

WHEN RECORDED RETURN TO:

Northpoint Innovation, LLC  
c/o OCC Industrial, LLC  
Attn: Megan O'Brien  
19053 W. 95<sup>th</sup> Lane  
Arvada, Colorado 80007

APN: 08-09-476-033  
187794-MCP

14359975 B: 11557 P: 5494 Total Pages: 4  
03/19/2025 03:48 PM By: mpalmer Fees: \$40.00  
Rashelle Hobbs, Recorder, Salt Lake County, Utah  
Return To: COTTONWOOD TITLE INSURANCE AGENCY, INC.  
1996 EAST 6400 SOUTH SUITE 120 SALT LAKE CITY, UT 84121

### SPECIAL WARRANTY DEED

For the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned **XCEL Development, LLC** a Utah limited liability company ("Grantor"), does hereby grant and convey to **Northpoint Innovation, LLC**, a Utah limited liability company, with an address of 19053 W. 95<sup>th</sup> Lane, Arvada, Colorado 80007 ("Grantee"), the following described real property with the improvements thereon (if any) situated in Salt Lake County, Utah (the "Property"):

See Exhibit A attached hereto.

TOGETHER WITH all and singular hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever, of Grantor, either in law or equity, of, in and to the Property.

SUBJECT TO current taxes, and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record, the Grantor, its successors and assigns warrant the title against all acts of the Grantor herein and no other.

FURTHER SUBJECT TO an option to purchase in favor of GB North Creek Property, LLC, a Delaware limited liability company, pursuant to that certain Purchase Agreement dated August 22, 2023 with Grantor, which option expires on March 1, 2026 and may be extended to June 1, 2027.

FURTHER SUBJECT TO that certain Right of First Refusal in favor of GB North Creek Property, LLC, a Delaware limited liability company, dated January 29, 2025 and recorded on January 30, 2025 as Entry No. 14341445 in the Official Records of Salt Lake County, Utah, and expiring on November 30, 2028.

FURTHER SUBJECT TO that certain Trust Deed dated February 16, 2021 and recorded on February 18, 2021 as Entry No. 13570896 in the Official Records of Salt Lake County, Utah, which secures the obligations of Grantor under that certain Trust Deed Note dated February 16, 2021 executed by Grantor in favor of Academy Construction Lending LC.

*[Signature Page Follows]*

This Special Warranty Deed is dated effective as of March 19<sup>th</sup>, 2025.

**GRANTOR**

XCEL Development, LLC,  
a Utah limited liability company

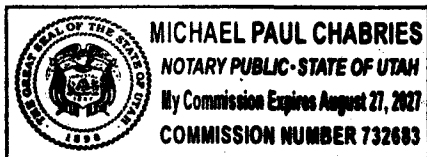
By: [Signature]  
Name: David S. Tolman  
Title: Managing Member

STATE OF UTAH )  
 ) :SS.  
COUNTY OF SALT LAKE )

On this 19<sup>th</sup> day of MARCH, 2025, before me, Michael P. Chabries, a notary public, personally appeared David S. Tolman, the Managing Member of XCEL Development, LLC, a Utah limited liability company, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument and acknowledged that such person executed the same on behalf of such entity.

Witness my hand and official seal.

[Signature]  
Notary Public  
[SEAL]



exp: 8-27-2027  
732683

## Exhibit A

### Legal Description

A parcel of land located in the Southeast Quarter of Section 9, and the West Half of Section 10, Township 1 North, Range 1 West, Salt Lake Base and Meridian and is described as follows:

Beginning at the intersection of the Section line and an old existing fence described in that Boundary Line Agreement recorded December 7, 2001 as Entry No. 8085325 in Book 8538, at Page 5535 in the Office of the Salt Lake County Recorder, which is 923.76 feet N. 00°35'43" E. along a monument line from the Southeast Corner of said Section 9; thence N. 89°36'36" W. 123.29 feet along said old existing fence described in said Boundary Line Agreement to a found red rebar and cap stamped "LS 4265, R.S. Inc." marking an existing Boundary Line Agreement recorded December 7, 2001 as Entry No. 8085326 in Book 8538, at Page 5539 in the Office of said Recorder and shown on that survey plat filed as S2012-04-0126 in the Office of the Salt Lake County Surveyor; thence N. 89°26'53" W. 85.98 feet along said old existing fence; thence North 455.43 feet; thence N. 10°24'59" E. 258.08 feet to a point of non-tangency with a 2,271.85 - foot radius curve to the right, concave southeasterly (Radius point bears S. 68°03'56" E.): thence Northeasterly 341.38 feet along the arc of said curve, through a central angle of 08°36'34" (Chord bears N. 26°14'21" E. 341.06 feet); thence N. 30°32'38" E. 146.03 feet; thence N. 61°58'50" W. 74.03 feet to a point of tangency with a 300.00 - foot radius curve to the left, concave southwesterly; thence Northwesterly 146.43 feet along the arc of said curve, through a central angle of 27°58'02" (Chord bears N. 75°57'51" W. 144.98 feet); thence N. 89°56'51" W. 267.15 feet; thence N. 00°03'09" E. 33.00 feet; thence N. 89°56'51" W. 201.08 feet; thence S. 88°58'08" W. 657.75 feet; thence S. 00°17'45" W. 47.01 feet; thence S. 88°56'56" W. 45.02 feet; thence N. 00°06'21" W. 80.02 feet; thence N. 88°58'08" E. 702.88 feet; thence S. 89°56'51" E. 468.54 feet to a point of tangency with a 366.00 - foot radius curve to the right, concave southwesterly; thence Southeasterly 178.65 feet along the arc of said curve, through a central angle of 27°58'01" (Chord bears S. 75°57'51" E. 176.88 feet); thence S. 61°58'50" E. 175.56 feet to the centerline of the existing Salt Lake City Sewerage and Drainage Canal; thence along said centerline the following nine (9) courses: 1) N. 31°13'03" E. 114.35 feet; 2) N. 29°49'14" E. 411.22 feet to a point of tangency with a 400.00 - foot radius curve to the left, concave westerly; 2) Northerly 363.80 feet along the arc of said curve, through a central angle of 52°06'36" (Chord bears N. 03°45'56" E. 351.39 feet); 3) N. 22°17'21" W. 37.53 feet; 4) S. 42°57'07" E. 34.29 feet to a point of tangency with a 300.00 - foot radius curve to the left, concave northeasterly; 5) Southeasterly 120.77 feet along the arc of said curve, through a central angle of 23°03'58" (Chord bears S. 54°29'06" E. 119.96 feet); 6) S. 66°01'05" E. 152.52 feet to a point of tangency with a 1,400 - foot radius curve to the left, concave northerly; 7) Easterly 431.86 feet along the arc of said curve, through a central angle of 17°40'27" (Chord bears S. 74°51'18" E. 430.15 feet); 8) S. 83°41'32" E. 76.89 feet to the westerly top bank of the Jordan River; thence along said westerly top bank of Jordan River the following eight (8) courses: 1) S. 31°16'24" E. (R=South 31°32'22" East) 110.71 feet; 2) S. 03°54'16" W. (R=South 03°38'50" West) 107.46 feet; 3) S. 50°02'42" W. (R=South 49°54'48" West) 148.31 feet; 4) S. 31°42'55" W. 42.40 feet (R=South 31°07'24" West 41.87 feet); 5) S. 26°02'20" W. 54.47 feet (R=South 25°47'40" West 55.13 feet); 6) S. 12°16'48" W. 101.95 feet; 7) S. 04°08'36" W. (R=South 03°53'10" West) 92.25 feet; 8) S. 01°43'25" E. (R=South 01°58'35" East) 181.01 feet; thence S. 86°54'02" W. (R=South 86°38'36" West) 9.00 feet to a westerly line of a Jordan River Relocation Easement recorded as Entry No. 1969716 in the Office of said Recorder; thence S. 09°56'43" E. 63.32 feet along said easement to the

westerly right-of-way line of Interstate Highway - 215 (UDOT Project No. SP-0067 (1)-0); thence along said westerly right-of-way the following three courses: 1) S. 45°15'55" W. (R=S 44°59'20" W) 190.77 feet to an existing iron pipe missing UDOT right-of-way marker; 2) S. 30°50'52" W. (R=S 30°35'01" W) 764.62 feet to an existing UDOT right-of-way marker; 3) S. 20°31'43" W. (R=S 20°31'43" W.) 118.24 feet to a found orange rebar and cap stamped "Richardson Surveying Inc PLS 152050" marking the end of said Boundary Line Agreement recorded December 7, 2001 as Entry No. 8085325 in the Office of said Recorder and shown on that survey plat filed as S2009-08-0363 in the Office of the Salt Lake County Surveyor; thence N. 89°36'36" W. 507.90 feet along said old existing fence described in said Boundary Line Agreement to the Point of Beginning.

The above-described parcel of land contains 1,714,410 sq. ft. or 39.357 acres, more or less.

WHEN RECORDED RETURN TO:

Northpoint Innovation, LLC  
c/o OCC Industrial, LLC  
Attn: Megan O'Brien  
19053 W. 95<sup>th</sup> Lane  
Arvada, Colorado 80007

APN: 08-09-276-026  
08-10-100-003  
187794-MCP

14359976 B: 11557 P: 5498 Total Pages: 4  
03/19/2025 03:48 PM By: mpalmer Fees: \$40.00  
Rashelle Hobbs, Recorder, Salt Lake County, Utah  
Return To: COTTONWOOD TITLE INSURANCE AGENCY, INC.  
1996 EAST 6400 SOUTH SUITE 120 SALT LAKE CITY, UT 84121

### **SPECIAL WARRANTY DEED**

For the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned **XCEL Development, LLC** a Utah limited liability company ("Grantor"), does hereby grant and convey to **Northpoint Innovation, LLC**, a Utah limited liability company, with an address of 19053 W. 95<sup>th</sup> Lane, Arvada, Colorado 80007 ("Grantee"), the following described real property with the improvements thereon (if any) situated in Salt Lake County, Utah (the "Property"):

See Exhibit A attached hereto.

TOGETHER WITH all and singular hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever, of Grantor, either in law or equity, of, in and to the Property.

SUBJECT TO current taxes, and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record, the Grantor, its successors and assigns warrant the title against all acts of the Grantor herein and no other.

FURTHER SUBJECT TO that certain Trust Deed dated February 16, 2021 and recorded on February 18, 2021 as Entry No. 13570896 in the Official Records of Salt Lake County, Utah, which secures the obligations of Grantor under that certain Trust Deed Note dated February 16, 2021 executed by Grantor in favor of Academy Construction Lending LC.

*[Signature Page Follows]*

This Special Warranty Deed is dated effective as of March 19<sup>th</sup>, 2025.

**GRANTOR**

XCEL Development, LLC,  
a Utah limited liability company

By: [Signature]

Name: David S. Tolman

Title: Managing Member

STATE OF UTAH )  
 ) :SS.  
COUNTY OF SALT LAKE )

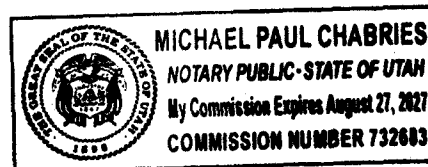
On this 19<sup>th</sup> day of MARCH, 2025, before me, Michael P. Chabries, a notary public, personally appeared David S. Tolman, the Managing Member of XCEL Development, LLC, a Utah limited liability company, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument and acknowledged that such person executed the same on behalf of such entity.

Witness my hand and official seal.

[Signature]

Notary Public

[SEAL]



732683

## **Exhibit A**

### **Legal Description**

#### **Parcel 1:**

A parcel of land located in the East Half of Section 9, and the West Half of Section 10, Township 1 North, Range 1 West, Salt Lake Base and Meridian and is described as follows:

Beginning at a southwesterly corner of said entire tract, which is 2202.81 feet N. 00°35'43" E. along a monument line and 625.38 feet West from the Southeast Corner of said Section 9; thence N. 00°16'28" W. 609.34 feet (R=North 00°31'54" West) to the South boundary line of that parcel of land described in that Warranty Deed recorded February 3, 1982 as Entry No. 3645004 in the Office of said Recorder; thence S. 89°44'31" E. (R=East) 45.06 feet along said South boundary line; thence N. 00°14'43" E. (R=North) 950.98 feet along the East boundary of said parcel and extension thereof to an interior corner of said entire tract; thence S. 89°44'34" E. (R=East) 377.87 feet along a North boundary line of said entire tract to the centerline of the existing Salt Lake City Sewerage and Drainage Canal; along said centerline of the existing Salt Lake City Sewerage and Drainage Canal the following six (6) courses:

- 1) S. 36°37'07" E. (R=South 36°52'34" East) 825.44 feet;
- 2) S. 39°46'12" E. 236.48 feet;
- 3) S. 22°17'21" E. 37.53 feet to a point of tangency with a 400.00 - foot radius curve to the right, concave westerly;
- 4) Southerly 363.80 feet along the arc of said curve, through a central angle of 52°06'36" (Chord bears S. 03°45'56" W. 351.39 feet);
- 5) S. 29°49'14" W. 411.22 feet;
- 6) S. 31°13'03" W. 114.35 feet; thence N. 61°58'50" W. 175.56 feet to a point of tangency with a 366.00 - foot radius curve to the left, concave southwesterly;

thence Northwesterly 178.65 feet along the arc of said curve, through a central angle of 27°58'01" (Chord bears N. 75°57'51" W. 176.88 feet); thence N. 89°56'51" W. 468.54 feet to the Point of Beginning.

The above-described parcel of land contains 1,343,541 sq. ft. or 30.843 acres, more or less.

#### **Parcel 2:**

A parcel of land located in the Northeast Quarter of Section 9, and the West Half of Section 10, Township 1 North, Range 1 West, Salt Lake Base and Meridian and is described as follows:

Beginning at a northeasterly corner of said entire tract marked by a yellow rebar and cap stamped "R.S. INC. L.S. 4265", which is 4,058.68 feet N. 00°35'43" E. along a monument line and 18.22 feet S. 89°53'58" E. from the Southeast Corner of said Section 9; thence along the westerly top bank of Jordan River the following fifteen (15) courses:

- 1) S. 48°37'42" E. 59.23 feet (R=South 48°43'40" East 59.16 feet);
- 2) S. 64°32'57" E. (R=South 64°48'23" East) 95.88 feet;
- 3) S. 72°21'58" E. (R=South 72°37'24" East) 246.84 feet;
- 4) S. 49°47'11" E. 84.18 feet (R=South 50°03'26" East 84.02);
- 5) S. 20°19'02" E. (R=South 20°33'11" East) 87.06 feet;
- 6) S. 12°36'24" E. South 12°51'50" East) 174.97 feet;
- 7) S. 22°32'11" E. (R=South 22°47'37" East) 127.61 feet;
- 8) S. 29°57'36" E. (R=South 30°15'51" East) 137.25 feet;
- 9) S. 31°45'40" E. 130.69 feet (R=South 31°54'01" East 130.80 feet);
- 10) S. 29°32'12" E. 251.17 feet (R=South 29°47'30" East 251.13 feet);
- 11) S. 33°43'45" E. 151.74 feet (R=South 34°08'23" East 151.81 feet);
- 12) S. 48°18'43" E. (R=South 48°34'09" East) 121.95 feet;
- 13) S. 86°49'29" E. (R=South 87°04'55" East) 11.15 feet;
- 14) S. 41°57'34" E. 231.38 feet (R=South 42°13'22" East 231.15 feet);
- 15) S. 31°16'24" E. (R=South 42°13'22" East) 12.80 feet to a southeasterly extension of the centerline of the existing Salt Lake City Sewerage and Drainage Canal;

thence along said centerline of existing Salt Lake City Sewerage and Drainage Canal the following seven (7) courses:

- 1) N. 83°41'32" W. 76.89 feet to a point of tangency with a 1400.00 - foot radius curve to the right, concave Northerly;
- 2) Westerly 431.86 feet along the arc of said curve, through a central angle of 17°40'27" (Chord bears N. 74°51'18" W. 430.15 feet);
- 3) N. 66°01'05" W. 152.52 feet to a point of tangency with a 300.00 - foot radius curve to the right, concave northeasterly;
- 4) Northwesterly 120.77 feet along the arc of said curve, through a central angle of 23°03'58" (Chord bears N. 54°29'06" W. 119.96 feet);
- 5) N. 42°57'07" W. 34.29 feet;
- 6) N. 39°46'12" W. 236.48 feet;
- 7) N. 36°37'07" W. (R=North 36°52'34" W.) 1196.89 feet to the northerly boundary line of said entire tract;

thence S. 89°53'58" E. (R=North 89°50'36" East) 460.37 feet to and along an existing fence to the Point of Beginning.

The above-described parcel contains 767,356 sq. ft. or 17.616 acres, more or less.

WHEN RECORDED RETURN TO:

Northpoint Innovation, LLC  
c/o OCC Industrial, LLC  
Attn: Megan O'Brien  
19053 W. 95<sup>th</sup> Lane  
Arvada, Colorado 80007  
**187794-MCP**  
APN: 08-09-276-020  
08-09-276-021

14399791 B: 11580 P: 530 Total Pages: 3  
06/20/2025 10:45 AM By: csummers Fees: \$40.00  
Rashelle Hobbs, Recorder, Salt Lake County, Utah  
Return To: COTTONWOOD TITLE INSURANCE AGENCY, INC.  
1996 EAST 6400 SOUTH SUITE 120 SALT LAKE CITY, UT 84121

### SPECIAL WARRANTY DEED

For the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned **XCEL Development, LLC** a Utah limited liability company ("Grantor"), does hereby grant and convey to **Northpoint Innovation, LLC**, a Utah limited liability company, with an address of 19053 W. 95<sup>th</sup> Lane, Arvada, Colorado 80007 ("Grantee"), the following described real property with the improvements thereon (if any) situated in Salt Lake County, Utah (the "Property"):

See Exhibit A attached hereto.

TOGETHER WITH all and singular hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever, of Grantor, either in law or equity, of, in and to the Property.

SUBJECT TO current taxes, and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record, the Grantor, its successors and assigns warrant the title against all acts of the Grantor herein and no other.

FURTHER SUBJECT TO that certain Trust Deed dated February 16, 2021 and recorded on February 18, 2021 as Entry No. 13570896 in the Official Records of Salt Lake County, Utah, which secures the obligations of Grantor under that certain Trust Deed Note dated February 16, 2021 executed by Grantor in favor of Academy Construction Lending LC.

*[Signature Page Follows]*

This Special Warranty Deed is dated effective as of June 20<sup>th</sup>, 2025.

**GRANTOR**

XCEL Development, LLC,  
a Utah limited liability company

By: [Signature]

Name: David S. Tolman

Title: Managing Member

STATE OF UTAH )  
 ) :ss.  
COUNTY OF SALT LAKE )

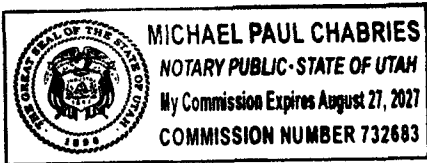
On this 20<sup>th</sup> day of JUNE, 2025, before me, Michael P. Chabries, a notary public, personally appeared David S. Tolman, the Managing Member of XCEL Development, LLC, a Utah limited liability company, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument and acknowledged that such person executed the same on behalf of such entity.

Witness my hand and official seal.

[Signature]

Notary Public

[SEAL]



## **Exhibit A**

### **Legal Description**

**The following real property located in Salt Lake County, Utah:**

**Parcel 1:**

BEGINNING AT A POINT ON THE EAST RIGHT OF WAY LINE OF A COUNTY ROAD, SAID POINT BEING EAST 1344.75 FEET AND NORTHWESTERLY ALONG EAST RIGHT OF WAY LINE OF SAID COUNTY ROAD A DISTANCE OF 456.78 FEET FROM THE CENTER OF SECTION 9, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE EAST 855.67 FEET; THENCE NORTH 245.0 FEET; THENCE WEST 930.23 FEET, MORE OR LESS, TO THE EAST LINE OF A COUNTY ROAD, AFORESAID; THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY A DISTANCE OF 256.09 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

**Parcel 2:**

BEGINNING AT A POINT SOUTH 89°26'23" EAST 2670.209 FEET ALONG THE SECTION LINE TO A DAVIS COUNTY SURVEYOR'S OFFICE BRASS CAP MONUMENT MARKING THE NORTHEAST CORNER OF SECTION 9 AND SOUTH 00°41'16" WEST 2614.257 FEET AND WEST 572.550 FEET AND NORTH 169 FEET FROM THE NORTH QUARTER CORNER OF SECTION 9, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE WEST 379.700 FEET; THENCE NORTH 268 FEET; THENCE EAST 379.700 FEET; THENCE SOUTH 268 FEET TO THE POINT OF BEGINNING.

**Parcel 2A:**

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS AND ALL OTHER ROAD PURPOSES AND FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES OVER THE SOUTHERLY 20 FEET OF THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT A POINT SOUTH 89°26'23" EAST 2670.209 FEET ALONG THE SECTION LINE TO A DAVIS COUNTY SURVEYOR'S OFFICE BRASS CAP MONUMENT MARKING THE NORTHEAST CORNER OF SECTION 9 AND SOUTH 00°41'16" WEST 2614.257 FEET AND WEST 572.550 FEET AND NORTH 169 FEET AND WEST 379.700 FEET AND NORTH 127 FEET FROM THE NORTH QUARTER CORNER OF SECTION 9, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING; THENCE WEST 433.050 FEET, MORE OR LESS, TO THE EASTERLY LINE OF 2200 WEST STREET; THENCE NORTH 16°55'48" WEST 147.388 FEET ALONG SAID EASTERLY LINE OF 2200 WEST STREET; THENCE EAST 475.970 FEET; THENCE SOUTH 141 FEET TO THE POINT OF BEGINNING.