

WHEN RECORDED MAIL TO:

Ray Quinney & Nebeker, P.C.  
36 South State Street, Suite 1400  
Salt Lake City, Utah 84111  
ATTN: Allison Behjani

File No.: 141156-LMF

13648207  
4/29/2021 3:37:00 PM \$40.00  
Book - 11166 Pg - 873-878  
RASHELLE HOBBS  
Recorder, Salt Lake County, UT  
COTTONWOOD TITLE  
BY: eCASH, DEPUTY - EF 6 P.

## **SPECIAL WARRANTY DEED**

In Reference to Tax ID Number(s):

14-23-301-002

**WHEN RECORDED, RETURN TO:**

Ray Quinney & Nebeker, P.C.  
36 South State Street, Suite 1400  
Salt Lake City, Utah 84111  
Attn: Allison Behjani

Space Above Line for Recorder's Use

Tax Parcel I.D. Nos. 14-23-301-002

**SPECIAL WARRANTY DEED**

THIS SPECIAL WARRANTY DEED ("**Deed**") is ~~executed~~ <sup>to be effective</sup> this 29 day of April, 2021, by and between WVC Industrial LLC, a Delaware limited liability company ("**Grantor**"), whose address is c/o Hines, 136 South Main Street, Suite 850, Salt Lake City, Utah 84101, and Aligned Data Centers (WVC) PropCo, LLC, a Delaware limited liability company ("**Grantee**"), whose address is c/o Aligned Energy, 2800 Summit Avenue, Plano, Texas 75074.

In consideration of Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby grants and conveys to Grantee all of Grantor's right, title and interest in the real property legally described on **Exhibit A** attached hereto (the "**Property**").

TOGETHER WITH, any and all of Grantor's right, title and interest, if any, in and to all privileges, easements, tenements, hereditaments, rights-of-way, and appurtenances that belong or appertain to the Property and are owned by or run in favor of Grantor, including, but not limited to: (i) any and all rights to minerals, oil, gas, hydrocarbon substances, and other materials or substances on and under the Property, as well as any and all development rights and approvals, air rights, water, and appurtenant water rights that pertain to or are associated with the Property, and (ii) any and all buildings, structures, landscaped areas (including, without limitation, plants, trees, shrubbery, and other landscaping improvements), and other improvements of every kind and nature presently situated on, in, under, or about the Property, and (iii) all of Grantor's rights, title, and interests, if any, in any land and related improvements lying in any street, road, or public ways in front of, adjacent to, or adjoining, the Property.

SUBJECT ONLY to the Permitted Exceptions listed on **Exhibit B** attached hereto.

Grantor hereby binds itself, its successors and assigns, to warrant and defend the grant and conveyance unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor, but not otherwise.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, Grantor has executed this Deed <sup>to be</sup> effective as of the date first written above.

**GRANTOR:**

**WVC INDUSTRIAL LLC,**  
a Delaware limited liability company

By: Hines WVC Industrial Investor LLC,  
a Delaware limited liability company,  
its managing member

By: Hines WVC Industrial Associates LP,  
a Texas limited partnership,  
its sole member

By: Hines Investment Management Holdings Limited  
Partnership, a Texas limited partnership,  
its general partner

By:  \_\_\_\_\_

Name: DUSTIN HARRIS

Title: Senior Managing ~~Officer~~ Director


as SRM

STATE OF Utah )  
 ) ss:  
COUNTY OF Salt Lake )

On April 13, 2021, before me Morgan Carmen, a Notary Public, personally appeared Dustin Harns, the senior Managing Director of Hines Investment Management Holdings Limited Partnership, a Texas limited partnership and the general partner of Hines WVC Industrial Associates LP, a Texas limited partnership and the sole member of Hines WVC Industrial Investor LLC, a Delaware limited liability company and the managing member of WVC Industrial LLC, a Delaware limited liability company, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument he/she executed the instrument.

WITNESS my hand and official seal



  
\_\_\_\_\_  
NOTARY PUBLIC

**Exhibit A**

**LEGAL DESCRIPTION OF PROPERTY**

Lot 1, 201 MOUNTAIN VIEW PARK, according to the official plat thereof as recorded in the office of the Salt Lake County Recorder on June 6, 2019 as Entry No.13004113 in Book 2019P at Page 178

## **Exhibit B**

### **PERMITTED EXCEPTIONS**

- 1) Taxes for calendar year 2021 and subsequent years, not yet due and payable.
- 2) Rights of Serto US Inc., as a tenant only, pursuant to an unrecorded lease.
- 3) The Property is located within the boundaries of West Valley City, Magna Mosquito Abatement District, Jordan Valley Water Conservancy District, Magna Water District, Central Utah Water Conservancy District, The Northwest Economic Area, Inland Port Authority Act, and is subject to any and all charges and assessments levied thereunder.
- 4) Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed herein.
- 5) Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
- 6) Slope Easement in favor of West Valley City, a municipal corporation of the State of Utah for the purpose of constructing and maintaining a public road on adjacent land, and to maintain and restore slopes, cuts, and fills on, over, and across said Land and incidental purposes, by instrument recorded May 2, 2014, as Entry No. 11843409, in Book 10228, at Page 1598.
- 7) Terms, conditions and limitations contained in that certain Development Agreement by and between Hines Acquisitions, LLC, a limited liability company and West Valley City, a municipal corporation and political subdivision of the State of Utah, dated November 20, 2018 and recorded November 26, 2018 as Entry No. 12891590 in Book 10732 at Page 9696.
- 8) Terms, conditions and limitations contained in that certain Development Agreement by and between Hines Acquisitions, LLC, a Delaware limited liability company and West Valley City, a municipal corporation and political subdivision of the State of Utah, dated January 9, 2019 and recorded January 16, 2019 as Entry No. 12919900 in Book 10746 at Page 1586.  
  
Assignment and Assumption of Development Agreement in favor of WVC Industrial LLC, a Delaware limited liability company, dated May 24, 2019 and recorded June 24, 2019 as Entry No. 13015003 in Book 10795 at Page 524.
- 9) Easements, notes and restrictions as shown on the recorded plat for 201 Mountain View Park, recorded June 6, 2019 as Entry No. 13004113 in Book 2019P at Page 178.