

**A RESOLUTION AND ORDER OF THE COMMISSIONERS COURT OF WEBB COUNTY, TEXAS CONFIRMING FINDING AND DECLARING THAT THE RETAIL SHOPPING CENTER PROJECT KNOWN AS “THE OUTLET SHOPPES AT LAREDO” LOCATED AT 1600 WATER ST., LAREDO, WEBB COUNTY, TEXAS, SITUATED ON THE REAL PROPERTY BEING MORE PARTICULARLY DESCRIBED ON ATTACHED EXHIBIT “A”, IS QUALIFIED AND ELIGIBLE FOR A 100% TEN (10) YR. AD-VALOREM TAX ABATEMENT AGREEMENT BY AND BETWEEN WEBB COUNTY, TEXAS AND EL PORTAL CENTER, LLC (“OWNER”). THE PROPERTY IS LOCATED WHOLLY WITHIN THE CITY OF LAREDO’S TAX ABATEMENT REINVESTMENT ZONE FOR COMMERCIAL AND INDUSTRIAL PROPERTIES, AS PER CITY ORDINANCE NUMBERS 2009-0-221 & 2014-0-156, AND AS REQUIRED BY CHAPTER 312, TEXAS TAX CODE, CHAPTER 381, SECTION 381.004 (g) OF THE TEXAS LOCAL GOVERNMENT CODE AND THE AGREEMENT SHALL BE SUBJECT TO THE POLICY, GUIDELINES, CRITERIA AND METHODOLOGY GOVERNING TAX ABATEMENTS IN WEBB COUNTY PASSED AND APPROVED BY THE WEBB COUNTY COMMISSIONERS COURT ON NOVEMBER 23, 2015, AND AS ADOPTED AND APPROVED BY RESOLUTION AND ORDER OF WEBB COUNTY COMMISSIONERS COURT ON DECEMBER 14<sup>TH</sup>, 2015.**

**WHEREAS**, on January 19th, 2016 the Commissioner's Court of Webb County, Texas (sometimes hereinafter referred to as "this Court) conducted a public hearing on the advisability to determine confirm and declare that the real property located at 1600 Water St., Laredo, Webb County, Texas, being more particularly described on attached Exhibit “A”, herein-after referred to as the ("Subject Tract"), attached hereto and incorporated herein as if set out in full, is eligible and qualifies for a 100% Ad-Valorem Tax Abatement Agreement by and between Webb County and El Portal Center, LLC., for a term not to exceed ten (10) years

**WHEREAS**, Commissioner's Court of Webb County, Texas hereby confirms, finds and declares that the ("Subject Tract") located at 1600 Water St., Laredo, Webb County, Texas is wholly located within a Tax Abatement Reinvestment Zone, pursuant to and in conformity with City of Laredo Ordinance Numbers 2009-0-221 & 2014-0-156, Article III, Section 52-a of the Texas Constitution, Chapter 312 of the Texas Tax Code, Chapter 380, Section 381.004 (g) of the Texas Local Government Code, and that the ad-valorem tax abatement agreement shall be expressly made subject to the Amended Policy, Guidelines, Criteria and Methodology Governing Tax Abatements in Webb County, as passed and approved by the Webb County Commissioner’s Court on November 23, 2015, Texas (hereinafter the “Guidelines and Criteria”); which were also adopted and approved by Resolution and Order of the Webb County Commissioners Court on December 14<sup>th</sup>, 2015.

**WHEREAS**, not later than the seventh day before the date of said hearing, a notice of the Public Hearing was (1) published in the *Laredo Morning Times*, a newspaper having a general circulation in Webb County, Texas; and

**WHEREAS** a notice to enter into a proposed ad-valorem tax abatement agreement was delivered in writing to the presiding officers of the following local ad-valorem taxing entities, City of Laredo, Laredo Independent School District, Laredo Community College, said entities

being the ad-valorem taxing units that includes the “Subject Real Property”, in its boundaries; and

**WHEREAS**, the real property located at 1600 Water St., Laredo, Texas, the “Subject Tract” is in the taxing jurisdictions of the City of Laredo and Webb County Texas and Laredo Community College, and the Laredo Independent School District; and

**WHEREAS**, the real property located at 1600 Water St., Laredo, Texas, the “Subject Tract” is located within a Tax Abatement Reinvestment Zone located within the City of Laredo, Webb County, Texas as previously designated by and pursuant to City of Laredo Ordinance Numbers 2009-0-221 & 2014-0-156; and

**WHEREAS**, based upon the information available to it, including information presented at the public hearing referred to above and at prior meetings of this Court, this Court has determined, and hereby determines, finds, confirms and concludes:

(1) that as a direct and indirect benefits to be derived from real estate and commercial development and investment expenditures and costs in the sum of at least \$34 million dollars as well as the related jobs created as a result of EL PORTAL CENTER, LLC’, (“EL PORTAL”), development of the commercial property to be known as The Outlet Shoppes at Laredo, on the real property formerly known as the “River Drive Mall” is needed, feasible and practical and would be a benefit to both the “Subject Tract” and to Webb County, Texas both before and after the expiration of a tax abatement agreement to be entered into by and between Webb County, Texas and El Portal Center, LLC, (“OWNER”) pursuant to Chapter 312 of the Texas Tax Code, and/or Chapter 381, Section 381.004 (g) of the Texas Local Government Code; and

(2) that the confirmation of the “Subject Tract” as being within the Tax Abatement Reinvestment Zone as previously designated by City of Laredo Ordinance Numbers 2009-0-221 & 2014-0-156, will attract major investment and job creation in the zone that will be a benefit to the Subject Tract and will contribute to and enhance the economic development of Webb County, Texas; and

(3) that the confirmation of the “Subject Tract” as being in a Tax Abatement Re-Investment zone complies with Ch. 312, of the Texas Tax Code and is consistent with City of Laredo Ordinance Numbers 2009-0-221 & 2014-0-156, and that the terms, conditions and provisions of the 100% ad-valorem tax abatement agreement for a maximum term of ten (10) years and the agreement shall be subject to the Amended Guidelines, Criteria and Methodology Governing Tax Abatements in Webb County, Texas adopted by this Court on November 23, 2015, and which were also adopted and approved by Resolution and Order of the Webb County Commissioners Court on December 14<sup>th</sup>, 2015; and

(4) that this Resolution and Order was approved by a majority of this Court in a meeting open to the public which was held on Tuesday, January 19th, 2016 which was preceded by a proper notice and a public hearing, as required by Ch. 312, Texas Tax Code, Ch. 381, Section 381.004 (g), and the Amended Guidelines And Criteria Governing Tax Abatements By Webb County, Texas adopted by this Court on November 23, 2015 and/or Chapter 551 of the Texas

Government Code (the Open Meetings Act), and at which a quorum. of the members of this Court were present; and

(5) that the following Orders should be entered:

**IT IS ORDERED, BY THE COMMISSIONER'S COURT OF WEBB COUNTY, TEXAS:**

1. That the real property located at 1600 Water St., Laredo, Webb County, Texas, the "Subject Tract", being more particularly described on attached Exhibit "A" is qualified for and is hereby declared eligible for a 100% ad-valorem property tax abatement agreement for a term not to exceed ten (10) years, which agreement shall be expressly entered into and made subject to full compliance with the Amended Guidelines, Criteria & Methodology Governing Tax Abatements in Webb County, Texas, as approved by the Commissioner's Court of Webb County, Texas on November 23, 2015, and formally adopted as per Resolution and Order of the Webb County Commissioners' Court on December 14<sup>th</sup>, 2015, Chapter 312 of the Texas Tax Code and/or Chapter 381, Section 381.004 (g) of the Texas Local Government Code;

(2) that as a direct and indirect benefits to be derived from real estate and commercial development and investment expenditures and costs in the sum of at least \$34 million dollars as well as the related jobs created as a result of EL PORTAL CENTER, LLC., ("EL PORTAL")', development of the commercial property to be known as The Outlet Shoppes at Laredo, on the real property formerly known as the "River Drive Mall" is needed, feasible and practical and would be a benefit to both the "Subject Tract" and to Webb County, Texas both before and after the expiration of the ad-valorem tax abatement agreement to be entered by and between Webb County, Texas and El Portal Center, LLC, pursuant to Chapter 312 of the Texas Tax Code, and/or Chapter 381, Section 381.004 (g) of the Texas Local Government Code;

(3) that the confirmation of the "Subject Tract" as being within the Tax Abatement Reinvestment Zone as previously designated by City of Laredo Ordinance Numbers 2009-0-221 & 2014-0-156, will attract major investment and job creation in the zone that will be a benefit to the Subject Tract and will contribute to the economic development of Webb County, Texas;

(4) that the confirmation that the "Subject Tract" is wholly located in a Tax Abatement Reinvestment Zone is consistent with City of Laredo Ordinance Numbers 2009-0-221 & 2014-0-156, Ch. 312, Texas Tax Code, Ch. 381, Section 381.004 (g), of the Texas Local Government Code, and the Amended Guidelines, Criteria & Methodology Governing Tax Abatements By Webb County, Texas adopted by this Court on November 23, 2015 which were also adopted and approved by Resolution and Order of the Webb County Commissioners Court on December 14<sup>th</sup>, 2015;

**PASSED AND APPROVED ON THE 19th DAY OF JANUARY, 2016.**

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**Hon. Tano Tijerina  
Webb County Judge**

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**The Honorable Frank Sciaraffa  
Webb County Commissioner Pct. 1**

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**The Honorable Rosaura “Wawi” Tijerina  
Webb County Commissioner Pct. 2**

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**The Honorable John Galo  
Webb County Commissioner Pct. 3**

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**The Honorable Jaime Canales  
Webb County Commissioner Pct. 4**

**ATTEST:**

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**Margie Ramirez Ibarra  
Webb County Clerk  
APPROVED AS TO FORM:**

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**Marco A. Montemayor  
Webb County Attorney**

**\*By law, the county attorney’s office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval of their own respective attorney(s).**

**EXHIBIT "A"**  
**PROPERTY DESCRIPTION**  
**"THE OUTLET SHOPPES AT LAREDO"**

**Situated in City of Laredo, Webb County, Texas, as per the Original Map of the City of Laredo, Webb County, Texas; to wit;**

**Tract I. - All of Block 24, Western Division**

**Tract II. - Lots 5, 6, 7, 8, 9, and 10, Block 276-A, Western Division**

**Tract III. - Lots 1, 2, 3, 7, 8, 9, and 10, Block 23, Western Division**

**Tract IV. - Lots 4, 5, 6, and 7, Block 281, Western Division, Save and Except the North 20 feet of said  
Lots 4 and 5**

**Tract V. - Lots 5 and 6 Block 278-A, Save and Except the West 30 feet of said block**

**Tract VI. -All of Block 277-A, Western Division**

**Tract VII. - Situated in Webb County, Texas; Being a 30 foot wide tract of land lying between Blocks 277-A and 278-A, Western Division as Per the Original Map of the City of Laredo, Webb County, Texas; and**

**Tract VIII.- Being a tract of land containing 6,666.60 sq. ft. (0.1530 of an acre) being out of Davis Avenue right-of-way between the south right-of-way line of Zaragoza Street and the north right-of-way of Water Street, this tract of land bounded on the east by Block No. 276A, Western Division, and on the west by Block No. 277A, Western Division, City of Laredo, as recorded in Vol.7, page 15 of the Plat Records of Webb County, Texas (said former street having been closed by City of Laredo Ordinance No. 2004-0-341 dated December 20, 2004.)**

**Tract IX. - (Meza Lot) Lots 1,2,3 and 4, Block 276-A, Western Division**

**Tract X.- (Zaragoza Lot) Lot 4, Block 23, Western Division**

**Tract XI- (Juarez)- The "Surface Only" of a tract of land out of Juarez Avenue, between Zaragoza Street and Water Street, lying between Block 23 and 24, Western Division, City of Laredo, Texas, containing approximately 6,660.60 square feet.**