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July 23, 2026

VIA HAND DELIVERY, ELECTRONIC MAIL AND FEDEX

Upper Mount Bethel Township
Attn: Tina Serfass, Township Zoning Officer
387 Ye Olde Hwy.
Mt. Bethel, PA 18343
zoning@umbt.org

**Re: Slate Belt Holdings, LLC Data Center Project
Validity Challenge and Request for Favorable Use Class Determination**

Dear Ms. Serfass:

On behalf Slate Belt Holdings, LLC (“Slate Belt”), please find enclosed for filing twenty-one (21) copies of a zoning hearing board application and supporting materials (“Application”) with regard to Slate Belt’s proposed data center development in Upper Mount Bethel Township (“Township”), which is proposed to be located west of River Road, Upper Mount Bethel Township, Northampton County, PA 19505 (Northampton County Tax Parcel Id. Nos. C11-26-2-0131, C11-31-1-0131 and C11-26-11-0131) (“Subject Property”).

The within Application provides for the following: (1) a Validity Challenge to the Zoning Ordinance pursuant to Sections 909.1(a)(1), 53 P.S. § 10909.1(a)(1) and 916.1 (a)(1), 53 P.S. § 10916.1(a)(1), of the Pennsylvania Municipalities Planning Code (“MPC”), and Section 350-40.C(1)(f) of the Zoning Ordinance; and (2) an alternative Request For Favorable Use Class Determination pursuant to Sections 350-6.A(2)(b), 350-14.B and 350-40.C(1)(c) of the Zoning Ordinance.

In support of the Application, please also find enclosed the following:

- Detailed Validity Challenge and Request for Favorable Use Class Determination, which includes a zoning site plan¹ and other exhibits;
- Deeds for Subject Property demonstrating Slate Belt’s property ownership;

¹ Although Slate Belt has submitted a zoning site plan with its Application, submission of site plan in accordance with Section 350-32 and review thereunder is not required at this time because, pursuant to the Zoning Ordinance, site plan review is not required for validity challenges or requests for favorable use class determinations. Slate Belt recognizes that the project will need to undergo the site plan review procedures required by Section 350-15.G(1) and Section 350-32 prior to commencement of construction of the project.

- A check in the amount of \$1,500.00 made payable to the Township for the Zoning Hearing Board hearing fee for the Validity Challenge; and
- A check in the amount of \$1,500.00 made payable to the Township for the Zoning Hearing Board hearing fee for the Request for Favorable Use Class Determination.²

Slate Belt requests that public notice of the hearing indicate the validity of the Zoning Ordinance is in question and identify the place and times where this Validity Challenge can be examined by the public. Slate Belt further requests that the hearing be held pursuant to such applicable standards as are set forth in Section 916.1 of the MPC, 53 P.S. § 10916.1.

If you require any additional information, please contact me at your earliest convenience. Your attention to this matter is greatly appreciated.

Very truly yours,



Shawn N. Gallagher

SNG/
Enclosures

cc: All Via Electronic Mail

Nicholas Graziano, Township Manager (townshipmanager@umbt.org)
Ronold Karasek, Esq., Township Solicitor (ron@karaseklawoffices.com)
Chad DiFelice, Esq. Zoning Hearing Board Solicitor (info@difelicelaw.com)

² The Township's fee schedule requires a Zoning Hearing Board hearing fee of \$1,500.00 for all commercial Zoning Hearing Board applications. Although not required for an administratively complete application, Slate Belt has nonetheless included two checks in the amount of \$1,500.00, in the event the Township requires an application fee for both requests. Please return the second check if only one application filing fee is required.

Buchanan Ingersoll & Rooney PC

OPERAPCK ACCT # 1092224208

DATE: 07-21-26		PAYEE: Upper Mount Bethel Township		PAYEE #: UMBETTWP.1	CHECK #: 37808
REF. #	INVOICE #	INV. DATE	DESCRIPTION		AMT. PAID
1038120	0112607-000001	07-21-26	Validity Challenge		\$1,500.00
			TOTAL		\$1,500.00

THIS DOCUMENT HAS INVISIBLE FLUORESCENT FIBERS - VIEW UNDER BLACK LIGHT

CHECK DATE

07/21/26

BUCHANAN INGERSOLL & ROONEY PC
501 GRANT STREET
SUITE 200
PITTSBURGH, PA 15219-4413

37808

PNC BANK, N.A.
PITTSBURGH, PA
8-9/430

**One Thousand Five Hundred and 00/100 Dollar(s)

\$1,500.00

CHECK AMOUNT

PAY

TO THE

ORDER OF

UPPER MOUNT BETHEL TOWNSHIP
PO BOX 520
MOUNT BETHEL, PA 18343-5220

VOID AFTER 180 DAYS

AUTHORIZED SIGNATURE

DOCUMENT CONTAINS A VOID PANTOGRAPH

37808 043000096 1092224208

Buchanan Ingersoll & Rooney PC

OPERAPCK ACCT # 1092224208

DATE: 07-22-26

PAYEE: Upper Mount Bethel Township

PAYEE #: UMBETTWP.1

CHECK #: 37840

REF. #	INVOICE #	INV. DATE	DESCRIPTION	AMT. PAID
1038574	0112607-000001	07-22-26	interpretation request application	\$1,500.00
			TOTAL	\$1,500.00

THIS DOCUMENT HAS INVISIBLE FLUORESCENT FIBERS - VIEW UNDER BLACK LIGHT

CHECK DATE

07/22/26

BUCHANAN INGERSOLL & ROONEY PC

501 GRANT STREET

SUITE 200

PITTSBURGH, PA 15219-4413

37840

PNC BANK, N.A.
PITTSBURGH, PA
8-9/430

**One Thousand Five Hundred and 00/100 Dollar(s)

\$1,500.00

CHECK AMOUNT

PAY

TO THE

ORDER OF

UPPER MOUNT BETHEL TOWNSHIP

PO BOX 520

MOUNT BETHEL, PA 18343-5220

VOID AFTER 180 DAYS



AUTHORIZED SIGNATURE

DOCUMENT CONTAINS A VOID PANTOGRAPH

37840 043000096 1092224208

For Official Use Only:	
Amount: _____	Date: _____
Check/Cash: _____	Receipt: _____
Received By: _____	

UPPER MOUNT BETHEL TOWNSHIP
387 YE OLDE HIGHWAY, PO Box 520
MOUNT BETHEL, PA 18343

APPLICATION TO THE ZONING HEARING BOARD

Please fully complete this application in accordance with the attached “Instructions to Applicant”. Applications that are not fully completed will be returned as “Incomplete”.

1. Applicant(s) Name: Slate Belt Holdings, LLC Phone: 610-601-0424
Address: 600 Hamilton St., Suite 600, Allentown, PA 18101
2. Attorney for Applicant(s) Shawn Gallagher, Esq. Phone: 412-562-8362
Address: 501 Grant St., Suite 200, Pittsburgh, PA 15219
3. Owner of Property: Slate Belt Holdings, LLC Phone: 610-601-0424
Address: 600 Hamilton St., Suite 600, Allentown, PA 18101
4. Type of Request:
() Special Exception () Variance () Appeal From Action of Zoning Officer (x) Other
5. Provide a Brief Description of Request: Validity Challenge Pursuant to Sections 909.1(a)(1), 53 P.S. § 10909.1(a)(1) and 916.1(a)(1), 53 P.S. § 10916.1(a)(1), of the Pennsylvania Municipalities Planning Code.
Alternatively, a request for favorable use class determination pursuant to Sections 350-6.A(2)(b), 350-14.B and 350-40.C(1)(c) of the Zoning Ordinance.
6. Location of Property: West of River Road, Upper Mount Bethel Township, Northampton County, PA 18343
7. Tax I.D. Number (Map, Block, & Lot #): C11-26-2-0131, C11-31-1-0131, C11-26-11-0131 Total Acres: 753.99
(a) Lot Area: 32,843,804.4 s.f. (b) Lot Width: 6,727' s.f. (c) Lot Depth: 7,735'
8. Present Use: Vacant Land, Agriculture
9. Proposed Use: Data Center Campus
10. Zoning District for this Property is Identified as: I-2
11. Request for ~~Special Exception, Special Use~~ or Interpretation:
(a) Proposed use or structure is consistent with the Zoning District requirements of the Township’s Zoning Ordinance per section: 350 Attachment 2
(b) Proposed use or structure is consistent with such other standards as required by the Township’s Zoning Ordinance per section: 350-15.H & I

- (c) Proposed use or structure is consistent with the Township's Subdivision and Land Development Ordinance and other Ordinances (list other applicable Township Ordinances that may apply):
Floodplain Management, Grading, Noise, Stormwater Management, Uniform Construction Code,
etc.
- (d) Applicant(s) requests that the Zoning Hearing Board interpret Section (s) 350-6.A(2)(b), 350-14.B
350-40.C(1)(c), 350-15.H & I of the Township's Zoning Ordinances.

12. Request for a Variance:

Applicant believes that the variance should be granted because (attach additional page if necessary):

- (a) Applicant is unable to make reasonable use of the property for the following reasons: N/A

- (b) The proposed variance will not alter the essential character of the neighborhood for the following reasons:

N/A

- (c) The proposed variance is consistent with the following Section of the Zoning Ordinance:

N/A

13. Applicant Appeals from the Order, Requirement, Determination, or Decision of the Zoning Officer or other Township Official made on N/A, as follows (attach all relevant documents):

N/A

14. The Plot Plan (with dimensions or drawn to scale), drawings, sketches and/or other exhibits attached hereto are made a part hereof.* Please see attached Validity Challenge and Exhibits, which includes a zoning plan. No site plan is required because the zoning ordinance does not require site plan review for validity challenges and use class interpretations

I do hereby certify that the facts set forth in this application and the attached exhibits are true and correct to the best of my knowledge.

Dale E. Zebrowski
Applicant Signature

7/22/2026
Date

Co-Applicant Signature

Date

Attach other comments or remarks as needed.

NOTICE TO THE APPLICANT

The following information is provided as a reference tool only. If your application requires the submission of a site plan (Section 6.800 et seq. of the Township Zoning Ordinance) and site plan review by the Township Planning Commission, it is your responsibility to see that the appropriate number of certified site plans are filed with the Township; and it is your responsibility to see that the site plan is placed on the agenda of the Township Planning Commission so the Commission can timely review the plan and make its recommendation to the Zoning Hearing Board and/or Board of Supervisors.

*When required 21 plans will need to be submitted.

7.405 Referral To Planning Commission - The Zoning Hearing Board shall refer to the Planning Commission all applications for Special Exceptions, Conditional Uses, requests for curative amendments and any other applications or appeals which, in the opinion of the Zoning Hearing Board, require review by the Planning Commission. In its review, the Planning Commission shall determine compliance with the standards and criteria set forth in this Ordinance, and in all cases may report in writing its findings and recommendations to the Zoning Hearing Board or Supervisors within 14 days, as required by this Ordinance. If such report is not received by the Board or by Supervisors within said time period, the Board or Supervisors may then proceed to final action on the case

2.276 Site Plan - A Plan which includes an accurate layout of the zoning proposal in map form drawn to scale, including all existing features, soils and topographic information of the site, and all dimensions and design features of the proposal fully shown, including all features and proposed infrastructure required for review by the Township.

The Site Plan must also include information to determine compliance with the Performance Standards and other requirements of this Ordinance.

A Site Plan is required to be submitted for all proposed "Special Exception" and "Conditional Uses" and for any other uses requiring a Site Plan Review as identified in this Ordinance.

Site Plan must first be reviewed by the Planning Commission where recommendations will be submitted to the appropriate body responsible for taking action on the Plan (Zoning Hearing Board, Supervisors or Zoning Officer).

2.282 Special Exception - A "Special Exception" is a use which may be granted or denied pursuant to express standards and criteria established in this Ordinance. Requests for such "Special Exceptions" shall be decided by the Zoning Hearing Board after a review and recommendation from the Planning Commission and after a hearing to determine compliance with said standards and criteria.

6.800 SITE PLAN REVIEW

6.801 Purpose and Procedure - Site Plan Review and the submission of a Site Plan is required herein for all Special Exception and Conditional Uses, or for any other use requiring such review in accordance with the requirements of Article 4 or other provisions of this Ordinance. The following Site Plan procedure shall be followed to ensure the safe and efficient movement of traffic, adequate drainage and connection to utilities, compliance with other applicable regulations and to promote the development of an attractive and well-planned Township, to enhance sound site planning and to best serve the interests of public health, safety and general welfare and with the objectives of this Ordinance.

6.802 Optional Sketch Site Plan Review Procedure - In lieu of submittal of all of the site plan requirements itemized below, the applicant may elect to submit a preliminary Sketch Site Plan, containing lesser information, for unofficial review by the Planning Commission. Such Optional Sketch Site Plan shall be for the purpose of indicating to the Planning Commission the general nature and intent of the proposal which will enable the Commission to present its initial considerations for the purpose of guiding the developer in the preparation of the official final Site Plan, in accordance with these Zoning requirements. The AOptional Sketch Site Plan@, if submitted, shall not eliminate the submittal of a final AOfficial Site Plan@ as required herein.

The entire purpose of this optional procedure is to facilitate the proper development of a Site Plan, as required herein and to prevent unnecessary expenses associated with the development of a Site Plan. This optional procedure shall be considered to be a convenience for the applicant and shall not constitute an official zoning permit application or submission and shall not convey any benefits or assurances to the applicant which he would not otherwise have had if such an Optional Sketch Site Plan were not submitted by the applicant. All such optional plans shall be clearly marked with the words "Optional Sketch Site Plan".

6.803 Site Plan Requirements - The official Site Plan shall include the following information:

- a. An application for a Use located in a Use Class requiring Site Plan Review, as required by this Ordinance, shall be submitted to the Zoning Officer. The applicant shall also submit five complete sets of site plans certified by a registered engineer, surveyor, architect or Community Planner with AICP Certification.
- b. When a site plan has been officially submitted, it shall be placed on the Planning Commission agenda for review at its next regular meeting, provided the official submission is made ten days or more before the regular meeting.
- c. Within 45 days after the official submission of a site plan, the Planning Commission shall make a written recommendation to the Zoning Officer, the Zoning Hearing Board or the Supervisors, depending on whether the zoning permit requested is for a Permitted Use, a Special Exception Use or a Conditional Use respectively, on whether the Plan should be approved or disapproved, including any conditions on which an approval should be based. The written recommendation shall include the underlying findings and reasons affecting the Planning Commission's recommendation. In making such a recommendation, the Planning Commission may receive advice and review comments from the Township's Engineer or any other Competent Review Authority designated by the Township.
- d. The appropriate body (Zoning Officer, Zoning Hearing Board or the Supervisors) shall take action by approving or disapproving the plan either within 45 days after receiving the Planning Commission's written recommendation, but no later than 90 days after the site plan is officially submitted. The Zoning Officer shall inform the applicant in writing of the action taken by the appropriate body, including the conditions on which are attached to any approval and shall issue any applicable permit.

e. Site Plan approval shall neither relieve the applicant from any other provisions of this Ordinance nor constitute a recommendation for a variance or other relief that the applicant may seek from the Zoning Hearing Board.

f. The following information shall be included on the Site Plan. Any such information which is not considered applicable to the proposed use may be waived by the Zoning Hearing Board or the Zoning Officer.

1. A statement as to the proposed use of the building or land.
2. A site layout drawn to a scale of not less than one inch equals 100 feet showing the location, dimensions and area of each lot, the location, dimensions and height of proposed buildings, structures, streets, roads, and any existing buildings in relation to property and street lines. If the application relates to property which is scheduled to be developed in successive stages, such plans shall show the relationship of the portion scheduled for initial development to the proposed layout of the entire property.
3. The location, dimensions and arrangements of all open spaces and yards, landscaping, fences and buffer yards, including methods and materials to be employed for screening.
4. The location, size, arrangement and capacity of all areas to be used for motor vehicle access, off-street parking, off-street loading and unloading, and provisions to be made for lighting such areas.
5. The dimensions, location and methods of illumination for signs and exterior lighting.
6. The location and dimensions of sidewalks and all other areas to be devoted to pedestrian use
7. Sanitary and storm water facilities and connections. Provisions to be made for treatment and disposal of sewage and industrial wastes, water supply and storm drainage. Submission of a Storm water Management Plan with supporting calculations shall be required.
8. The capacity and arrangement of all buildings used or intended to be used for dwelling purposes, including information on total land area, area to be reserved in common open space, density, maximum building coverage, total area to be covered with impervious surfaces and other information which will assist the Commission in determining compliance with this Ordinance.
9. A description of any proposed use in sufficient detail to permit the Commission to determine compliance with the Performance, Traffic Impact, Environmental Protection and Community Impact Analysis requirements set forth in Section 4.300.
10. Necessary information assuring lot size and density requirements.
11. Site topographic contours shall be provided as follows:
 - Two foot intervals on tracts with grades of up to 5%
 - Five foot intervals on tracts with grades exceeding 5%
12. All proposed site grading; drainage provisions; road, driveway and parking lot construction and proposals.
13. A key map showing the entire project and its relation to surrounding properties and existing building thereon.
14. Soils, slopes, floodplain delineations and the boundaries of all Overlay District Areas set forth in Article 5.
15. Certification by engineer or surveyor.
16. Certification of ownership and acknowledgment of plan by owner or developer.

6.804 Site Design Guidelines - In addition to the requirements of Section 6.803, the following guidelines are presented to assist the applicant in the preparation of site and building plans and to assist the Planning Commission in the review of all site plans.

- a. Preservation of Landscape - Preserve the landscape in its natural state by minimizing tree and soil removal. Ensure that grade changes are compatible with the general appearance of neighboring developed areas.
- b. Relation of Proposed Buildings to Environment - Relate proposed structure(s) harmoniously to the terrain and to existing buildings that have a visual relationship to the proposed structure(s). To achieve this favorable relationship between existing and proposed uses, create focal points with respect to avenues of approach, terrain features or other buildings and relate open space between all existing and proposed buildings.
- c. Drives, Parking and Circulation - For vehicular and pedestrian circulation, including walkways, interior drives and parking, give special attention to the location and number of access points to public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, arrangement of safe and convenient parking areas. Design these vehicular and pedestrian areas to enhance the appearance of and access to the proposed buildings and structures and to the neighboring properties.
- d. Surface Water Drainage - Give special attention to proper site surface drainage to ensure that removal of surface waters will not adversely affect either neighboring properties or the public storm drainage system. Remove and efficiently carry away all storm water from all roofs, canopies and paved areas. Manage surface water in all paved areas to permit vehicular and pedestrian movement.
- e. Utility Service - Place electric and telephone lines underground, where possible or required by the Township Subdivision and Land Development Ordinance. Locate, paint and undertake any other treatment to ensure that any6 utilities which remain above ground will have a minimal adverse impact on neighboring properties.
- f. Advertising Features - Ensure that the size, location, lighting and materials of all permanent signs and outdoor advertising structures or features will enhance rather than detract from the design of proposed buildings and structures and the neighboring properties.
- g. Special Features - Provide needed setbacks, screen plantings and other screening methods for exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures and similar accessory areas and structures to help make them compatible with the existing or contemplated site design and with neighboring properties.
- h. Performance, Traffic Impact and Environmental Protection Requirements - Adequately address all applicable requirements identified in Section 4.300.
- i. Subdivision and Land Development Ordinance Requirements - Where the zoning proposal requires approval under the Township's Land Subdivision and Development Ordinance, the Site Plan shall also address the major requirements of that Ordinance.

6.900 MISCELLANEOUS PROVISIONS

6.901 Screening Requirements - Adequate screening, as described herein, shall be provided along the front, side, and rear boundaries of any

industrial, manufacturing, commercial, public or resort use which is carried on outside of any completely enclosed building, or for any off-street parking or loading area for more than five vehicles, which abuts a residential area or zoning district or which is directly visible or across a Street or alley from a residential area, or along the boundaries of any other use where such screening is required by this Ordinance, or for any special exceptions or conditional use as required by the review of the Board or the Supervisors.

Screening shall be provided in accordance with applicable requirements of the Township Subdivision and Land Development Ordinance (See Attachment E).

Open construction or storage yards, Solid Waste transfer stations and recycling centers, Detention Centers or similar uses as determined by the Board shall be screened in accordance with the provisions of this section.

Screening shall also be provided to prevent infusion of light and glare into residential areas from outdoor lighting fixtures provided by commercial, industrial and other operations (See Section 6.909).

The Zoning Hearing Board or the Supervisors (for Special Exception or Conditional Uses, respectively) may waive any screening requirement, in part or in its entirety, where natural terrain considerations eliminate the need for such a screen or where access considerations or adjoining development would not substantially benefit from such a screen, as determined by either body.

Such screening shall conform to the applicable fence requirements of Section 6.305 and consist of a visual screen or obstruction of sufficient height, but not less than six feet high, to effectively obscure the area being screened from adjoining uses. Such a screen or obstruction shall consist of a suitable permanent fence or wall or of appropriate planting materials such as shrubs, hedges or trees located within a buffer strip having a minimum width of five feet. Such fence, wall, or planting materials shall be maintained in good condition without any advertising thereon.

Any space between such fence, wall or planting materials and adjoining lot lines shall be attractively surfaced and/or landscaped with grass, hardy shrubs or evergreen ground cover and maintained in good condition.

6.902 Slope of Yards - The surface area of any yard of open space adjacent to a building or structure shall be graded so that surface water will be drained away from any such structure.

6.903 Design of Highway (Non-Residential) Development - It is the objective of this Ordinance to encourage the orderly development of commercial, industrial, and other nonresidential parcels in a manner which will provide for proper access and reduce traffic conflicts and provide for the health and welfare of the population of the municipality. This shall be accomplished as follows:

- a. The design of streets, service drives and pedestrian ways shall provide for safe, convenient and hazard-free internal circulation of goods, persons and vehicles.
- b. Except as provided in Section 5.303 non-residential parcels shall be limited to no more than one driveway access point from the street or highway from which they derive their principal access. Such driveway access points shall not be more than 40 feet wide and shall be designed in a manner which will minimize their interference with any traffic movements on the street or highway. The need for a second access point may be requested as a Special Exception, provided that it does not create potential unsafe traffic conflicts.
- c. Where a number of individual parcels or buildings are being developed jointly, or where a parcel or building is being developed adjacent to another parcel used or suitable for non-residential development consideration shall be given to the following:
 - 1) The location and planning of driveway access points to permit their joint use by adjoining parcels so as to minimize the number of intersections with the street or highway from which they derive their access.
 - 2) The development of parking and loading areas which permit convenient traffic circulation between adjoining parcels.
 - 3) The development of pedestrian walkways between adjoining parking areas and buildings.
 - 4) The provision of landscaping and other features which will enhance the usability, character and attractiveness of the area.
- d. U.S. Route 611, major arterial highway is also subject to the Section 5.300, an Overlay District for requirements of U.S. Route 611.

6.904 Animals and Fowls - In any district except for the OSC and A-i Zoning Districts the establishment, maintenance, and operation of boarding stables, dog kennels, boarding kennels, aviaries, or similar facilities for the housing, boarding, service, treatment, care, breeding or sale of animals and fowls is prohibited, except for animal hospitals, kennels and veterinarian offices as set forth in Article 4.

The provisions of this Section shall not apply to the keeping of pets, or other animals for non-commercial purposes which are otherwise permitted by this Ordinance and which are the personal property of persons residing on the premises, provided that such animals shall not create nuisance or health problems.

6.905 Size of Dwellings - In order to promote the public health, safety and welfare of occupants residing in residential dwelling structures, the following minimum floor areas for human habitation shall be required in all dwelling units designed for permanent occupancy. Where a greater minimum floor area is required by any applicable Code or Ordinance that higher minimum shall apply.

In Re: Validity Challenge of)
Slate Belt Holdings, LLC)

I. RELEVANT PROCEDURAL BACKGROUND

2. Slate Belt has proposed to develop a data center facility (“Data Center”) on approximately 754 acres of land in the Township’s I-2 General Industrial located west of River Road, Upper Mount Bethel Township, Northampton County, PA 18343 (“Subject Property”). A copy of a plan depicting the proposed Data Center development is attached hereto as Exhibit A.

3. Slate Belt's predecessor in interest (and former owner of the Subject Property) previously approached the Township to discuss how the proposed Data Center would be classified under the Zoning Ordinance. On April 29, 2024 the Township Zoning Officer issued a Zoning Determination that the Data Center is a use permitted by right in the I-2 District pursuant to Section 350-15.H(3)(c) of the Zoning Ordinance as a use constituting "Research facilities, laboratories, high technology industries, medical research and pharmaceutical industries, research centers, educational

institutions and technical centers to support these activities which do not jeopardize the health and welfare of employees and the Township as a whole.” A copy of the April 29, 2024 Zoning Determination is attached hereto as Exhibit B.

4. Additionally, the Township posted a draft data center zoning ordinance amendment (“Proposed Data Center Amendment”) on its website from 2025 until present, which provides that “by Township Ordinance No. 2020-02, the Zoning Ordinance was amended to allow for the development of new Industrial Parks attractively developed and designed to attract new industry...The Township’s zoning officer issued a written zoning determination that a data center was a by-right use in the Planned Industrial Park Use Class 8A.” A copy of Proposed Data Center Amendment is attached hereto as Exhibit C.

5. With its Validity Challenge, Slate Belt asserts that the Zoning Ordinance is unlawfully exclusionary with respect to data center uses. Consequently, Slate Belt seeks a decision from the Board that it is entitled to site specific relief to construct its proposed Data Center in the Township in the location and manner described herein and in the accompanying plans.

6. In the alternative, Slate Belt requests a favorable use class determination from the Board pursuant to Sections 350-6.A(2)(b), 350-14.B and 350-40.C(1)(c) of the Zoning Ordinance the Data Center is permitted by right in the I-2 District as a “high technology industry” or “general industrial” use on the Subject Property where the Data Center is proposed.

II. RELEVANT FACTUAL BACKGROUND

A. The Subject Property

7. The Subject Property consists of approximately 754 acres of land owned by Slate Belt located along west side of River Road, Upper Mount Bethel Township, Northampton

County, PA 18343 in the Township's I-2 District, which is identified as Northampton County Tax Parcel Id. Nos. C11-26-2-0131, C11-31-1-0131 and C11-26-11-0131.

8. The Subject Property is industrially zoned and is an ideal data center site. The Township previously approved preliminary and final land development plans submitted by the prior owner of the Subject Property to develop an industrial warehouse park development. As such, the Township has already recognized that the site is appropriate for industrial scale uses.

B. The Proposed Data Center

9. The proposed Data Center will establish a state-of-the-art campus designed to support digital infrastructure needs. The campus will be developed in a manner that maximizes the site's proximity to existing electrical transmission facilities while preserving environmentally sensitive areas and maintaining compliance with applicable Township ordinances and other regulatory requirements.

10. The Data Center will consist of data center buildings, substations and stormwater management facilities in the approximate locations depicted on Exhibit A. The Data Center campus is organized into multiple development clusters connected by a network of private internal roadways designed to accommodate employee traffic, service vehicles, and emergency access.

11. A comprehensive stormwater management system is proposed throughout the Data Center campus, consisting of multiple stormwater management facilities strategically located to control runoff quantity and quality in accordance with Pennsylvania Department of Environmental Protection requirements and Township ordinances.

12. The plan for the Data Center incorporates substantial setbacks, landscape buffers, utility corridors, and stormwater management areas to provide separation from adjacent

properties and environmentally sensitive features. Building placement and infrastructure have been arranged to respect surrounding land uses while maximizing operational efficiency.

13. The proposed Data Center represents a strategic investment in critical digital infrastructure that will provide significant economic benefits to the Township and Northampton County while complying with applicable land development, zoning, and environmental regulations.

III. RELEVANT REGULATORY FRAMEWORK AND LEGAL STANDARDS

A. The Pennsylvania Municipalities Planning Code

14. The MPC is the planning enabling statute that governs the land-use powers of all Pennsylvania municipalities, except for Pittsburgh and Philadelphia. *Gary D. Reihart, Inc. v. Twp. of Carroll*, 409 A.2d 1167, 1170 (Pa. 1970). It authorizes the governing body of each municipality to enact zoning ordinances and maps, “in accordance with the conditions and procedures set forth in [the MPC].” 53 P.S. § 10601.

15. Zoning ordinances divide a municipality into zones or districts; specify uses permitted in each district; and impose various regulations regarding the size and location of various uses. 53 P.S. § 10603(c).

16. Section 916.1(a) of the MPC provides that a “landowner who, on substantive grounds, desires to challenge the validity of an ordinance or map or any provision thereof which prohibits or restricts the use or development of land in which he has an interest shall submit the challenge either: (1) to the zoning hearing board under section 909.1(a); or (2) to the governing body under section 909.1(b)(4), together with a request for a curative amendment under section 609.1.” 53 P.S. § 10916.1.

17. Section 909.1(a) of the MPC provides that the zoning hearing board shall have “jurisdiction to hear and render final adjudications...for substantive challenges to the validity of any land use ordinance.” 53 P.S. § 10909.1.

18. Section 916.1(c)(1) of the MPC provides that “[i]n challenges before the zoning hearing board, the challenging party shall make a written request to the board that it hold a hearing on its challenge. The request shall contain the reasons for the challenge.” 53 P.S. § 10916.1(c)(1).

B. The Zoning Ordinance

19. Section 350-40.C(1)(f) of the Zoning Ordinance similarly provides that the zoning hearing board shall “be responsible for... substantive challenges to the validity of any land use ordinance, except those brought before the governing body pursuant to 53 P.S. §§ 10609.1 and 10916.1(a)(2).” *See* Zoning Ordinance § 350-40.C(1)(f).

20. The Zoning Ordinance does not specifically define or provide for “data center” type uses.

21. Uses permitted in the I-2 District and in Planned Industrial Parks to be located on land located in the I-2 District are governed by Section 350-15.I & H of the Zoning Ordinance.

22. In accordance with Section 350-14.A and Section 350-15.H of the Zoning Ordinance, Use Class 8 (General Industrial Uses) are permitted by-right in the I-2 District, and Section 350-15.H.(3)(c) specifically designates subcategories of “General Industrial” uses that are permitted by right, one of which is “Research facilities... technology industries...research centers...and technical centers to support these activities...” *See* Zoning Ordinance, § 350-15.H(3)(c).

23. Section 350-9 of the Zoning Ordinance defines “use class subcategory” as:

Within any single use class, those uses which are considered to be similar or of the same type or impact are included in the same paragraph in § 350-14. Where a use is proposed by a zoning

applicant, which is not specifically listed in any specific Use Class then the Zoning Hearing Board may determine the use class subcategory (as defined herein) which is most similar to the proposed use and said proposed use shall be subject to all of the requirements of said use class subcategory, if so approved by the Zoning Hearing Board.

See Zoning Ordinance § 350-9.

24. Section 350-6.A(2)(b) of the Zoning Ordinance further provides the following with respect to uses that are not specifically listed in the Zoning Ordinance:

All specific land uses in this chapter are classified into use classes in § 350-14. Where a specific use is proposed by a zoning applicant which is not specifically listed in any specific use class, then the Zoning Hearing Board may determine the use class subcategory (as defined herein) which is most similar to the proposed use and said proposed use, if approved by the Board, shall be subject to all of the requirements of said use class subcategory, subject to the requirements of §§ 350-18 and 350-40C(1)(b).

See Zoning Ordinance § 350-6.A(2)(b).

25. Section 350-40.C(1)(b) of the Zoning Ordinance provides that the Board has to power to hear and decide all requests for interpretation under the Zoning Ordinance. *See Zoning Ordinance § 350-40.C(1)(b).*

26. Section 350-40.C(1)(c) of the Zoning Ordinance provides the following with respect to unlisted uses:

The Zoning Hearing Board may determine that a use proposed for location in any zoning district may or may not be similar to other uses permitted in a specific use class or use class subcategory as defined herein. Therefore, in such a case it may or may not be permitted as a similar use in that use class. Such a determination shall be based on the following criteria:

- (1) That this use is similar to and/or compatible with other uses permitted in the district.
- (2) That the use does not adversely affect or create nuisances for adjoining residential areas.
- (3) That this use does not generate traffic loads, congestion or excessive parking requirements in the district which would be detrimental to other uses in the district.

- (4) That the use does not detract from or substantially differ from or exhibit any influences, emissions or glare which are detrimental to the health, safety, welfare or morals of other persons residing in or undertaking uses or other activities in the area.

See Zoning Ordinance § 350-40.C(1)(c).

C. Legal Framework for Exclusionary Validity Challenges in Pennsylvania

27. All municipalities must provide for all legitimate uses somewhere in the municipality. *LaRock v. Board of Supervisors of Sugarloaf Twp.*, 866 A.2d 1208 (Pa. Cmwlth. 2005). *Id.* If a use is not provided for, it results in unconstitutional exclusionary zoning. *Id.* Exclusionary ordinances takes two forms: *de jure* and *de facto*. *Caln Nether Company, L.P. v. Board of Supervisors of Thornbury Township*, 840 A.2d 484, 491 (Pa. Cmwlth. 2004).

28. *De jure* exclusion exists where the ordinance, on its face categorically bans or does not permit a legitimate use. *Id.* *De facto* exclusion exists where an ordinance permits a use on its face but, when applied, acts to prohibit the use throughout the municipality. *Id.*

29. With respect to *de jure* exclusionary challenges, the Commonwealth Court has explained:

The fact that a zoning ordinance does not contain a specific provision addressing a proposed use is not, in and of itself, a basis for finding an unconstitutional exclusion of that use. Where an ordinance does not mention a specific use, we must determine whether the proposed use is included within another use that has been specifically provided for. When a proposed use can be considered within another zoning classification or, where a zoning ordinance is broad enough to encompass the proposed use, there is no *de jure* exclusion.

Bloomsburg Indus. Ventures, LLC v. Town of Bloomsburg, 242 A.3d 969, 978 (Pa. Cmwlth. 2020) (internal citations omitted).

30. The right to seek variance relief from a zoning hearing board does not equate to providing for a lawful and legitimate use within a municipality. See *Pennsylvania Zoning Law and Practice* § 6.1.3 – Robert S. Ryan (addressing why the availability of variances for individual properties is not a proper planning justification); *Shuttle Dev. Corp. v. Upper Dublin Twp.*, , 514, 338

A.2d 777, 779 (Pa. Cmwlth. 1975); *Kaufman & Broad, Inc. v. Bd. of Sup'rs of W. Whiteland Twp.*, 340 A.2d 909, 910 (Pa. Cmwlth. 1975).

31. If the zoning hearing board determines that the ordinance is exclusionary with respect to a specific use, the applicant challenging the ordinance is entitled to site specific relief, which provides that an applicant should be permitted to place its development in the area proposed in the plans submitted with the challenge. *See Appeal of Miller and Son Paving Inc.*, 636 A.2d 274, 277 (Pa. Cmwlth. 1993).

32. “A ruling that a zoning ordinance totally excludes a legitimate use is not to be enforced prospectively but must apply to the party who [sic] successfully litigated that ordinance's invalidity. As the Pennsylvania Supreme Court stated in *H.R. Miller Co[.] v. B[d.] of Supervisors*, 529 Pa. 478 [485,] 605 A.2d 321 [324-25] (1992), ‘where the cause of an ordinance’s invalidity is a *de jure* exclusion of a legitimate use, ... the sole remedy is to allow the use somewhere in the municipality, and equity dictates that this opportunity fall to the successful litigant/landowner.’” *Atiyeh v. Bd. of Comm'rs of Twp. of Bethlehem*, 41 A.3d 232, 236 (Pa. Cmwlth. 2012).

IV. THE BASIS FOR THE VALIDITY CHALLENGE

33. Here, if data center uses are not considered a “high technology industry” or a “general industrial” use, then there is no other use listed in the Zoning Ordinance that could conceivably encompass data center uses.

34. Accordingly, if the Board determines that data center uses are not encompassed within the listed uses of “high technology industry” or “general industrial,” it is clear the Zoning Ordinance is *de jure* exclusionary with respect data center uses because data center uses would not be permitted anywhere within the Township.

35. Therefore, the Zoning Ordinance is substantively invalid with respect to data center uses and Slate Belt is entitled to site specific relief to develop the Data Center in accordance with the plans submitted herewith.

36. Slate Belt requests that public notice of the hearing indicate that the validity of the Zoning Ordinance is in question and identify the place and times where this Validity Challenge can be examined by the public.

37. Slate Belt further requests that the hearing be held pursuant to such applicable standards as are set forth in Section 916.1 of the MPC, 53 P.S. § 10916.1.

V. REQUEST FOR USE SUBCLASS DETERMINATION

38. In the alternative to its Validity Challenge, Slate Belt's Application requests that the Board determine that the proposed Data Center is most similar to uses in the "high technology industry" and "general industrial" use categories, which uses are permitted by right in the I-2 District. *See* Zoning Ordinance § 350-9; 350-14 ("Where a use is proposed by a zoning applicant, which is not specifically listed in any specific Use Class then the Zoning Hearing Board may determine the use class subcategory (as defined herein) which is most similar to the proposed use and said proposed use shall be subject to all of the requirements of said use class subcategory, if so approved by the Zoning Hearing Board.").

39. Indeed, the Township's Zoning Officer has already determined that the Data Center is a "high technologies industry" use. *See Exhibit B.*

40. Further, the Township has had the Draft Data Center Amendment posted on its website for more than a year, in which it expressly stated that the "Township's zoning officer issued a written zoning determination that a data center was a by-right use in the Planned Industrial Park Use Class 8A." *See Exhibit C.*

41. In the case of unlisted uses, Section 350-40.C(1)(c) of the Zoning Ordinance provides that the Board may permit such use similar use based on the four the use criteria provided for therein:

- (1) Here, the Data Center is similar to and compatible with other industrial uses permitted in the I-2 Zoning District. *See* Zoning Ordinance § 350-40.C(1)(c)(1).
- (2) Because of the existing landscape, proposed buffering and noise mitigation measures, the Data Center “will not adversely affect or create nuisances for adjoining residential areas.” *See* Zoning Ordinance § 350-40.C(1)(c)(2).
- (3) The Data Center will not “generate traffic loads, congestion or excessive parking requirements in the district which would be detrimental to other uses in the district.” After initial construction, the Data Center will generate far less traffic than the warehouse distribution centers that are already approved for the site. *See* Zoning Ordinance § 350-40.C(1)(c)(3).
- (4) The Data Center will not “detract from or substantially differ from or exhibit any influences, emissions or glare which are detrimental to the health, safety, welfare or morals of other persons residing in or undertaking uses or other activities in the area.” The Data Center will comply with all applicable local, state and federal environmental laws and regulations. Slate Belt will implement all required environmental controls and comply with all applicable performance standards. Again, the Data Center is a more passive use than the distribution warehouses that are already permitted on the Subject Property. *See* Zoning Ordinance § 350-40.C(1)(c)(4).

42. Accordingly, if the Board determines that the Zoning Ordinance is not unlawfully exclusionary with respect to data center uses, Slate Belt alternatively requests that the Board determine that the Data Center is a “high technology industry” use or other “general industrial” use that is permitted by right on the Subject Property.

VI. CONCLUSION

43. Slate Belt has demonstrated that the Zoning Ordinance is substantively invalid because it does not provide for data center uses. If the Board agrees, then Slate Belt is entitled to site

specific relief to develop the Data Center where proposed and as shown on the accompanying plans. Therefore, Slate Belt respectfully requests that the Board approve its Validity Challenge.

44. If the Zoning Ordinance is not exclusionary with respect to data center uses, then the only appropriate use classification would be a “high technology industry” use or other “general industrial” use that are permitted by right on the Subject Property. Therefore, in the alternative to its Validity Challenge, Slate Belt requests a determination that the proposed Data Center is a “high technology industry” uses or other “general industrial” use that is permitted by right on the Subject Property.¹

Respectfully submitted,

By: 

Shawn N. Gallagher, Esq.

Brendan P. Lucas, Esq.

Buchanan Ingersoll & Rooney PC

Union Trust Building

501 Grant Street, Suite 200

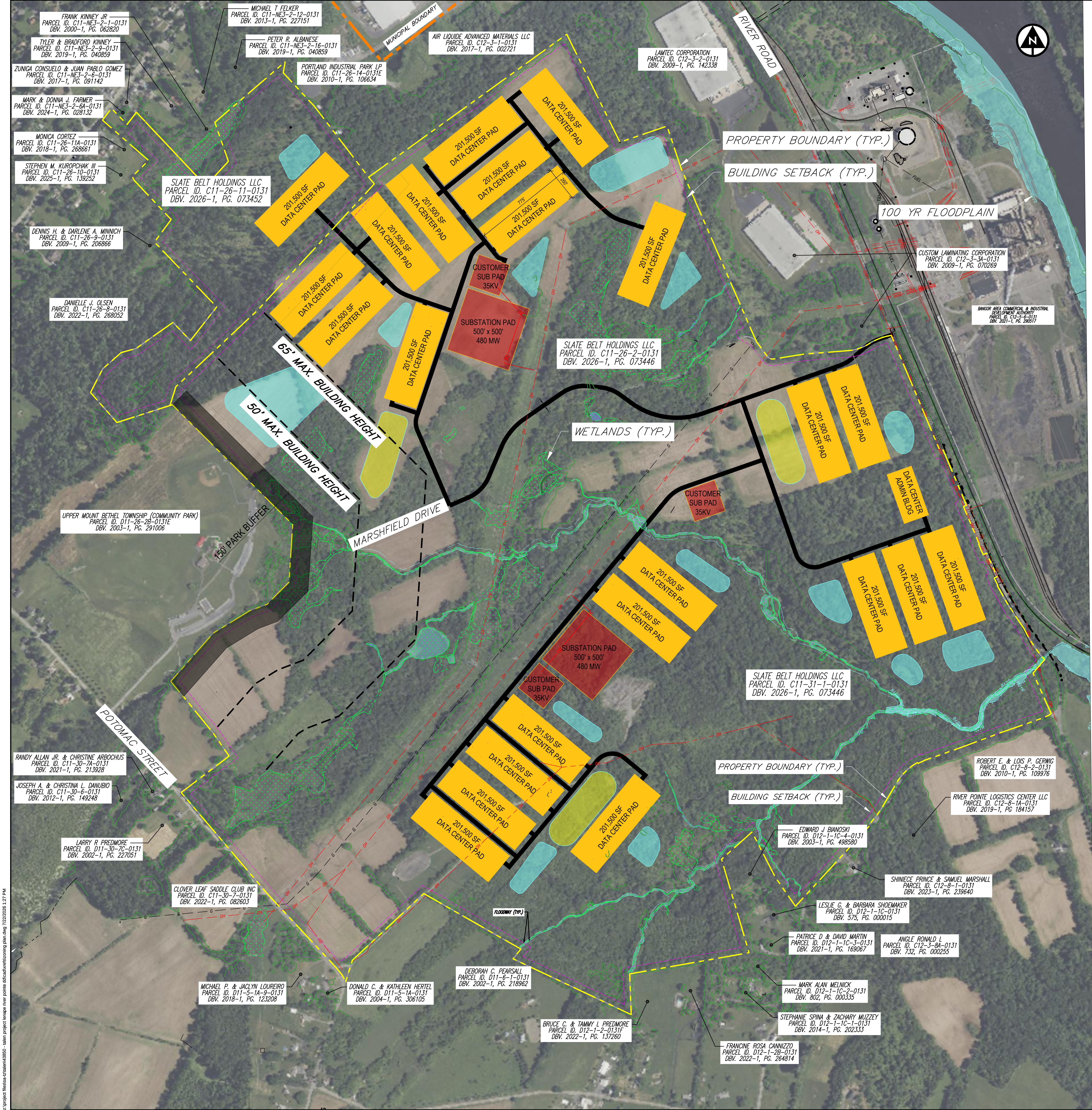
Pittsburgh, PA 15219

(412) 562-8362

Dated: July 23, 2026

¹ Slate Belt recognizes that, in either event, it will be required to apply for and receive land development plan approval from the Township prior to commencing construction of the Data Center.

Exhibit A



LEGEND

PROJECT AREA/PROPERTY BOUNDARY - [Yellow dashed line]

BUILDING SETBACK - [Pink dashed line]

WETLAND - [Blue wavy line]

EXISTING OVERHEAD ELECTRIC - [Red line with 'OE' labels]

INTERNAL PAVED ROAD - [Thick black line]

PROPOSED BUILDINGS - [Yellow rectangle]

WATER IMPOUNDMENT - [Light blue area]

STORMWATER MANAGEMENT AREA - [Light blue area]

SUBSTATIONS - [Red rectangle]

ZONING TABLE

ZONE: I-2 INDUSTRIAL

EXISTING USE: VACANT/UNDEVELOPED AND AGRICULTURE

PROPOSED USE: DATA CENTER CAMPUS

AREA AND BULK DENSITY REQUIREMENTS:

	REQUIREMENT	PROPOSED
MINIMUM LOT/TRACT AREA	2 AC/50 AC	753.99 AC
MINIMUM LOT WIDTH	150 FT	591.89 FT
MINIMUM FRONT YARD SETBACK	50 FT	134.70 FT
MINIMUM REAR YARD SETBACK	50 FT	323.48 FT
MINIMUM SIDE YARD SETBACK	10 FT	56.53 FT
MINIMUM PARKING SETBACK	10 FT	>10 FT
MINIMUM RESIDENTIAL/AGRICULTURAL DISTRICT SETBACK	50 FT	323.48 FT
MAXIMUM BUILDING HEIGHT	100 FT*	80 FT
MAXIMUM BUILDING AREA	800,000 SF	<201,500 SF
MAXIMUM BUILDING COVERAGE	40%	12.4%
MAXIMUM IMPERVIOUS COVERAGE	60%	15.5%

*THE MAXIMUM HEIGHT OF A BUILDING WHICH IS LOCATED WITHIN 500 FT OF THE TOWNSHIP OWNED COMMUNITY PARK SHALL NOT EXCEED 50 FT IN HEIGHT AND THE MAXIMUM HEIGHT OF A BUILDING LOCATED WITHIN 1000 FT OF THE TOWNSHIP OWNED COMMUNITY PARK SHALL NOT EXCEED 65 FT IN BUILDING HEIGHT



613 BALTIMORE DRIVE, SUITE 300
NORTH HAMPTON, VA 23060
PHONE: (703) 824-1884

DESIGNED BY	DATE	REVISION	No.
MH			
DRAWN BY			
MH			
CHECKED BY			
NRA			
PROJECT NO.			
			43850

UPPER MOUNT BETHEL TOWNSHIP, NORTHAMPTON COUNTY, PENNSYLVANIA

**LENAPE RIVER POINTE
TALEN ENERGY
ZONING PLAN**

DATE	7/21/2026
SCALE	1" = 300'
SHEET	EX-A

Exhibit B

Keller Zoning and Inspection Services

UCC/Zoning
Code Enforcement

115 S. Broad St.
Nazareth, PA 18064
Phone: 610-759-8227
Fax: 610-365-2954

April 29, 2024

Marc B. Kaplin, Esquire
Kaplin, Stewart, Meloff, Reiter & Stein, P.C.
910 Harvest Dr.
P.O. Box 3037
Blue Bell, PA 19422

Subject: Zoning Determination Letter – River Point Logistics Center

Dear Mr. Kaplin:

We have reviewed your Zoning Determination Request Letter dated April 25, 2024 regarding the use of numerous parcels, owned by River Point Logistics Center LLC, totaling approximately 800 acres bounded by Marshfield Drive, River Road, Pine Tree Lane and Potomac Street in Upper Mount Bethel Township.

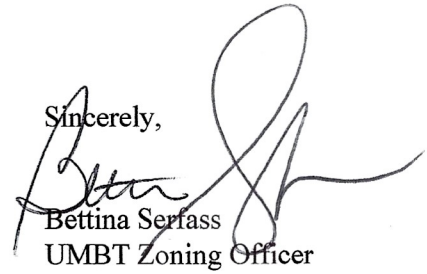
River Point Logistics “desires to establish upon the property a Data Center for housing, management, processing, and/or transmission of digital data and the storage of computer and/or network equipment, systems, servers, appliances and other associated components related to digital data operations for off-site users.” “The proposed use will utilize on-site exterior machines to sustain and/or provide energy for the operations of the Data Center. Typical supporting equipment will include back-up batteries and power generators, cooling units, fire suppression systems and enhanced security features.”

We have made the following determination(s):

1. The parcels are located in the I-2 General Industrial Zoning District and the I-3 Heavy Industrial Zoning District.
2. The parcels are subject to the provisions of Section 350-15.I Use Class 8A, New Industrial Parks.
3. Section 35-15.I allows permitted by right Use Class 8 Industrial Uses in Use Class 8A New Industrial Park in the I-2 and I-3 Zoning Districts as permitted by right uses.
4. Section 350-15.H(3)(c) allows the following use(s) permitted by right “Research facilities, laboratories, high tech industries, medical research and pharmaceutical industries, research centers, educational institutions and technical centers to support these activities which do not jeopardize the health and welfare of employees and the Township as a whole.” **The Zoning Officer has determined the proposed Data Center is permitted by right.**
5. Section 350-15.J Use Class 9, Customary Accessory Uses permits by right uses customarily accessory to the principal use of the lot. “Uses which are customarily subordinate and appropriate to the principal use of a lot or a building located on the same lot, as determined by the Zoning Officer.” **The Zoning Officer has determined that the proposed supporting equipment and systems are Customary Accessory Uses permitted by right.**

The above determination(s) are for the proposed use(s) only. A formal Zoning Application will need to be filed at some point for a complete zoning review.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bettina', with a large, stylized loop at the end.

Bettina Serfass
UMBT Zoning Officer

Cc. Justin Coyle, UMBT Engineer
Ronald Karasak, UMBT Solicitor
UMBT File

Exhibit C

UPPER MOUNT BETHEL TOWNSHIP
NORTHAMPTON COUNTY, PENNSYLVANIA
ORDINANCE NO. 2025-

AN ORDINANCE AMENDING THE TOWNSHIP'S ZONING ORDINANCE BY
ADDING NEW PERMITTED/BY-RIGHT USE CLASS 8A-DATA CENTERS AND
DATA CENTER CAMPUSES, DEFINITIONS, AND SUPPLEMENTARY
REGULATIONS TO THE TOWNSHIP ZONING ORDINANCE IN ORDER TO
FURTHER IMPLEMENT THE INTENT OF GENERAL INDUSTRIAL USES OF THE
EXISTING TOWNSHIP ZONING ORDINANCE

WHEREAS, Upper Mount Bethel Township is a political subdivision situate within the County of Northampton, Commonwealth of Pennsylvania, is a Township of the Second Class and has offices located at 387 Ye Olde Highway, Mt. Bethel, PA 18343; and,

WHEREAS, the Township has in effect a Zoning Ordinance (hereinafter "Ordinance") which was revised and completely restated and readopted on March 15, 2004 and has since been amended; and,

WHEREAS and by Township Ordinance No. 2020-02, the Zoning Ordinance was amended to allow for the development of new Industrial Parks attractively developed and designed to attract new industry. See Ordinance Section Use Class 8-General Industrial Uses-subsection 8(e); and,

WHEREAS, the Township's zoning officer issued a written zoning determination that a data center was a by-right use in the Planned Industrial Park Use Class 8A; and,

WHEREAS, the Township believes that codifying that written determination by adding and defining data centers and data center campuses, and adding supplementary regulations for those uses is in the Township's best interests as it promotes the health, safety and welfare of the Township's residents; and,

WHEREAS, the PA Second Class Township Code (hereinafter referred to as "Code") provides that the Board may adopt ordinances in which general or specific powers of the Township may be exercised and can include the protection of the health, safety and welfare of the Township residents (53 P.S. Section 66506); and,

WHEREAS, the Code also authorizes the Township to adopt land use regulations, 53 P.S. Section 66516; and,

WHEREAS and pursuant to Section 609 of the Pennsylvania Municipalities Planning Code, 53 P.S. §10609, the Township is authorized and empowered to enact amendments to the Upper Mount Bethel Township Zoning Ordinance after public hearing thereon pursuant to public notice; and,

WHEREAS and pursuant to the Pennsylvania Municipalities Planning Code, both the Township Planning Commission and the Lehigh Valley Planning Commission have reviewed the proposed amendments; and,

WHEREAS, the Upper Mount Bethel Township Board of Supervisors has conducted a public hearing pursuant to public notice concerning the aforesaid amendments to the Upper Mount Bethel Township Zoning Ordinance; and

WHEREAS, after holding a public hearing, the Upper Mount Bethel Township Board of Supervisors desires to ordain, adopt and enact the amendments to the Upper Mount Bethel Township Zoning Ordinance; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is hereby ENACTED AND ORDAINED by the Board of Supervisors of Upper Mount Bethel Township, Northampton County, Pennsylvania, as follows:

Section 1. ARTICLE 2-DEFINITIONS, SECTION 2.100, APPLICABLE DEFINITIONS is amended by adding the following definitions:

2.161a Data Center – a building which is occupied primarily by computers and/or telecommunications and related equipment, including supporting equipment, where information is processed, transferred and/or stored. A data center may include data center equipment.

2.161b Data Center Accessory Uses/Structures – ancillary uses or structures associated with data centers including but not limited to: utilities; utility lines; administrative, logistical, fiber optic, storage, and security buildings or structures; electrical substations; domestic and non-contact cooling water and waste-water treatment facilities; water holding facilities; pump stations; water towers; environmental controls (air conditioning or cooling towers, fire suppression, and related equipment); redundant data communications connections; and security features, provided such data center accessory uses/structures are located on the same tract or assemblage of adjacent parcels developed as a unified development for a data center campus.

2.161c Data Center Campus – An integrated development of multiple data centers that may include data center accessory uses/structures and data center equipment.

2.161d Data Center Equipment – outdoor mechanical equipment adjacent to a data center that provides redundant power capacity to a data center.

2.161e Data Center Campus Master Plan – A plan for land development for a data center campus as set forth in Section 6.1300.

Section 2. ARTICLE 4 – BASIC DISTRICT REGULATION, 4.200 USE CLASSES IN ZONING DISTRICTS, USE CLASS 8.A, PLANNED INDUSTRIAL PARKS, SECTION 1.A. USES BY RIGHT IN I-2 DISTRICT is amended as follows by adding:

(15) Data Center.

(16) Data Center Campus.

Section 3. ARTICLE 6 SUPPLEMENTARY REGULATIONS is amended by adding **Section 6.1300 DATA CAMPUS DEVELOPMENT** as follows:

6.1300 Data Center Development. Data center and/or data center campus development shall be permitted in Use Class 8.A. as a by right use subject to the requirements applicable to planned industrial park except to the extent modified by this Amendment. In the event of a conflict between Section 6.1300-6.1311 and the Zoning Ordinance or the SALDO, this Section 6.1300-6.1311 shall control.

6.1301 Accessory Uses/Structures. Data center equipment shall be permitted by right in support of a data center or data center campus. Data center accessory uses/structures shall be permitted by right in support of a data center campus. For purposes of the minimum distance between buildings, data center equipment and un-occupied data center accessory structures shall be deemed as auxiliary buildings that are not subject to the 25-foot set back between buildings.

6.1302 Sound. Sound from a data center or a data center campus shall not exceed: (i) 55 dB(A) during day time hours (6:00 a.m. to 6:00 p.m.) and 45 dB(A) during night time hours (6:00 p.m. to 6:00 a.m.) at a receiving residential land use; (ii) 65 dB(A) during day time hours (6:00 a.m. to 6:00 p.m.) and 55 dB(A) during night time hours (6:00 p.m. to 6:00 a.m.) at a receiving parks land use; and (iii) 65 dB(A) during day time hours (6:00 a.m. to 6:00 p.m.) and 60 dB(A) during night time hours (6:00 p.m. to 6:00 a.m.) at any other land use. Sound shall be measured 1.5 meters above ground at the property line per ANSI S1.13-2020 (American National Standard – Measurement of Sound Pressure Levels in Air). The developer will provide a sound assessment with its preliminary land development plan application for a data center or preliminary master plan application for a data center campus establishing how it will comply with the above sound standards. The sound assessment will be performed by a professional acoustic engineer that can demonstrate qualifications by delivery of a resume to the Zoning Officer. Notwithstanding the foregoing provisions of this Section, all sound produced by: (i) required periodic testing of data center equipment, and (ii) emergency use of data center equipment are exempt from the requirements of this Section and the Zoning Ordinance.

6.1303 Parking. A minimum of 40 spaces per each data center shall be provided; provided that, the minimum parking for a data center campus may be reached by aggregating all parking on a data center campus site. No parking for a data center shall be located within fifty (50) feet of a property line abutting a residential district or having a residential use.

6.1304 Off Street Loading. A minimum of 1 off-street loading space/dock shall be provided for a data center.

6.1305 Utility Lines. To the extent practical, utility lines, including but not limited to electronic, fiber optic, cable, and telephone lines, from sub-station(s) to a data center shall be placed under-ground. This requirement shall not apply if the utility company requires above-ground lines or the placement of under-ground lines is not feasible. Utility lines to the substations from off-site may be placed above-ground.

6.1306 Height. Data centers shall comply with the height restrictions for planned industrial parks, including the setback requirements for height around Community Park except that any data center that exceeds 90 feet in height shall be approved by the Board of Supervisors through modification under the master plan process set forth in Section 6.1311. No data center shall exceed 110 feet. Data Center Accessory Uses/Structures shall not exceed 90 feet. For purposes of determining the height of a data center or a building associated with data center accessory uses, projections through the roof of the building for items such as elevator towers, heating or cool units, parapet walls to screen rooftop equipment and protrusions, and other such items shall not be counted.

6.1307 Fences. Section 6.305 shall not apply to a data center or data center campus development. Fencing height shall be adequate to provide for secured facilities. Fences for a data center or data center campus shall be setback a minimum of 10 feet from the property line.

6.1308 Outdoor Lighting. Section 6.909 shall apply to a data center or data center campus development except that Section 6.909.b.4 shall be modified to permit lighting fixtures (luminaries) not higher than 30 feet. Lighting fixtures that are 25 feet or less in height shall not be located closer than 30 feet from any boundaries of residential or institutional areas. Lighting fixtures that are in excess of 25 feet and 30 feet or less in height shall not be located closer than 60 feet from any boundaries of residential or institutional areas. Outdoor lighting shall not exceed 30 feet unless a variance is obtained.

6.1309 Construction Hours. Construction and related operation of heavy machinery, operating or permitting the operation of any tools, equipment or heavy machinery used in construction, drilling, or demolition work for a data center campus may occur between the hours of 7:00 a.m. and 10:00 p.m. on Monday through Saturday. The zoning officer may permit additional construction hours by administrative modification upon request by an applicant.

6.1310 Phased Development. A data center campus may be developed in one or more phases. No time limitation shall apply to approvals of a data center campus.

6.1311 Data Center Campus Master Plan. Data center campus development shall be subject to a data center campus master plan which covers the full site. A data campus center master plan application shall be submitted for purposes of developing a data center campus. An applicant shall submit separate data center campus master plan applications for preliminary and final approvals by the Board of Supervisors. The process and procedures for data center campus master plan application shall follow the process for major/subdivisions/land development approvals under the SALDO subject to the exceptions for planned industrial parks and as set forth below. In the event of a conflict between these terms and the SALDO, Section 6.1311 and the exceptions for planned industrial parks shall control.

6.1311.A. A data center campus master plan shall be subject to the same exceptions from the SALDO as a planned industrial park. In addition, the following provisions of the SALDO shall not apply:

1. Section 301 (Tentative Sketch Plan).

2. Section 307.12 (recordation). The final data center campus master plan approval shall not be recorded. Each final phase site plan of the data center campus master plan shall be recorded. The Township may require as a condition of approval that applicant cause to be recorded a final “as built” data center campus master plan.
3. Section 600.4.5.1 (sidewalks)
4. Section 600.4.10. Provided that, the applicant shall demonstrate to the Township engineer that fuel tanks are sufficiently secured to prevent movement by wind, water or other elements and shall meet the requirements of the National Electrical Code.

6.1311.B After approval of the data center campus master plan, the development of each, lot, parcel or building identified in the data center campus master plan shall be permitted by right. An individual site plan for each data center identified on the data center campus Master Plan or each phase of the development of the data center campus demonstrating compliance with the data center campus master plan shall be submitted to the zoning officer prior to issuance of a building permit. A site plan may reflect lot consolidation and subdivision of lots that at the time of submission are under common control and separate lot consolidation, and subdivision is not necessary. Copies of any applicable third-party permits shall be submitted to the zoning officer prior to issuance of a building permit. Applicable third-party permits may include, but are not limited to, highway occupancy permits, NPDES permits, and ESCGP permits.

6.1311.C An individual site plan for each data center or each phase of the development of the data center campus shall be found to be consistent with the approved data center campus master plan if it is clearly identified in the approved data center campus master plan or if the site plan is found to be a minor modification to the approved data center campus master plan. The procedure for a major modification to the approved data center campus master plan shall be the same as a new master plan under this Chapter.

1. A minor modification to an approved data center campus master plan is development that results in any of the following:
 - a. A rate of stormwater discharge and runoff from the site equal to or less than rates identified in the stormwater management plan approved in connection with the data center campus master plan.
 - b. Minor shifts in building locations that do not substantially deviate from the originally approved plans.
 - c. Addition or relocation of data center accessory uses/ structures or data center equipment within the approved development area.
 - d. Adjustments to internal road layouts that do not substantial modify overall traffic patterns or materially alter ingress and egress access points.

- e. Adjustments to utility line routes within the approved development area.
 - f. Building adjustments that increase the square footage of a data center or accessory uses/structures by up to 5% or any adjustment that decreases or eliminates the square footage of a planned data center or data center campus.
 - g. Any adjustment to the approved plan required by a third-party governmental agency including but not limited to PennDOT or DEP necessary for approval under their permitting process.
 - h. Any similar adjustments deemed by the zoning officer to be minor in nature consistent with the Zoning Ordinance and this Section 6.1300-6.1311.
2. A major modification to an approved data center campus master plan is any modification to an approved data center campus except as set forth in Section 6.1311.C.1 above.
 3. The applicant may submit to the zoning officer (either with the site plan or at the request of the zoning officer) any additional plans, studies, or reports demonstrating that individual site plan for each data center or each phase of the development of the data center campus is a minor modification of the data center campus master plan.

6.1311.D The Board of Supervisors may approve waivers or modifications for implementation of the data center campus master plan if a provision is shown to the Board's satisfaction to be unreasonable, cause undue hardship, or an alternative standard is demonstrated to provide equal or better outcomes.

COUNTY OF NORTHAMPTON

RECORDER OF DEEDS
NORTHAMPTON COUNTY GOVERNMENT CENTER
669 WASHINGTON STREET
EASTON, PENNSYLVANIA 18042-7486
Area Code (610) 829-6210
Dorothy J. Edelman - Recorder

**AFFIDAVIT FILED**

Book - 2026-1 Starting Page - 73452
***Total Pages - 6**

Instrument Number - 2026007790
Recorded On 4/9/2026 At 2:05:28 PM

NCGIS Registry UPI Certification
On April 9, 2026 By JJD

* **Instrument Type - DEED**
Invoice Number - 1129034
* **Grantor - NEW DEMI ROAD LLC**
* **Grantee - SLATE BELT HOLDINGS LLC**
User - MKTE
* **Customer - FITZPATRICK LENTZ & BUBBA, P.C**

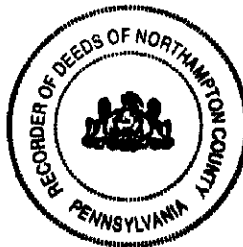
*** FEES**

STATE TRANSFER TAX	\$7,273.56
STATE WRIT TAX	\$0.50
JCS/ACCESS TO JUSTICE	\$41.25
RECORDING FEES	\$15.00
AFFORDABLE HOUSING	\$14.02
AFFORDABLE HOUSING -	\$2.48
ADMIN FEE	
COUNTY RECORDS	\$2.00
IMPROVEMENT FEE	
DEEDS RECORDS	\$3.00
IMPROVEMENT FEE	
UPI CERTIFICATION FEE	\$10.00
BANGOR AREA SCHOOL	\$3,636.78
REALTY TAX	
UPPER MOUNT BETHEL	\$3,636.78
TOWNSHIP	
TOTAL PAID	\$14,635.37

***RECORDED BY:**

FITZPATRICK LENTZ & BUBBA, P.C
645 WEST HAMILTON STREET, SUIT
ALLENTOWN, PA 18101

I hereby CERTIFY that this document is recorded in the
Recorder's Office Of Northampton County, Pennsylvania



Dorothy J. Edelman

Dorothy J. Edelman
Recorder of Deeds

THIS IS A CERTIFICATION PAGE

Do Not Detach

**THIS PAGE IS NOW THE FIRST PAGE
OF THIS LEGAL DOCUMENT**

Book: 2026-1

Page: 73452

00KT11



* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

PREPARED BY:

Vinson & Elkins L.L.P.
2001 Ross Avenue, Suite 3900
Dallas, TX 75201
Attention: Courtney Hammond, Esq.
Email: chammond@velaw.com

AFTER RECORDING PLEASE RETURN TO:

Fitzpatrick Lentz & Bubba, P.C.
Two City Center
645 West Hamilton Street, Suite 800
Allentown, PA 18101
Attention: Mary Louise Hardcastle
Email: hardcastle@flblaw.com

North Delaware Drive
PARID: C11-26-11-0131
Upper Mt. Bethel Township, Northampton County, PA

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is executed the 1st day of APRIL, 2026, to be effective as of the 8th day of APRIL, 2026, by **NEW DEMI ROAD, LLC**, a Delaware limited liability company ("**Grantor**"), whose address is 559 Main Street, Suite 300 Bethlehem, Pennsylvania 18018, in favor of **SLATE BELT HOLDINGS LLC**, a Delaware limited liability company ("**Grantee**"), whose address is 2929 Allen Parkway, Suite 2200, Houston, Texas 77019.

WITNESSETH, that for and in consideration of Ten and No/100 Dollars (\$10.00) cash in hand paid, and for other good and valuable consideration, unto Grantor well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt and sufficiency whereof are hereby acknowledged, Grantor has granted, bargained and sold, released and conveyed, and by these presents does grant, bargain and sell, release and convey unto the said Grantee, its successors and assigns,

THAT CERTAIN lot or piece of ground situate in the Township of Upper Mt. Bethel, County of Northampton, Commonwealth of Pennsylvania, as described more particularly on Exhibit A attached hereto (the "**Property**"),

UNDER AND SUBJECT to all covenants, conditions, easements and restrictions as appear of record.

TOGETHER WITH all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in any wise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of it, the said Grantor, in law, equity, or otherwise howsoever, of, in, and to the same and every part thereof.

TO HAVE AND TO HOLD the said lot or piece of ground above described, with the buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, to and for the only proper use and behoof of the said Grantee, its successors and assigns forever, **subject as aforesaid.**

GRANTOR, for itself, its successors and assigns, does covenant, promise and agree, to and with the said Grantee, its successors and assigns, by these presents, that it, the said Grantor, and its successors and assigns, all and singular the buildings, hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, against it, the said Grantor, and its successors and assigns, and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it, them or any of them, shall and will, **SPECIALY WARRANT AND FOREVER DEFEND, subject as aforesaid.**

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed on the date set forth in the acknowledgment below to be effective as of the date set forth above.

GRANTOR:

NEW DEMI ROAD, LLC, a Delaware limited liability company

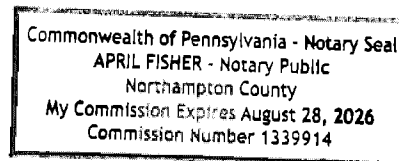
By: DEMI ROAD JV, LLC, a Delaware limited liability company, its Sole Member

By: [Signature]
Name: Louis P. Pektor, III
Title: President

STATE OF Pennsylvania §
COUNTY OF Northampton §

This instrument was acknowledged before me, a Notary Public, on April 1, 2026, by Louis P. Pektor, III, as President of DEMI ROAD JV, LLC, the Sole Member of NEW DEMI ROAD, LLC, a Delaware limited liability company, and in that capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained on behalf of said limited liability company.

[Signature]
Notary Public, State of PA



Certification of address of Grantee:

2929 Allen PARKWAY, Suite 2200
HOUSTON, TX 77019-7112
Mary Louise Hardcastle
On behalf of Grantee

EXHIBIT A

DESCRIPTION OF THE PROPERTY

ALL THAT CERTAIN parcel of land situated in the Township of Upper Mt. Bethel, County of Northampton and Commonwealth of Pennsylvania, known as Plan Lot 2 as shown on the Lot Consolidation / Unification Plan - Final Lot Line Adjustment Plan dated May 14, 2021 and last revised May 18, 2022, of record in the Recorder's Office of Northampton County on July 13, 2022 in Record Book 2022-5, Page 482.

BEING THE SAME PREMISES which Demi Road, LLC, a Pennsylvania limited liability company, by Deed dated December 10, 2019, effective December 20, 2019, and recorded December 27, 2019 in the Office for the Recording of Deeds in and for Northampton County, Pennsylvania in Record Book 2019-1 Page 292784, granted and conveyed unto New Demi Road, LLC, a Delaware limited liability company, Grantor herein.

ALSO BEING THE SAME PREMISES which River Pointe Logistics Center, LLC, a Delaware limited liability company, by Deed dated August 27, 2020, and recorded September 9, 2020 in the Office for the Recording of Deeds in and for Northampton County, Pennsylvania in Record Book 2020-1 Page 217999, granted and conveyed unto New Demi Road, LLC, a Delaware limited liability company, Grantor herein.

ALSO BEING THE SAME PREMISES which Stephen Kuropchak, by Deed dated September 17, 2020, and recorded September 21, 2020 in the Office for the Recording of Deeds in and for Northampton County, Pennsylvania in Record Book 2020-1 Page 236772, granted and conveyed unto New Demi Road, LLC, a Delaware limited liability company, Grantor herein.

ALSO BEING THE SAME PREMISES which Danielle J. Olsen, Executor of the Last Will and Testament of Deborah Anne Olsen, a/k/a Deborah Olsen, deceased, by Deed dated July 22, 2022, and recorded August 17, 2022 in the Office for the Recording of Deeds in and for Northampton County, Pennsylvania in Record Book 2022-1 Page 230205, granted and conveyed unto New Demi Road, LLC, a Delaware limited liability company, Grantor herein.

FURTHER BEING THE SAME PREMISES which River Pointe Logistics Center, LLC, a Delaware limited liability company, by Deed dated July 15, 2022, and recorded August 17, 2022 in the Office for the Recording of Deeds in and for Northampton County, Pennsylvania in Record Book 2022-1 Page 230216, granted and conveyed unto New Demi Road, LLC, a Delaware limited liability company, Grantor herein.

PARID: C11-26-11 0131

**REV-183**
 BUREAU OF INDIVIDUAL TAXES
 PO BOX 280603
 HARRISBURG, PA 17128-0603

1830019105

**REALTY TRANSFER TAX
STATEMENT OF VALUE**
 COMPLETE EACH SECTION
RECORDER'S USE ONLY

State Tax Paid: \$ <u>7,273.56</u>	
Book:	Page:
Instrument Number:	
Date Recorded:	

SECTION I TRANSFER DATA

Date of Acceptance of Document <u>4/8/2026</u>			
Grantor(s)/Lessor(s) New Demi Road, LLC	Telephone Number	Grantee(s)/Lessee(s) Slate Belt Holdings LLC	Telephone Number
Mailing Address 559 Main Street		Mailing Address 559 Main Street, Suite 300	
City Bethlehem	State PA	Zip Code 18018	City Bethlehem
	State PA		Zip Code 18018

SECTION II REAL ESTATE LOCATION

Street Address Delaware Drive North		City, Township, Borough Upper Mt. Bethel Township	
County Northampton	School District Bangor	Tax Parcel Number C11-26-11 0131	

SECTION III VALUATION DATA

Was transaction part of an assignment or relocation? ☐ Y ☒ N		
1. Actual Cash Consideration \$ 1.00	2. Other Consideration + \$ -0-	3. Total Consideration = \$ 1.00
4. County Assessed Value \$ 123,700	5. Common Level Ratio Factor x 5.88	6. Computed Value = \$ 727,356

SECTION IV EXEMPTION DATA – Refer to instructions for exemption status.

1a Amount of Exemption Claimed \$ -0-	1b Percentage of Grantor's Interest in Real Estate 100 %	1c Percentage of Grantor's Interest Conveyed 100 %
---	--	--

2. Check Appropriate Box Below for Exemption Claimed.

- ☐ Will or intestate succession. _____ (Name of Decedent) _____ (Estate File Number)
- ☐ Transfer to a Trust. (Attach complete copy of trust agreement identifying all beneficiaries.)
- ☐ Transfer from a trust. Date of transfer into the trust _____
If trust was amended attach a copy of original and amend trust.
- ☐ Transfer between principal and agent/straw party. (Attach complete copy of agency/straw party agreement.)
- ☐ Transfers to the commonwealth, the U.S. and Instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
- ☐ Transfer from mortgagor to a holder of a mortgage in default. (Attach copy of mortgage and note/assignment.)
- ☐ Corrective or confirmatory deed. (Attach complete copy of the deed to be corrected or confirmed.)
- ☐ Statutory corporate consolidation, merger or division. (Attach copy of articles.)
- ☐ Other (Please explain exemption claimed.) _____

SECTION V CORRESPONDENT INFORMATION – All inquiries may be directed to the following person:

Name Louis P. Peltz, LLC	Telephone Number 610-332-3300
Mailing Address 559 Main Street, Suite 300	City Bethlehem
	State PA
	Zip Code 18018
Under penalties of law, I declare that I have examined this statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.	
Signature of Correspondent or Responsible Party 	Date 4/7/2026

FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH REQUESTED DOCUMENTATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED.



1830019105

1830019105

COUNTY OF NORTHAMPTON

RECORDER OF DEEDS
NORTHAMPTON COUNTY GOVERNMENT CENTER
669 WASHINGTON STREET
EASTON, PENNSYLVANIA 18042-7486
Area Code (610) 829-6210
Dorothy J. Edelman - Recorder

**AFFIDAVIT FILED**

Book - 2026-1 Starting Page - 73446
***Total Pages - 6**

Instrument Number - 2026007789
Recorded On 4/9/2026 At 2:05:27 PM

NCGIS Registry UPI Certification
On April 9, 2026 By JJD

- * Instrument Type - DEED
- Invoice Number - 1129034
- * Grantor - RIVER POINTE LOGISTICS CENTER LLC
- * Grantee - SLATE BELT HOLDINGS LLC
- User - MKTE
- * Customer - FITZPATRICK LENTZ & BUBBA, P.C

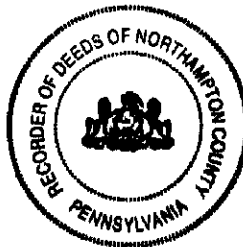
*** FEES**

STATE TRANSFER TAX \$184,526.16
 STATE WRIT TAX \$0.50
 JCS/ACCESS TO JUSTICE \$41.25
 RECORDING FEES \$15.00
 AFFORDABLE HOUSING \$14.02
 AFFORDABLE HOUSING - \$2.48
 ADMIN FEE
 COUNTY RECORDS \$2.00
 IMPROVEMENT FEE
 DEEDS RECORDS \$3.00
 IMPROVEMENT FEE
 UPI CERTIFICATION FEE \$30.00
 BANGOR AREA SCHOOL \$92,263.08
 REALTY TAX
 UPPER MOUNT BETHEL \$92,263.08
 TOWNSHIP
 TOTAL PAID \$369,160.57

***RECORDED BY:**

FITZPATRICK LENTZ & BUBBA, P.C
 645 WEST HAMILTON STREET, SUIT
 ALLENTOWN, PA 18101

I hereby CERTIFY that this document is recorded in the
 Recorder's Office Of Northampton County, Pennsylvania



Dorothy J. Edelman

Dorothy J. Edelman
Recorder of Deeds

THIS IS A CERTIFICATION PAGE

Do Not Detach

**THIS PAGE IS NOW THE FIRST PAGE
 OF THIS LEGAL DOCUMENT**

Book: 2026-1

Page: 73446

00KT10



* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

Prepared By:

Vinson & Elkins L.L.P.
2001 Ross Avenue, Suite 3900
Dallas, TX 75201
Attention: Courtney Hammond, Esq.
Email: chammond@velaw.com

AFTER RECORDING PLEASE RETURN TO:

Fitzpatrick Lentz & Bubba, P.C.
Two City Center
645 West Hamilton Street, Suite 800
Allentown, PA 18101
Attention: Mary Louise Hardcastle
Email: hardcastle@flblaw.com

160 Marshfield Drive North
PARID: C11-26-2 0131
Marshfield Drive South
PARID: C11-31-1 0131
Potomac Street
PARID: D11-5-1A-4 0131
Upper Mt. Bethel Township, Northampton County, PA

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is executed the 1st day of APRIL, 2026, to be effective as of the 8th day of APRIL, 2026, by **RIVER POINTE LOGISTICS CENTER, LLC**, a Delaware limited liability company ("**Grantor**"), whose address is 559 Main Street, Suite 300 Bethlehem, Pennsylvania 18018, in favor of **SLATE BELT HOLDINGS LLC**, a Delaware limited liability company ("**Grantee**"), whose address is 2929 Allen Parkway, Suite 2200, Houston, Texas 77019.

WITNESSETH, that for and in consideration of Ten and No/100 Dollars (\$10.00) cash in hand paid, and for other good and valuable consideration, unto Grantor well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt and sufficiency whereof are hereby acknowledged, Grantor has granted, bargained and sold, released and conveyed, and by these presents does grant, bargain and sell, release and convey unto the said Grantee, its successors and assigns,

ALL THOSE CERTAIN lots or pieces of ground situate in the Township of Upper Mt. Bethel, County of Northampton, Commonwealth of Pennsylvania, as described more particularly on Exhibit A attached hereto (collectively, the "**Property**"),

UNDER AND SUBJECT to all covenants, conditions, easements and restrictions as appear of record.

TOGETHER WITH all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in any wise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand

whatsoever of it, the said Grantor, in law, equity, or otherwise howsoever, of, in, and to the same and every part thereof.

TO HAVE AND TO HOLD the said lot or piece of ground above described, with the buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, to and for the only proper use and behoof of the said Grantee, its successors and assigns forever, **subject as aforesaid.**

AND THE SAID GRANTOR, for itself, its successors and assigns, does covenant, promise and agree, to and with the said Grantee, its successors and assigns, by these presents, that it, the said Grantor, and its successors and assigns, all and singular the buildings, hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, against it, the said Grantor, and its successors and assigns, and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it, them or any of them, shall and will, **SPECIALY WARRANT AND FOREVER DEFEND, subject as aforesaid.**

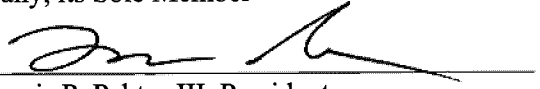
[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed on the date set forth in the acknowledgment below to be effective as of the date set forth above.

GRANTOR:

RIVER POINTE LOGISTICS CENTER, LLC, a Delaware limited liability company

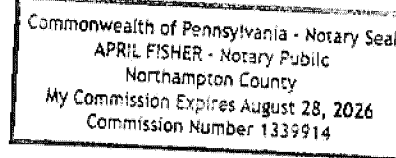
By: RIVER POINTE LOGISTICS CENTER PARENT, LLC, a Delaware limited liability company, its Sole Member

By: 
Louis P. Pektor III, President

STATE OF Pennsylvania §
COUNTY OF Northampton §

This instrument was acknowledged before me, a Notary Public, on April 7, 2026, by Louis P. Pektor III, as President of RIVER POINTE LOGISTICS CENTER PARENT, LLC, the sole member of RIVER POINTE LOGISTICS CENTER, LLC, a Delaware limited liability company, and in that capacity, being authorized to do so, executed the foregoing instrument for the purposes herein contained on behalf of said limited liability company.


Notary Public, State of PA



Certification of address of Grantee:

2929 Allen PARKWAY, SUITE 2200
HOUSTON, TX 77019-7112
Mary Louise Hardecastle
On behalf of Grantee

EXHIBIT A

DESCRIPTION OF THE PROPERTY

ALL THOSE CERTAIN parcels of land situated in the Township of Upper Mt. Bethel, County of Northampton and Commonwealth of Pennsylvania, known as Plan Lot 3 as shown on the Lot Consolidation/Unification Plan — Final Lot Line Adjustment Plan dated March 18, 2022 and last revised May 18, 2022, of record in the Recorder's Office of Northampton County on April 25, 2023 in Record Book 2023-5, Page 249.

BEING PART OF THE SAME PREMISES which Genon Rema, LLC, a Delaware limited liability company, by Deed dated August 21, 2019, and recorded September 30, 2019 in the Office for the Recording of Deeds in and for Northampton County, Pennsylvania in Record Book 2019-1 Page 184157, granted and conveyed unto River Pointe Logistics Center, LLC, a Delaware limited liability company, Grantor herein.

ALSO BEING THE SAME PREMISES which Cloverleaf Saddle Club, Inc., by Deed dated March 9, 2022, and recorded March 16, 2022 in the Office for the Recording of Deeds in and for Northampton County, Pennsylvania in Record Book 2022-1 Page 82597, granted and conveyed unto River Pointe Logistics Center, LLC, a Delaware limited liability company, Grantor herein.

ALSO BEING THE SAME PREMISES which New Demi Road, LLC, a Delaware limited liability company, by Deed dated July 15, 2022, and recorded August 17, 2022 in the Office for the Recording of Deeds in and for Northampton County, Pennsylvania in Record Book 2022-1 Page 230211, granted and conveyed unto River Pointe Logistics Center, LLC, a Delaware limited liability company, Grantor herein.

PARID: C11-26-2 0131 (North of Marshfield Drive)

PARID: C11-31-1 0131 (South of Marshfield Drive)

ALL THAT CERTAIN parcel of land situated in the Township of Upper Mt. Bethel, County of Northampton and Commonwealth of Pennsylvania, known as Plan Lot 4 as shown on the Lot Consolidation/Unification Plan - Final Lot Line Adjustment Plan dated March 18, 2022 and last revised May 18, 2022, of record in the Recorder's Office of Northampton County on April 25, 2023 in Record Book 2023-5, Page 249.

PARID: D11-5-1A-4 0131 (Potomac Street)

BEING THE SAME PREMISES which Ronald L. Angle, also known as Ronald L. Angle, Sr., by Deed dated March 8, 2022, and recorded March 16, 2022 in the Office for the Recording of Deeds in and for Northampton County, Pennsylvania in Record Book 2022-1 Page 82609, granted and conveyed unto River Pointe Logistics Center, LLC, a Delaware limited liability company, Grantor herein.

**REV-183**
 BUREAU OF INDIVIDUAL TAXES
 PO BOX 280603
 HARRISBURG, PA 17128-0603

1830019105

**REALTY TRANSFER TAX
STATEMENT OF VALUE**
 COMPLETE EACH SECTION
RECORDER'S USE ONLY

State Tax Paid: \$184,526.16	
Book:	Page:
Instrument Number:	
Date Recorded:	

SECTION I TRANSFER DATA

Date of Acceptance of Document 4 / 8 / 2026			
Grantor(s)/Lessor(s) River Pointe Logistics Center, LLC	Telephone Number	Grantee(s)/Lessee(s) Slate Belt Holdings LLC	Telephone Number
Mailing Address 559 Main Street		Mailing Address 559 Main Street, Suite 300	
City Bethlehem	State PA	Zip Code 18018	City Bethlehem

SECTION II REAL ESTATE LOCATION

Street Address Marshfield Drive South/Marshfield Drive North/Potomac Street		City, Township, Borough Upper Mt. Bethel Township	
County Northampton	School District Bangor	Tax Parcel Number C11/26/2 0131, C11-31/1 0131 and D11/5/1A-4 0131	

SECTION III VALUATION DATA

Was transaction part of an assignment or relocation? ☐ Y ☒ N		
1. Actual Cash Consideration \$ 1.00	2. Other Consideration + \$ -0-	3. Total Consideration = \$ 1.00
4. County Assessed Value - Respectively: C11/26/2 0131 - \$1,030,800; C11/31/1 0131 - \$2,088,500 and D11/5/1A-4 0131 \$18,900 Total \$ 3,138,200	5. Common Level Ratio Factor x 5.88	6. Computed Value = \$ 18,452,616

SECTION IV EXEMPTION DATA - Refer to instructions for exemption status.

1a Amount of Exemption Claimed \$	1b Percentage of Grantor's Interest in Real Estate 100 %	1c Percentage of Grantor's Interest Conveyed 100 %
--------------------------------------	---	---

2. Check Appropriate Box Below for Exemption Claimed.

- ☐ Will or intestate succession. _____ (Name of Decedent) _____ (Estate File Number)
- ☐ Transfer to a Trust. (Attach complete copy of trust agreement identifying all beneficiaries.)
- ☐ Transfer from a trust. Date of transfer into the trust _____
If trust was amended attach a copy of original and amend trust.
- ☐ Transfer between principal and agent/straw party. (Attach complete copy of agency/straw party agreement.)
- ☐ Transfers to the commonwealth, the U.S. and Instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
- ☐ Transfer from mortgagor to a holder of a mortgage in default. (Attach copy of mortgage and note/assignment.)
- ☐ Corrective or confirmatory deed. (Attach complete copy of the deed to be corrected or confirmed.)
- ☐ Statutory corporate consolidation, merger or division. (Attach copy of articles.)
- ☐ Other (Please explain exemption claimed.) _____

SECTION V CORRESPONDENT INFORMATION - All inquiries may be directed to the following person:

Name Louis P. Peltor, III	Telephone Number 610-332-3300	
Mailing Address 559 Main Street, Suite 300	City Bethlehem	State PA
Under penalties of law, I declare that I have examined this statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.		Zip Code 18018
Signature of Correspondent or Responsible Party		Date 4/7/2026

FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH REQUESTED DOCUMENTATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED.



1830019105

1830019105