ORDINANCE NO. 25-___

AN ORDINANCE OF POLK COUNTY, FLORIDA, ESTABLISHING AN EXEMPTION FROM CERTAIN AD VALOREM TAXATION FOR FORT MEADE LLC, A NEW BUSINESS; PROVIDING FINDINGS OF FACT; PROVIDING A TITLE; PROVIDING THE TOTAL AMOUNT OF REVENUE AVAILABLE TO THE COUNTY FROM AD VALOREM TAX SOURCES FOR THE CURRENT FISCAL YEAR, THE TOTAL AMOUNT OF REVENUE LOST TO THE COUNTY FOR THE CURRENT FISCAL YEAR BY VIRTUE OF ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTIONS CURRENTLY IN EFFECT, AND THE ESTIMATED REVENUE LOSS TO THE COUNTY FOR THE CURRENT FISCAL YEAR ATTRIBUTABLE TO THE EXEMPTION FOR FORT MEADE LLC; PROVIDING FOR THE GRANT OF AN EXEMPTION FOR 10 YEARS AT 90 PERCENT; PROVIDING FOR A FINDING THAT THE COMPANY MEETS THE REQUIREMENTS OF SECTION 196.012 (14), FLORIDA STATUTES, (NEW BUSINESS); PROVIDING FOR CONTINUING PERFORMANCE; PROVIDING FOR APPLICABILITY; PROVIDING FOR REVIEW; PROVIDING FOR EXPIRATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

ARTICLE I: FINDINGS OF FACT

1. Article VII, Section 3, of the Florida Constitution and Florida Statutes, Section 196.1995 authorize Polk County (the “County”) to grant Economic Development Ad Valorem Tax Exemptions to New Businesses and Expansions of Existing Businesses, as defined in Florida Statutes, Section 196.012(14) and (15), subject to voter approval. On November 3, 2020, electors in Polk County approved a referendum authorizing such exemptions, and on October 4, 2022, the Board of County Commissioners (the “Board”) adopted a master ordinance, Ordinance 2022-069 (the “Master Ordinance”) authorizing the granting of such exemptions.

2. The Master Ordinance sets forth the guidelines, process and procedures for implementing the Economic Development Ad Valorem Tax Exemption program.

3. Pursuant to the Master Ordinance, Fort Meade LLC, a Delaware limited liability company (the “Company”) submitted an application to the County requesting an ad valorem tax exemption for 90% of the assessed value of qualifying improvements to

real property and qualifying tangible personal property specified in its application for a period of ten (10) years commencing with Tax Year 2029 (the "Application"). The Application is incorporated herein by reference and a copy of said Application shall be retained by the Program Administrator for at least the duration of the Exemption Period (hereinafter defined).

4. In the Application, the Company stated the following:

a. The name and proposed location of the new business is Fort Meade LLC, to be located on certain real property located in Fort Meade, Florida, and identified by the following Tax Parcel ID numbers (such location being referred to hereinafter collectively as the "Facility"):

25-31-08-000000-022010;
25-31-09-000000-024010;
25-31-17-000000-011020;
25-31-17-000000-022010;
25-31-16-000000-022010;
25-31-21-000000-011010;
25-31-16-000000-012040; and
25-31-16-000000-012060.

b. The Company will create at least 50 new full-time jobs in Polk County paying an average annual wage equal to or in excess of $106,498, which is 200% of the 2025 average annual wage for Polk County.

c. The Company will invest, or cause to be invested on behalf of the Company, no less than One Hundred and Twenty-Five Million Dollars ($125,000,000) in the construction of real property improvements and the purchase of equipment and other tangible personal property for use at the Facility.

d. The Company's or its affiliate's operations at the Facility will consist of the development and operation of an approximate 1,925,000 square foot hyperscale data center campus designed to support phased build-out of up to 1.2 GW of IT load.

e. The Company is committed to local procurement and the use of local vendors where practicable in support thereof.

f. The Company is committed to environmental sustainability and will apply green technologies to the extent feasible and where practicable.

g. Pursuant to the Master Ordinance and Section 196.1995, Florida Statutes, the Polk County Property Appraiser completed its review of the Application and submitted its report to the County, dated October 3, 2025 (the "Property Appraiser's Report"). The Property Appraiser's Report, which is attached hereto as Exhibit "A" and made a part hereof, included the following:

i. The total revenue available to the County for the current fiscal year from ad valorem tax sources is $440,304,308.

ii. The total revenue lost to the County for the current fiscal year by virtue of exemptions previously granted under this section is $4,491,502.

iii. The estimate of the revenue which would be lost to the County during the current fiscal year if the exemption applied for was granted is $14,837,536.

iv. The estimate of the taxable value lost to the County if the exemption applied for was granted is $918,000,000 for improvements to real property and $1,318,320,000 for tangible personal property.

v. A determination that the proposed project as described in the Application meets the definition of a New Business as defined in Section 196.012(14), Florida Statutes has been made.

5. The Application meets all statutory and Master Ordinance requirements.

ARTICLE II: TITLE

This Ordinance shall be known as Polk County Ordinance 2025-____, the "Economic Development Ad Valorem Tax Exemption for Fort Meade LLC."

ARTICLE III: GRANT OF EXEMPTION

1. After consideration of the Application and the Property Appraiser's Report, the Board finds that the Company qualifies as a New Business, as defined in Section 196.012(14), Florida Statutes, and that granting an Economic Development Ad Valorem Tax Exemption to the Company to encourage its location in Polk County will promote economic sustainability within the County through the creation of jobs and utilization of local resources. The Board hereby grants to the Company and establishes on behalf of

the Company an Economic Development Ad Valorem Tax Exemption of ninety percent (90%) of the assessed value of the net increase in qualifying improvements to real property and qualifying tangible personal property as set forth in the Application, acquired by the Company after the adoption of this Ordinance to facilitate the new business in Polk County (the “Fort Meade LLC Exemption”).

2. The Fort Meade LLC Exemption shall be for a period of ten (10) tax years (the “Exemption Period”) commencing with Tax Year 2029 through Tax Year 2038.

3. The Fort Meade LLC Exemption is conditioned upon the Company entering into an “Ad Valorem Tax Exemption Business Maintenance and Continued Performance Agreement” (the “Performance Agreement”) with the County stating that it shall remain in compliance with this Ordinance and the Master Ordinance throughout the Exemption Period as well as with the terms of the Performance Agreement. Should the Company fail to comply with the terms of this Ordinance, the Master Ordinance, or the Performance Agreement, the Board may, in its discretion, revoke the Fort Meade LLC Exemption and recover any taxes exempted during the Exemption Period pursuant to the procedures set out in the Master Ordinance and as described in the Performance Agreement.

4. The Company agrees to abide by the terms and conditions set forth in this Ordinance and the Master Ordinance, as amended from time to time, as well as the guidelines, policies and procedures enacted by the Board from time to time related to the Economic Development Ad Valorem Tax Exemption program. Failure to do so may result in revocation of the Fort Meade LLC Exemption and the County’s recovery of any taxes exempted during the Exemption Period as set forth in the Performance Agreement.

ARTICLE IV: APPLICABILITY

The County ad valorem tax exemption granted herein applies only to countywide ad valorem taxes levied by Polk County on the qualifying improvements to real property and qualifying tangible property specified in the Application. The exemption does not apply to taxes levied by a municipality, school district, MSTU’s, water management district or other special taxing district or to taxes levied for the payment of bonds or taxes authorized by a vote of the electors pursuant to Section 9 (b) or 12, Article VII of the Florida Constitution. No exemption shall be granted on the land on which improvements are made by the Company.

ARTICLE V: REVIEW

The decision of the Board, in its sole discretion, to not grant an exemption shall not be reviewable by the Value Adjustment Board pursuant to Chapter 194, Florida Statutes.

ARTICLE VI: EXPIRATION DATE

The exemption granted herein shall automatically expire on December 31, 2038, and shall no longer be in force or effect thereafter.

ARTICLE VII: EFFECTIVE DATE

A certified copy of this Ordinance shall be filed with the Department of State within ten (10) days after enactment, and this Ordinance shall take effect immediately upon such filing. The exemption granted herein shall take effect commencing with Tax Year 2029.

ARTICLE VIII: SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or applications. To this end, the provisions of this Ordinance are declared severable.

DULY ADOPTED in regular session, this 4th day of November, 2025.

BOARD OF COUNTY COMMISSIONERS
OF POLK COUNTY, FLORIDA

BY:______________________________

T.R. Wilson, Chair

ATTEST:

___________________________Clerk

(SEAL)

<u>Exhibit "A"</u>

Property Appraiser's Report

[ATTACHED HERETO]

Docusign Envelope ID: D5288435-0C63-4F5B-AB63-2D281C2B74C9

Print Form

ECONOMIC DEVELOPMENT AD VALOREM PROPERTY TAX EXEMPTION

Chapter 196.1995, Florida Statutes

DR-418
R. 12/99

To be filed with the Board of County Commissioners, the governing boards of the municipality, or both, no later than March 1 of the year the exemption is desired to take effect.

1 Business name Fort Meade DC, LLC

Mailing address: 7373 Wisconsin Avenue, Suite 700, Bethesda, MD 20814

2 Please give name and telephone number of owner or person in charge of this business.

Name Douglas Fistenberg

Telephone number 301-652-8292

3 Exact Location (Legal Description and Street Address) of Property for which this return is filed
See Exhibit A attached.

4 Date you began, or will begin, business at this facility 2028

5 Description of the improvements to real property for which this exemption is requested
Development and operation of a hyperscale data center campus including the construction of new buildings, site grading, electrical distribution, substation tie-ins, cooling infrastructure, and security facilities. Phase I includes ~350 MW of gross IT capacity energized by September 2027. Company estimates a real property investment of about $1.2B.

Date of commencement of construction of improvements 2026

6 Description of the tangible personal property for which this exemption is requested and date when property was, or is to be purchased

Class or Item	Age	Date of Purchase	Original Cost	Taxpayer's Estimate of Cond*	Taxpayer's Estimate of Fair Market Rent	APPRAISER'S USE ONLY Cond*	APPRAISER'S USE ONLY
Electrical Switchgear & PDUs	New		$ 400,000,000	New	$ N/A		$
UPS Systems	New		$40,000,000	New	$ N/A		$
Backup Generators	New		$ 280,000,000	New	$ N/A		$
Cooling & Mechanical	New		$ 400,000,000	New	$ N/A		$
Structured Cabling & Networking	New		$ 120,000,000	New	$ N/A		$
Security / BMS / EMS / DCIM	New		$ 400,000,000	New	$ N/A		$
			$		$		$
			$		$		$
			$		$		$

Average value of inventory on hand: N/A. This is a data center facility, not an inventory-holding business

*Condition: good, avg (average), or poor

Any additional personal property not listed above for which an exemption is claimed must be returned on form DR-405 (Tangible Personal Property Tax Return) and a copy attached to this form.

7 Do you desire exemption as a [X] new business or [ ] expansion of an existing business

8 Describe type or nature of your business
Development and operation of hyperscale data centers supporting cloud computing, AI, and enterprise IT workloads.

9 Trade levels (check as many as apply)
[ ] Retail [ ] Wholesale [ ] Manufacturing [ ] Professional
[ ] Service [ ] Office [X] Other, specify: Data Center

10 Number of full-time employees to be employed in Florida 50 (Phase I direct hires, excluding construction jobs)

If an expansion of an existing business: Net increase in employment N/A % | Increase in productive output resulting from this expansion N/A %

11 Sales factor for the facility requesting exemption:

Total sales in Florida from this facility-one (1) location only $0.00 divided by Total sales everywhere from this facility-one (1) location only $0.00 = 0.00 %

12 For office space owned and used by a corporation newly domiciled in Florida | Date of incorporation in Florida N/A | Number of full-time employees at this location N/A

I hereby request the adoption of an ordinance granting an exemption from ad valorem taxation on the above property pursuant to Section 196.1995, Florida Statutes. I agree to furnish such other reasonable information as the Board of County Commissioners, the governing authority of the municipality, or the Property Appraiser may request in regard to the exemption requested herein. I hereby certify that the information and valuation stated above by me is true, correct, and complete to the best of my knowledge and belief. (If prepared by someone other than the taxpayer, his declaration is based on all information of which he has any knowledge.)

Date 9/24/2025

Signature, preparer: Signed by: Douglas M. Firstenberg
E9AD81654B6842D...

Signature, taxpayer: Signed by: Douglas M. Firstenberg
E9AD81654B6842D...

Preparer's address 7373 Wisconsin Ave, Ste. 700, Bethesda, MD 20814

Title Principal

Preparer's telephone number (301) 652-8292

Property Appraiser's Use Only

I	Total revenue available to the county or municipality for the current fiscal year from ad valorem tax sources	$440,304,308
II	Revenue lost to the county or municipality for the current fiscal year by virtue of exemptions previously granted under this section	$ 4,491,502
III	Estimate of the revenue which would be lost to the county or municipality during the current fiscal year if the exemption applied for were granted and the property for which the exemption is requested would otherwise have been subject to taxation	$ 14,837,536
IV	Estimate of the taxable value lost to the county or municipality if the exemption applied for was granted Improvements to real property $ 918,000,000 Personal property $ 1,318,320,000	
V	I have determined that the property listed above meets the definition, as defined by Section 196.012(15) or (16), Florida Statutes, as a [X] new business [ ] expansion of an existing business [ ] neither	
VI	Last year for which exemption may be applied 2 0 3 8	

Application to be filed not later than March 1

10-3-2025
Date

Signature, Property Appraiser

Project Cumulus
Parcel ID# 25-31-08-000000-022010, 25-31-09-000000-024010, 25-31-17-000000-011020, 25-31-17-000000-022010, 25-31-16-000000-022010, 25-31-21-000000-011010, 25-31-16-000000-012040, 25-31-16-000000-012060

Property Description	2025 Original Cost	% Good	Value 1st Yr. Depr	2025 County Millage Rate	Total Taxes	Ad Valorem Abatement %	Revenue Lost	Value Lost	BOCC Tax Dollars Gained	MSTU / Stormwater 0.8212	School Board 5.2960	SWFWMD 0.1909
Tangible Personal Property:												
Electrical Switchgear & PDU's	$ 400,000,000	92%	368,000,000	6.6348	$ 2,441,606.40	90.00%	$ 2,197,445.76	331,200,000	$ 244,160.64	$ 302,201.60	$ 1,948,928.00	$ 70,251.20
UPS Systems	$ 40,000,000	83%	33,200,000	6.6348	$ 220,275.36	90.00%	$ 198,247.82	29,880,000	$ 22,027.54	$ 27,263.84	$ 175,827.20	$ 6,337.88
Backup Generators	$ 280,000,000	94%	263,200,000	6.6348	$ 1,746,279.36	90.00%	$ 1,571,651.42	236,880,000	$ 174,627.94	$ 216,139.84	$ 1,393,907.20	$ 50,244.88
Cooling & Mechanical	$ 400,000,000	87%	348,000,000	6.6348	$ 2,308,910.40	90.00%	$ 2,078,019.36	313,200,000	$ 230,891.04	$ 285,777.60	$ 1,843,008.00	$ 66,433.20
Structured Cabling & Networking	$ 120,000,000	87%	104,400,000	6.6348	$ 692,673.12	90.00%	$ 623,405.81	93,960,000	$ 69,267.31	$ 85,733.28	$ 552,902.40	$ 19,929.96
Security / BMS/ EMS/ DCIM	$ 400,000,000	87%	348,000,000	6.6348	$ 2,308,910.40	90.00%	$ 2,078,019.36	313,200,000	$ 230,891.04	$ 285,777.60	$ 1,843,008.00	$ 66,433.20
Total Tangible Personal Property	$ 1,640,000,000		$ 1,464,800,000		$ 9,718,655		$ 8,746,790	$ 1,318,320,000	$ 971,866	$ 1,202,894	$ 7,757,581	$ 279,630
REAL PROPERTY IMPROVEMENTS:	$ 1,200,000,000	85%	$ 1,020,000,000	6.6348	$ 6,767,496	90.00%	$ 6,090,746	$ 918,000,000	$ 676,750	$ 837,624	$ 5,401,920	$ 194,718
TOTAL ESTIMATE OF PROJECT	$ 2,840,000,000		$ 2,484,800,000		$ 16,486,151		$ 14,837,536	$ 2,236,320,000	$ 1,648,615	$ 2,040,518	$ 13,159,501	$ 474,348

Neil Combee,
Polk County Property Appraiser

Parcel IDs:

- 25-31-08-000000-022010
- 25-31-09-000000-024010
- 25-31-17-000000-011020
- 25-31-17-000000-022010
- 25-31-16-000000-022010
- 25-31-21-000000-011010
- 25-31-16-000000-012040
- 25-31-16-000000-012060