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**SALINE TOWNSHIP**
**WASHTENAW COUNTY, MICHIGAN**
**BOARD OF TRUSTEES**

**RESOLUTION NO. 2026-6**

**RESOLUTION RATIFYING AND CONFIRMING THE ESTABLISHMENT OF SALINE INDUSTRIAL DEVELOPMENT DISTRICT NO. 2025-001**

At a meeting of the Board of Trustees of Saline Township (the "Township Board"), held on November 11, 2026, at 7:00 p.m., at the Saline Township Hall, 5731 Braun Road, Saline, Michigan 48176.

PRESENT: Tom Hammond, Kelly Marion, Beth Boulter, Dean Marion, Gary Luckhardt

ABSENT: 0

The following preamble and resolution were offered by Dean Marion and supported by Gary Luckhardt.

**WHEREAS,** pursuant to Public Act 198 of 1974, as amended, MCL 207.551 et seq. ("Act 198"), the Township Board has the authority to establish industrial development districts within Saline Township (the "Township"); and

**WHEREAS,** on August 8, 2025, RD Michigan Property Owner I, LLC, acting on behalf of the owners of not less than seventy-five percent (75%) of the real property within the proposed district, submitted a written request that the Township Board establish an industrial development district on the land described in Exhibit A (the "Request"); and

**WHEREAS,** construction, acquisition, alteration, or installation of a proposed facility had not commenced at the time the Request was filed; and

**WHEREAS,** written notice of a public hearing on the Request was given by certified mail to the owners of all real property within the proposed district, and on September 10, 2025, the Township Board convened a public hearing on the Request, at which the owners of real property within the proposed district and the residents and taxpayers of the Township were afforded an opportunity to be heard; and

**WHEREAS,** at its September 10, 2025 meeting, the Township Board tabled the Request pending its determination on a related request to rezone the subject property; and

**WHEREAS,** on October 15, 2025, the Washtenaw County Circuit Court entered a Consent Judgment in Civil Action No. 2025-001577-CZ, which provided, among other things, that the Township Board would continue the public hearing on the Request and then decide whether to establish the district; and

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**WHEREAS,** at its meeting on October 15, 2025, the Township Board continued the public hearing on the Request, received further comments and questions, and adopted a resolution establishing the district, designated in that resolution as "Saline Industrial Development District No. 25-001" and since referred to as Saline Industrial Development District No. 2025-001 (the "District"); and

**WHEREAS,** the written resolution adopted on October 15, 2025 recites the September 10, 2025 public hearing but does not expressly recite that the public hearing was continued to and concluded at the October 15, 2025 meeting; and

**WHEREAS,** Frederick Lucas, who served as legal counsel to the Township from at least 2008 and attended every Township Board meeting regarding the Request and the Consent Judgment during 2025, has executed a Corrected Affidavit dated October 15, 2026 (the "Lucas Affidavit"), attached as Exhibit B, stating that the continued public hearing on the Request took place at the Township Board's October 15, 2025 meeting, that the Township Board took further comments and questions regarding the District, and that the Township Board then voted to approve the District in a manner consistent with proper procedure and the Township's obligations under the Consent Judgment; and

**WHEREAS,** following the establishment of the District on October 15, 2025, the land within the District was submitted to condominium ownership as Saline Data Center Condominium, Washtenaw County Condominium Subdivision Plan No. 761, under the Master Deed recorded April 23, 2026 in Liber 5626, Page 678, Washtenaw County Records, consisting of Units 1 through 14 and their appurtenant interests in the common elements, all within the land covered by the District; and

**WHEREAS,** a letter submitted to the State Tax Commission on behalf of an opponent of the project has asserted that the District was not properly created, and out of an abundance of caution, the Township Board has determined to hold a further public hearing on the Request at its regular meeting on November 11, 2026; and

**WHEREAS,** on October 30, 2026, written notice of that hearing was given by certified mail to the current owners of all real property within the District, namely RDM LL 1 LLC, RDM LL 2 LLC, RDM LL 3 LLC, RDM LL 4 LLC, RDM LL 5 LLC, RDM LL 6 LLC, RDM LL 7 LLC, RDM LL 8 LLC, RDM LL 9 LLC, RDM LL Core LLC, DTE Electric Company, and International Transmission Company, and a courtesy copy of the same was provided to RD Michigan Property Owner I, LLC as the original applicant acting on behalf of Feldkamp Siblings, LLC, Wilkin Farm Properties, LLC, and Dennis and Lynn Ellen Finkbeiner, the former owners of record; and

**WHEREAS,** on November 11, 2026, the Township Board held the further public hearing, at which the owners of real property within the District and the residents and taxpayers of the

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Township were afforded an opportunity to be heard, and the Township Board has considered all comments received; and

**WHEREAS,** the Township Board finds that the establishment of the District is in the public interest of the Township.

**NOW, THEREFORE, BE IT RESOLVED:**

1. **Findings.** Based on the certified resolution adopted on October 15, 2025 and the Lucas Affidavit, the Township Board finds and determines that on October 15, 2025, it continued the public hearing on the Request, afforded the owners of real property within the District and the residents and taxpayers of the Township an opportunity to be heard, and established the District in accordance with Act 198.

2. **Ratification.** The Township Board ratifies, confirms, and approves in all respects the establishment of the District on October 15, 2025, and the resolution adopted on that date, effective as of October 15, 2025.

3. **Alternative Establishment.** In the alternative, if the ratification is later found to be ineffective, the Township Board finds that the rehearing held on November 11, 2026 stands on its own merits as the necessary public hearing on the Request, and the District is hereby established.

4. **Name of District.** The District shall continue to be known as Saline Industrial Development District No. 2025-001.

5. **Legal Description.** The District consists of the land described in Exhibit A, which is now Units 1 through 14 of Saline Data Center Condominium and their appurtenant interests in the common elements. If the legal description and the tax parcel numbers are inconsistent, the legal description in Exhibit A controls.

6. **Transmittal.** The Township Clerk is authorized and directed to transmit a certified copy of this Resolution, together with the Lucas Affidavit and proof of the notice given for the November 11, 2026 hearing, to the State Tax Commission, and to take all other actions necessary to carry out this Resolution.

7. **Conflicting Resolutions.** All resolutions or parts of resolutions in conflict with this Resolution are rescinded to the extent of the conflict, except that the resolution adopted on October 15, 2025 establishing the District is not rescinded and is ratified and confirmed as provided above.

ROLL CALL VOTE:

AYES: 5

NAYS: 0

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ABSENT: 0

ABSTAIN: 0

**RESOLUTION DECLARED ADOPTED.**

## CERTIFICATION

I, Kelly L. Marion, the duly qualified and elected Clerk of Saline Township, Washtenaw County, Michigan, certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Trustees of Saline Township at a regular meeting held on November 11, 2026, at which a quorum was present, and that public notice of the meeting was given as required by the Open Meetings Act, 1976 PA 267, as amended.

Kelly Marion

Kelly L. Marion
Saline Township Clerk
Dated: November 13 2026

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# EXHIBIT A – LEGAL DESCRIPTION OF SALINE INDUSTRIAL DEVELOPMENT DISTRICT NO. 2025-001

DESCRIPTION OF A 565.063 ACRE PARCEL OF LAND LOCATED IN SECTIONS 18 & 19, TOWN 4 SOUTH, RANGE 5 EAST, SALINE TOWNSHIP, WASHTENAW COUNTY, MICHIGAN:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 19 (SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SECTION 18), TOWN 4 SOUTH, RANGE 5 EAST, SALINE TOWNSHIP, WASHTENAW COUNTY, MICHIGAN; THENCE S01°43’54”E 1382.80 FEET ALONG THE EAST LINE OF SAID SECTION 19; THENCE THE FOLLOWING SIX (6) COURSES ALONG THE CENTERLINE OF WEST MICHIGAN AVENUE (US HIGHWAY 12) (100 FEET WIDE): 188.16 FEET ALONG THE ARC OF A 2387.03 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING S48°29’12”W 188.11 FEET, S46°13’42”W 710.25 FEET, 323.18 FEET ALONG THE ARC OF A 13070.86 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD BEARING S46°56’12”W 323.18 FEET, S47°38’42”W 1738.30 FEET, 301.95 FEET ALONG THE ARC OF A 6487.58 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD BEARING S48°58’42”W 301.92 FEET, AND S50°18’42”W 242.49 FEET; THENCE N01°41’14”W 1012.00 FEET ALONG THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 19; THENCE S88°27’18”W 1155.60 FEET ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 19; THENCE N01°49’04”W 348.76 FEET; THENCE S84°26’26”W 1127.82 FEET; THENCE N01°53’18”W 2371.98 FEET; THENCE S88°12’36”W 33.00 FEET; THENCE N02°00’34”W 2697.14 FEET ALONG THE WEST LINE OF SAID SECTION 18 (AS REMONUMENTED); THENCE N88°39’08”E 2338.55 FEET (RECORDED AS S87°37’42”E 2353.51 FEET) ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 18 (AS REMONUMENTED); THENCE S01°57’39”E 4.31 FEET TO A POINT ON THE CENTERLINE OF THE SALINE RIVER, SAID POINT BEARING N01°57’39”W 23.96 FEET FROM REFERENCE POINT “A” ON AN INTERMEDIATE TRAVERSE LINE SOUTH OF AND APPROXIMATELY PARALLEL TO THE SALINE RIVER; THENCE NORTHEASTERLY 1582 FEET, MORE OR LESS, ALONG THE CENTERLINE OF THE SALINE RIVER; THENCE S01°54’15”E (RECORDED AS SOUTH) 36.44 FEET ALONG THE EAST 1/8 LINE OF SAID SECTION 18 (AS PREVIOUSLY SURVEYED AND MONUMENTED) TO REFERENCE POINT “B” ON SAID INTERMEDIATE TRAVERSE LINE, SAID REFERENCE POINT “B” BEARING THE FOLLOWING THREE (3) COURSES FROM SAID REFERENCE POINT “A” ALONG SAID INTERMEDIATE TRAVERSE LINE: N69°17’58”E 117.25 FEET, N51°36’48”E 1010.48 FEET, AND N66°21’38”E 430.01 FEET; THENCE THE FOLLOWING THREE (3) COURSES ALONG THE EAST 1/8 LINE OF SAID SECTION 18 (AS PREVIOUSLY SURVEYED AND MONUMENTED): S01°54’15”E (RECORDED AS SOUTH) 789.72 FEET, S01°54’08”E 1327.66 FEET, AND S01°53’57”E 1334.85 FEET; THENCE N88°15’06”E 1322.82 FEET TO THE PLACE OF BEGINNING, CONTAINING 525.083 ACRES OF LAND, MORE OR LESS,

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SAID LAND BEING 523.508 ACRES OF LAND, MORE OR LESS, TO THE INTERMEDIATE TRAVERSE LINE, AND 1.575 ACRES OF LAND, MORE OR LESS FROM THE INTERMEDIATE TRAVERSE LINE TO THE CENTERLINE OF THE SALINE RIVER, SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE SOUTHEAST 50 FEET AS OCCUPIED BY SAID WEST MICHIGAN AVENUE (US HIGHWAY 12), ALSO BEING SUBJECT TO THE RIGHTS OF THE UNITED STATES AND THE STATE OF MICHIGAN AND FOR COMMERCE, NAVIGATION, RECREATION AND FISHERY, THE BED OF THE SALINE RIVER, ALSO BEING SUBJECT TO EASEMENTS, CONDITIONS, RESTRICTIONS AND EXCEPTIONS OF RECORD, IF ANY.

ALSO: COMMENCING AT THE WEST 1/4 CORNER OF SECTION 19, TOWN 4 SOUTH, RANGE 5 EAST, SALINE TOWNSHIP, WASHTENAW COUNTY, MICHIGAN; THENCE N88°27’18”E 1158.22 FEET ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 19 FOR A PLACE OF BEGINNING; THENCE S01°36’56”E 596.68 FEET (RECORDED AS N00°13’25”E 597.07 FEET); THENCE N83°54’25”E 53.19 FEET (RECORDED AS S85°28’23”W 53.45 FEET); THENCE S14°23’36”E 841.20 FEET (RECORDED AS N12°35’37”W 841.09 FEET); THENCE S72°08’14”W 930.55 FEET (RECORDED AS N73°55’27”E 930.54 FEET); THENCE N01°55’40”W 334.23 FEET (RECORDED AS S00°08’15”E 334.15 FEET); THENCE S88°24’23”W 461.62 FEET (RECORDED AS S89°43’25”E 462.0 FEET); THENCE N01°55’31”W 1259.50 FEET (RECORDED AS S00°08’15”E 1259.54 FEET); THENCE N84°20’50”E 1127.36 FEET (RECORDED AS S86°09’52”W 1128.16 FEET) TO THE PLACE OF BEGINNING, CONTAINING 39.980 ACRES OF LAND, MORE OR LESS, BEING SUBJECT TO EASEMENTS, CONDITIONS, RESTRICTIONS AND EXCEPTIONS OF RECORD, IF ANY.

Now known as Units 1 through 14 of Saline Data Center Condominium, Washtenaw County Condominium Subdivision Plan No. 761, according to the Master Deed recorded April 23, 2026 in Liber 5626, Page 678, Washtenaw County Records (Tax ID Nos. R-18-19-110-001 through R-18-19-110-014), together with their appurtenant interests in the common elements. Before the condominium was established, the land consisted of the following tax parcels identified in the Request: R-18-18-300-002, R-18-18-400-002, R-18-18-400-003, R-18-19-100-002, R-18-19-100-005 (formerly part of R-18-19-100-001), R-18-19-200-001, R-18-19-200-002, and R-18-19-300-002.

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# EXHIBIT B
# CORRECTED AFFIDAVIT OF FREDERICK LUCAS

Docusign Envelope ID: 92C2DB3A-9B37-80B0-8238-9EF1A0D8378D

**AFFIDAVIT OF FREDERICK LUCAS (CORRECTED)**

STATE OF MICHIGAN )
)
COUNTY OF LENAWEE )

Frederick Lucas, Esq., deposes and states as follows:

1. I am an attorney licensed to practice in the State of Michigan and I am principal of the firm of Castleberry & Lucas located in Onstead, Michigan.

2. I served as legal counsel to Saline Township from at least 2008 through the present date. In that capacity, I represented Saline Township in connection with the request of RD Michigan Property Owner 1, LLC ("RD") and various property owners (the "Property Owners") to rezone land in the Township in order to develop and operate a proposed data center (the "Project"), and various other Township proceedings related to the Project.

3. I also served as co-counsel to the Township in connection with: (a) a lawsuit brought by RD and the Property Owners against Saline Township following the Township's denial of the rezoning request in Civil Action No. 2025-001577-CZ in the Circuit Court for the County of Washtenaw (the "Lawsuit"); (b) the settlement negotiations and drafting of a Consent Judgment to resolve the Lawsuit entered by the Court on October 15, 2025; (c) a later motion by Kathryn Haushalter to re-open the lawsuit, intervene in the case and assert claims against the Township and try to set aside the Consent Judgment, which motion was denied by the Circuit Court and rejected by the Michigan Court of Appeals; and (d) a separate lawsuit filed against the Township by Ms. Haushalter and 2 other persons seeking mandamus relief from the Circuit Court, which was dismissed by the Circuit Court as being without merit.

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4. In connection with my representation of the Township as stated above, I attended every Township Board meeting held regarding the rezoning request, the consideration and approval of the Consent Judgment and every meeting thereafter throughout 2025.

5. In connection with the rezoning proceedings, the Property Owners submitted a written request for the establishment of an industrial development district ("IDD") on their Property. A public hearing on that request was set by the Township Board for September 10, 2025, and notices were sent to each of the affected Property Owners as required.

6. At the September 10, 2025 meeting, the Township Board determined to table the request to establish the IDD pending its determination on the request to rezone the Property, which request was denied at the September 10 meeting.

7. One of the terms of the Consent Judgment entered by the Court was that the Township Board continue the hearing on the IDD and then make a decision on establishing the IDD.

8. To the best of my recollection, the continued public hearing on the IDD took place at the Township Board's meeting on October 15, 2025. The Board took further comments and questions regarding the IDD after which the Board resolved to approve the IDD. I was present at the Board meeting as counsel for the Township.

9. Thereafter, Oracle, the entity responsible for the real and personal property taxes for the Project, submitted an application for an industrial facilities exemption certificate (IFEC). That application was unanimously approved by the Township Board after 3 lengthy public meetings where the public spoke extensively about the application and the Project in general.

10. I have received and review a letter submitted on behalf of Ms. Haushalter, the opponent of the Project who pursued unsuccessfully the two cases against the Township described in paragraph 3 above, to the State Tax Commission, claiming that the IDD was not properly created by the

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Township. There is no indication that Ms. Haushalter attended the Township Board meeting on October 15, 2026, but I appeared at that meeting as counsel for the Township.

11. Contrary to the claim asserted by Ms. Haushalter, to the best of my recollection the Board properly continued the public hearing on the IDD, considered questions and comments and then voted to approve the IDD in a manner consistent with proper procedure and in accordance with the Township's obligations under the terms of the Consent Judgment.

Further, deponent sayeth not.

**I DECLARE THAT THE STATEMENTS ABOVE ARE TRUE TO THE BEST OF MY INFORMATION, KNOWLEDGE, AND BELIEF.**

Signed by:
Frederick Lucas
94E504F2AC3546E...

Dated: October 10/15/2026, 2026

Frederick Lucas