RESOLUTION NO. 093-2026

STATE OF LOUISIANA

PARISH OF RAPIDES

In the Name and by the Authority of
The England Economic & Industrial Development District

RESOLUTION

A RESOLUTION AUTHORIZING THE EXECUTION OF A PILOT LEASE AGREEMENT AND AGREEMENT TO ISSUE BONDS BETWEEN THE ENGLAND ECONOMIC AND INDUSTRIAL DEVELOPMENT DISTRICT, STATE OF LOUISIANA AND APLD AEX-01 LLC, IN FURTHERANCE OF THE DEVELOPMENT, CONSTRUCTION, EQUIPPING AND OPERATION OF A DATA CENTER CAMPUS IN RAPIDES PARISH, LOUISIANA, AS DESCRIBED HEREIN; AUTHORIZING AN AGREEMENT TO ISSUE UP TO $4,600,000,000 OF REVENUE BONDS IN CONNECTION THEREWITH; AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the England Economic and Industrial Development District (the "EEIDD") is a body politic and corporate and political subdivision of the State of Louisiana created pursuant to Louisiana Revised Statute § 33:130.351; and

WHEREAS, Subpart B-13 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, (the "EEIDD Act"), and Sections 991 through 1001, inclusive, of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Revenue Bond Act" and together with the EEIDD Act, the "Act"), and other constitutional and statutory authority supplemental thereto, authorize the EEIDD to develop, activate, construct, exchange, acquire, improve, repair, operate, maintain, lease, mortgage, sell, and pledge movable and immovable property, servitudes, facilities, and works under such terms and conditions as the EEIDD may deem necessary or appropriate for any public purposes, including, but not limited to, industrial and commercial development; and

WHEREAS, pursuant to Article VII, Section 21 of the Louisiana Constitution of 1974, as amended, public lands and other public property used for public purposes shall be exempt from ad valorem taxes and pursuant to Louisiana Revised Statute § 33:130.354, the exercise of the powers conferred to the District shall be deemed and held to be essential governmental functions of the state, and in all respects for the benefit of the people of the state, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions, and the District shall not be

required to pay any taxes, including, but not limited to, sales and use taxes, ad valorem, occupational licensing, income, or any other taxes of any kind or nature, or assessments upon any property acquired or used by the District, and any property acquired or used by the District and the income therefrom shall be exempt from taxation by the state and by any parish, municipality, or other political subdivision of the state, and the District shall not be subject in any respect to the authority, control, regulation, or supervision of the Louisiana Public Service Commission or any other regulatory body of the state, or any political subdivision thereof; and

WHEREAS, APLD AEX-01 LLC (the "Company") proposes to develop, construct, equip and operate a data center campus for data processing and storage, with up to three hundred (300) megawatts of critical IT load, together with associated buildings, infrastructure, improvements, machinery and equipment, in Rapides Parish, Louisiana (the "Project"), to foster economic development, capital investment, employment and related public benefits; and

WHEREAS, in connection with development of the Project, the Company has requested that the EEIDD acquire and hold title to the Project, or phases thereof, and lease the same back to the Company under a payment in lieu of ad valorem taxes ("PILOT") arrangement; and, solely at the Company's request and subject to the conditions contained in the PILOT Lease Agreement and Agreement to Issue Bonds ("PILOT Lease"), agree to issue up to four billion six hundred million dollars ($4,600,000,000) in aggregate principal amount of taxable and/or tax-exempt Revenue Bonds, in one or more series, to finance a portion of the Project related to data center infrastructure, including buildings, scalable power architecture, and high-density cooling configurations; and

WHEREAS, to induce the Company to undertake the Project, the EEIDD is willing to enter into the proposed PILOT Lease Agreement and Agreement to Issue Bonds providing for conveyance and leaseback of the Project or phases thereof, the payment of amounts sufficient for debt service on the Bonds, if any, when issued, payments in lieu of taxes, rental and administrative payments, employment-related payment adjustments, and other obligations, all upon the terms and conditions stated therein; and

WHEREAS, the Board of Commissioners of the EEIDD hereby finds and determines that the PILOT Lease is entered into for valid public purposes within the authority of the EEIDD and Article VII, Section 14(C) of the Louisiana Constitution, and that the public benefits reasonably expected to result from the PILOT Lease exceed the costs and obligations to be incurred by the EEIDD, and that the

PILOT Lease will promote coordinated, professional, and consistent economic development efforts within Rapides Parish and will serve the interests of the EEIDD and the public by supporting the recruitment, retention, and growth of high-impact jobs and capital investment; and

WHEREAS, on November 9, 2026, at a special meeting of the Board of Commissioners of the EEIDD, duly noticed, this Resolution was introduced, and laid over for publication in the official journal of the EEIDD, the Alexandria Town Talk; and,

WHEREAS, the Board of Commissioners of the EEIDD does hereby adopt the following Resolution.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the England Economic and Industrial Development District, that:

Section 1. The foregoing whereas clauses are hereby adopted as set forth in the preamble to this Resolution.

Section 2. This Resolution does hereby incorporate by reference as though fully set out herein the provisions and requirements of the Act, as defined above.

Section 3. Pursuant to the Act and other applicable constitutional and statutory authority, the Board hereby approves the PILOT Lease between the EEIDD, as Lessor, and APLD AEX-01 LLC, as Lessee, substantially in the form presented to the Board as attached hereto as **Exhibit "A."**

Section 4. The Executive Director of the EEIDD is hereby authorized to execute the PILOT Lease between the EEIDD, as Lessor, and APLD AEX-01 LLC, as Lessee, attached hereto as **Exhibit "A,"** substantially in the form presented to the Board of Commissioners, together with the exhibits and ancillary instruments contemplated therein, and to take such ministerial actions as may be reasonably necessary or appropriate to carry out the purposes of this Resolution and the PILOT Lease.

Subject to joint approval of the Chair of the EEIDD Board of Commissioners and Chair of the EEIDD Admin/Legal Committee, the Executive Director, in consultation with EEIDD Counsel, is further authorized to approve and incorporate non-material, conforming, or clerical revisions to the PILOT Lease that are consistent with the intent of this Resolution and do not materially alter the parties' financial obligations, the scope of services, the term or termination rights, the indemnity provisions, or the reservation of decision-making authority to the Board. Any material change or amendment to the PILOT Lease shall require further approval of the Board.

Section 5. The Chairperson, Vice Chairperson, and Secretary-Treasurer of the Board of Commissioners are hereby authorized and empowered to take any and all further action consistent with the Resolution and subject to the terms and conditions of the PILOT Lease and the limitations in Section 4 above.

Section 6. If any provision, section, subsection, sentence, clause, phrase, or application of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect the remaining provisions or applications of this Resolution, which shall remain in full force and effect.

Section 7. Effective Date.

This Resolution shall become effective immediately upon its adoption by the Board of Commissioners.

This Resolution having been submitted to a vote at the _____, 2026, legally convened public meeting, the vote thereon was as follows:

YEAS:

NAYS:

ABSTAINING:

ABSENT:

DID NOT VOTE:

And this Resolution was declared adopted on this _____ day of _____, 2026.

PARISH OF RAPIDES

STATE OF LOUISIANA

I, Steven Mansour, do hereby certify that I am the duly qualified and acting Secretary of the Board of Commissioners of the England Economic and Industrial Development District, Rapides Parish, Alexandria, Louisiana, and further certify that the above and foregoing constitutes a true and correct copy of a resolution for the minutes of a regular meeting of the Board of Commissioners held on _____, 2026, of said minutes and resolution.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature.

_____
Steven Mansour, Secretary

_____
Oday Lavergne, Chair

_____
Ralph Hennessy, Executive Director