



TYLER COUNTY COMMISSIONERS COURT

County Courthouse, 100 W. Bluff & Livestream / Woodville, Texas

Monday, July 13, 2020

Martin Nash
Commissioner, Pct. 1

Stevan Sturrock
Commissioner, Pct. 2

Jacques L. Blanchette
County Judge

Mike Marshall
Commissioner, Pct. 3

Charles "Buck" Hudson
Commissioner, Pct. 4

STATE OF TEXAS

§

RESOLUTION 2020-005

§

COUNTY OF TYLER

§

RESOLUTION APPROVING THE ASSIGNMENT OF THE GERMAN PELLETS TEXAS, LLC ABATEMENT AGREEMENT FOR PROPERTY LOCATED IN A REINVESTMENT ZONE

This Resolution Consenting to Assignment of the German Pellets Texas, LLC for Property Located in the Reinvestment Zone is adopted by the Tyler County Commissioners Court acting by and through its County Judge and Commissioners pursuant to Section ____ of the Tyler County, Texas Uniform Tax Abatement Policy-20__ ("TAX ABATEMENT POLICY") and Paragraph 22 of the German Pellets Texas, LLC Abatement Agreement for Property Located in the Reinvestment Zone ("AGREEMENT", attached and incorporated herein by reference) between the COUNTY and the German Pellets Texas, LLC. ("OWNER") dated December 12, 2011.

WHEREAS, AGREEMENT contains the terms of a tax abatement to incentivize OWNER's construction of buildings and improvements constituting a facility for the production of wood pellets including production buildings, parking area, log storage area, and related facilities.

WHEREAS, Paragraph 22 of the AGREEMENT provides that:

The terms and conditions of this Contract are binding upon the successors and assigns of both parties hereof. The parties agree that the Company shall have the right to assign this Contract, and all rights, benefits, and obligations thereof, to any wholly owned subsidiary of German Pellets GmbH or of the Company, any affiliated corporation or any partner of the Company, without further consent or act of any party provided that the assignee is not indebted to Tyler County for ad valorem taxes or other obligations; and further provided that the Company shall only be released from its obligations hereunder provided that the assignee shall irrevocably and unconditionally assume all the duties and obligations of the assignor upon the same terms and conditions set out in the Contract. The Company shall notify the County of any assignment under this Section 19 (incorrectly referenced as Section 22 in the Contract) within ten (10) business days at the address provided in Section 11 of this Contract.

WHEREAS, all Notices required or contemplated by this Contract shall be addressed as follows:

If to the Company:

Woodville Pellets, LLC
164 County Road 1040
Woodville, Texas 75979
Attn: Kelly Ramsey
409-331-9823
Kelly.Ramsey@graanulinvest.com

WHEREAS, OWNER seeks COUNTY'S approval of assignment of the Contract to Woodville Pellets, LLC as provided for in Section ___ of the TAX ABATEMENT POLICY and Paragraph 22 of the Contract.

NOW THEREFORE, BE IT RESOLVED that Tyler County, Texas acting by and through the County Judge and County Commissioners, consents to the Assignment of the German Pellets Texas, LLC Abatement Agreement to Woodville Pellets, LLC located in the Tyler County Reinvestment Zone.

ADOPTED this ___ day of _____, 2020.

Jacques L. Blanchette
County Judge, Tyler County

Attested to:

Donece Gregory
County Clerk