

APN: 007-140-12

**RECORDING REQUESTED BY AND
WHEN RECORDED, MAIL TO:**
DAVILA FAMILY FARMS, LLC
PO Box 255
Eureka, NV 89316
Attn: Juan Antonio Davila

2671580

The undersigned hereby affirm(s) that this document, including any exhibits, submitted for recording does not contain the social security number of any person or persons. (Per NRS 239B.030)

EUREKA COUNTY, NV

2025-254379

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FIRST AMERICAN TITLE INSURANCE COMPANY

KATHERINE J. BOWLING, CLERK RECORDER

Memorandum of Right of First Refusal

This instrument memorializes the fact that Mark Moyle Farms, LLC, a Nevada limited liability company ("Seller"), and DAVILA FAMILY FARMS, LLC, a Nevada limited liability company ("Buyer"), have entered into that certain Purchase and Sale Agreement and Joint Escrow Instructions dated February 20th, 2025 (the "Agreement") regarding the sale of the real property situate in the County of Eureka, State of Nevada, described in Exhibit A attached hereto and incorporated herein by this reference ("Property"). Under the terms of the Agreement, which is in full force and effect, Seller has a right of first refusal to purchase the Property from Buyer on the terms described in Section 7.1 of the Agreement ("ROFR"). The ROFR expires upon the later of (i) twenty (20) years from the date of the Agreement, or (ii) Buyer satisfying all obligations under the Agreement (including full payment of the referenced promissory note).

[Signature appears on following page]

[Signature page to Memorandum of ROFR]

This Grant, Bargain and Sale Deed is executed as of the date of notarization of the signature immediately set forth below. but to be effective as the 23 day of March, 2025.

Mark Moyle Farms, LLC, a Nevada limited liability company

By: Mark S Moyle
Mark S. Moyle, Manager

By: Teresa Y Moyle
Teresa Y. Moyle, Manager

ASSIGNEE

DAVILA FAMILY FARMS, LLC, a Nevada limited liability company

By: Juan Antonio Davila
Juan Antonio Davila

By: Alexis Nicole Davila
Alexis Nicole Davila

STATE OF Nevada)
COUNTY OF Churchill)

This instrument was acknowledged before me on March 25, 2025, by Mark S. Moyle and Teresa Y. Moyle as Managers of Mark Moyle Farms, LLC, a Nevada limited liability company.

Celine Mincer
Notary Public

My Commission Expires: 07-11-28



CELENE MINCER
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 24-5540-04
My Appt. Expires 07/11/2028

STATE OF Nevada)
COUNTY OF Elko)

This instrument was acknowledged before me on March 23, 2025, by Juan Antonio Davila and Alexis Nicole Davila, as Managers of Davila Farms, LLC, a Nevada limited liability company.

Pamela A Lane
Notary Public
PAMELA A LANE
NOTARY PUBLIC
STATE OF NEVADA
ELKO COUNTY
Appt. No. 07-1783-6
My Appt. Expires Feb. 12, 2027

My Commission Expires: Feb 12, 2027



Legal Description of Property¹

All that certain real property situated in the County of Eureka, State of Nevada, described as follows:

TOWNSHIP 22 NORTH, RANGE 54 EAST, M.D.B.&M.

Section 7: SE1/4SQ1/4; SW1/4SE1/4;

Section 18: E1/2NW1/4; W1/2NE1/4; NE1/4SW1/4; NW1/4SE1/4;

EXCEPTING THEREFROM all the oil, gas, potash and sodium, lying in and under said land, as reserved by THE UNITED STATES OF AMERICA in Paten recorded March 22, 1966, in Book 10, Page 210, Official Records, Eureka County, Nevada.

TOGETHER WITH all pumps, motors, pivots, mobile homes, one shop barn, and three hay barns.

TOGETHER WITH all water, water rights, right to use of water, dams, ditches, canals, pipelines, reservoirs, wells, pumping stations, and all other means for the diversion or use of water appurtenant to the said land or any part thereof, for irrigation, stock watering, domestic or any other use, including but not limited to the following:

Certificate:	43268	11523
	43270	11525
	43836	11530
Total:	1000 acre feet	250 acres

Certificate:	32890	11520
Total:	174 acre feet	43 acres

SUBJECT TO any and all exceptions, reservations, restrictions, restrictive covenants, assessments, easements, right and rights-of-way of record.

TOGETHER WITH all buildings and improvements situate thereon.

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

¹ NTD: Legal description to be confirmed by Title Company.