _____

SECTION 3. REAL PROPERTY (Project location)

a. Street address (if available): _____

b. Description: (Provide below the legal description or attach legal description in a separate sheet). Provide a plat and/or project site plan illustrating layout and designs for structures, landscaping, signage, parking and internal circulation, as applicable.

c. Current Owner (if not Applicant): _____

d. Is the property located in municipality? Yes No.

If yes, name of the municipality: _____

e. Is the property located within the extraterritorial jurisdiction of a municipality? Yes No

If yes, name of the municipality: _____

f. List the taxing jurisdictions for the property other than Montgomery County:

City:
School District:
College District:

Hospital District:
Special District(s):
Other:

g. Is the property located in a municipal Tax Abatement Reinvestment Zone? Yes No. If yes, which Tax Abatement Reinvestment Zone: _____

h. What is the present use of the property? _____

i. What is the intended use of the property? _____

j. Is the property currently receiving a reduction in taxable value for special use or exemption?

Yes No. If "Yes", explain and include the value of the special use or exemption.

k. Will the property or the anticipated improvements qualify or continue to qualify for a reduction in taxable value due to special use or exemption? Yes No. If "Yes", explain and include the value of the special use or exemption including an estimate of the value reduction.

l. Is Applicant purchasing the land (and improvements) or seeking to lease the land (and/or improvements)? Purchase Lease

If Applicant is seeking to purchase the land, complete the following section 3.B. If Applicant is seeking to lease the land, proceed to section 3.C.

§3.B. PURCHASE.

- a. Does Applicant have a contract to purchase the real property? Yes No. If “Yes”, state the date of the contract and the parties to the contract, or attach a copy of the contract to this application.

Date	Seller	Purchaser

- b. Purchase price of land (and current improvements): \$ _____

- c. Is the purchase of the property contingent upon Montgomery County granting tax abatement?
 Yes No

§ 3.C. LEASED PROPERTY:

- a. Is Applicant seeking abatement for leased real property? Yes No. If so, provide material terms of the lease, including the following:

Term of lease	
Rental rate	
Type of lease (e.g. ground lease, build to suit, or lease of existing building(s)	
Number and length of renewal options	
Rights of first refusal or options to purchase	
Any other provisions affecting the length or value of the lease	

- b. Proposed Landlord (if not Current Owner shown above): _____

- c. Is the lease of the property contingent upon Montgomery County granting tax abatement?
 Yes No

NOTE: The County Attorney must review any lease or proposed lease of real property for which abatement is sought.

SECTION 4. NEW IMPROVEMENTS (TO BE CONSTRUCTED)

Tax abatement is not available for the purchase price or original value of the land. Provide the following economic information relating to the proposed project for which you seek tax abatement.

Construction Estimate: \$ _____
 Start Date ____/____/____ Contract Amount \$ _____
 Completion Date ____/____/____
 Estimated economic life of proposed structure(s) _____ years

If Expansion or Modernization:
 Estimated current economic life of existing structure(s) _____ years
 Added economic life from expansion or modernization _____ years

<i>Description of Property/Project</i>	<i>Estimated Appraised Value</i>
Value on Jan 1 preceding abatement of land (& existing improvements, if any) per MCAD records	\$
Estimated value of new improvements (buildings & other structures)	\$
Total value of property upon completion of construction	\$

5. MACHINERY, EQUIPMENT AND BUSINESS PERSONAL PROPERTY

Describe the type of manufacturing equipment and other business personal property which will be used in the Project. Attach a list of property, if available, and any documentation regarding the value and/or purchase price of the property.

<i>Type of business property</i>	<i>Estimated Value</i>
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Fixed Personal Property machinery (<i>see definition below</i>)	\$
Equipment not subject to abatement	\$
Other business personal property	\$
Inventory (annually)	\$
TOTAL	\$

“Fixed Personal Property” is personal property that has been attached to land or improvements in a manner that (a) would cause damage to the property if the fixture were to be removed; (b) renders use of the fixture essential to the use of the property; or (c) is attached in such a manner as to indicate that the party who installed the article intended for it to become a part of the real property. “Fixed Personal Property” includes all replacements and accessions to personal property otherwise qualifying as Fixed Personal Property. Include machinery in the “Equipment not subject to abatement” if the machinery will not be attached as described in the definition of “Fixed Personal Property” or if the Applicant is not seeking abatement for the machinery. Do not include the same machinery in both categories.

SECTION 6. JOBS/EMPLOYMENT

a. Number of new full-time jobs added per year and weighted average annual salaries

Year	No. new employees to be hired	Weighted average annual salaries	Annual payroll
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
Total			

b. Number of full-time jobs retained per year and weighted average annual salaries of retained jobs.

Year	No. retained employees	Weighted average annual salaries	Annual payroll
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
Total			

SECTION 7. ECONOMIC AND PUBLIC IMPACTS

a. Describe how the project will stimulate desirable concentrations of employment in commercial activity.

b. Will the project make a substantial contribution to redevelopment efforts or special area plans by enhancing either functional or visual characteristics such as historical structures, traffic circulation, parking facades, materials, signs, or other ways? Yes No

If “Yes”, please describe:

c. Is the project in an area which might not otherwise be developed because of constraints of topography, ownership patterns, site configurations or other characteristics? Yes No

If "Yes", please describe:

d. Will the project serve as a prototype and/or catalyst for other development? Yes No
If "Yes", please explain:

e. Will Montgomery County incur costs to provide facilities or services directly resulting from the new improvements? Yes No

If "Yes", please describe the facilities and services:

f. Describe the types and values of public improvements (if any) that will result from the project.

Type:	\$	Type	\$
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Type:	\$	Type	\$
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g. Will the proposed project compete with existing businesses? Yes No

If "Yes", please explain:

h. Will the proposed project stimulate existing local businesses? Yes No If "Yes", please explain:

SECTION 8. ALTERNATIVE SITES

Provide information on alternative site considerations and/or incentives being offered the Applicant. State with whom the Applicant's representatives have visited outside of Montgomery County concerning tax abatement in another county, state, or country and provide copies of any letters of intent from the other jurisdictions or governments offering incentive.

<i>County/State/Country</i>	<i>Incentives sought</i>	<i>Incentives offered Y/N</i>

SECTION 9. SUMMARY *(for Tax Office use only, do not complete)*

<i>Description of Property/Project</i>	<i>Estimated Appraised Value</i>
Value on Jan 1 preceding abatement of land (& existing improvements, if any) per MCAD records	\$
Estimated value of new improvements (Buildings & other structures)	\$
Estimated value of fixed personal property subject to abatement	\$
Estimated value of other business personal property	\$
Estimated value of inventory (annually)	\$
Estimated value of all property subject to ad valorem tax at end of abatement (TOTAL)	\$

Categories for which Project may be eligible:	A	B	C	D
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NOTES:

APPLICANT'S ACKNOWLEDGEMENTS

Applicant acknowledges that the Commissioners Court of Montgomery County, Texas ("Commissioners Court") is the only authority to approve a tax abatement and Tax Abatement Agreement on behalf of Montgomery County. The Commissioners Court will approve or disapprove Applicant's request for tax abatement in the Commissioners Court's sole discretion. The Commissioners Court's decision on Applicant's request may be based on the information contained in this application and any other information made available to Commissioners Court or its members.

Applicant states that all information contained in this application and any information or other documents submitted by Applicant in connection with this application is true, correct and complete in all material respects as of the date of this application. Applicant also acknowledges that should Montgomery County grant tax abatement to Applicant that Montgomery County is relying upon the information contained in this application and any information or other documents submitted by Applicant in connection with this application in granting the tax abatement. If granted, the tax abatement and the Tax Abatement Agreement may be rescinded upon finding any representation made in the application and/or supporting documentation was incorrect or false.

APPLICANT:

By: _____

Name: _____

Title: _____

Date: _____, 20__

Montgomery Central Appraisal District
Required Documentation
For
Review of Montgomery County Abatement Applications

As a courtesy the Montgomery Central Appraisal District (MCAD) reviews all abatement applications filed with Montgomery County. MCAD's roll in the application review is not one of approval or disapproval. MCAD's sole responsibility is to qualify the figures for Real and Business Personal Property Market Values presented by the applicant. Any conclusions reached by MCAD are solely based on information received from the applicant.

In order to accomplish this task efficiently and effectively the following documentation will need to be provided to MCAD by the applicant.

1. Purchase price of the property
2. Site plan of proposed project, inclusive of:
 - a. Building layouts
 - b. Indication of uses of the portions of the structures (i.e. warehouse, office, canopy, etc).
 - c. Square footage of each portion of structure.
3. Detailed estimated construction cost of the project, inclusive of:
 - a. Soft cost
 - b. Hard cost
 - c. Explanation of any specialty cost
4. Construction style of the project and wall heights
5. Total listing of Machinery and Equipment with estimated cost.
6. Estimated cost of other Business Personal Property and listing if available.
7. Estimate of typical January 1 inventory.
8. Construction time frame

By the applicant providing this information timely and upfront with the application the time needed for MCAD to qualify figures can be expedited.