

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your social security number or your driver's license number.

ONE TIME WAIVER
of
RIGHT OF FIRST REFUSAL

Date: March 20, 2018

Holder of Right of First Refusal: CHILI APPRECIATION SOCIETY INTERNATIONAL, INC.

Holder's Mailing Address: c/o Kris Hudspeth, President
4010 Finley Rd
Irving, TX 75062
Dallas County, Texas

Owner: NEMO HOLDINGS, LLC

Owner's Mailing Address: 1136 Mallard Pointe Dr
Cedar Hill, TX 75104
Dallas County, Texas

Right of First Refusal is Described in the Following Documents, Recorded in:

EASEMENT AGREEMENT AND RESTRICTIVE COVENANTS (*"the Agreement"*) dated February 19, 2013, executed by and between Chili Appreciation Society International, Inc., and Nemo Holdings, LLC, filed for record on March 27, 2013, and recorded in Volume 289, Page 714, Official Public Records of Brewster County, Texas.

Property (including any improvements) Subject to the Right of First Refusal.

A 446.56 total acre tract of land described as Tracts 1 through 8 in Volume. 209, Page 134, Official Public Records, and being 337.8 acres out of Section Thirty-nine (39), 92.78 acres out of Section Forty (40) and 15.97 acres out of Section Sixty (60), Block G-12, G.C. & S.F. Ry. Co. Surveys, Brewster County, Texas. Said 446.56 acres more particularly described in a Metes and Bounds Description attached hereto as Exhibit "A" and Plat of the survey attached hereto as Exhibit "B", both dated November 12, 2012, and prepared by Steven F. Walker, R.P.L.S. No. 4425, which Exhibits are made a part of this instrument by reference and incorporated herein for all purposes.

Owner has elected to sell the Property. Under the terms of the Agreement, (Section 5), Holder possesses a Right of First Refusal to purchase the Property, which right is enforceable against Owner, and Owner's successors and assigns.

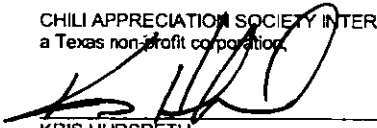
Holder voluntarily waives the Right of First Refusal to purchase the Property from Owner; however, Holder continues to reserve the right, but not the obligation, to purchase the Property in accordance with the terms and conditions of the Agreement, in the event that Owner's successors and/or assigns hereafter elect to sell the Property.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED by Holder as of the Date first above written.

CHILI APPRECIATION SOCIETY INTERNATIONAL, INC.,
a Texas non-profit corporation.

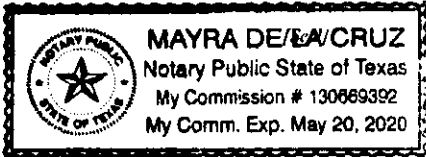
By: ✓


KRIS HUDSPETH,
President

(Corporate Acknowledgment)

STATE OF TEXAS §
 ss
COUNTY OF DALLAS §

This instrument was acknowledged before me on March ____, 2018, by KRIS HUDSPETH, President of CHILI APPRECIATION SOCIETY INTERNATIONAL, INC., a Texas non-profit corporation, in his official capacity on behalf of the Corporation.



Mayra De la Cruz

Notary Public, State of Texas
Notary ID # 130669392

AFTER RECORDING RETURN TO:
BIG BEND TITLE, LLC
P.O. BOX 813
FORT DAVIS, TX 79734
GF# 9147-18-B

PREPARED IN THE LAW OFFICE OF:
JOSEPH P. JAMES
ATTORNEY AT LAW
P.O. BOX 2013
FORT DAVIS, TX 79734

METES AND BOUNDS

THE STATE OF TEXAS

THE COUNTY OF BREWSTER

Metes and bounds description of a 446.56 total acre tract of land described as Tracts 1 through 8 in Vol. 209, P. 134, Official Public Records, and being 337.8 acres out of Survey 39, 92.78 acres out of Survey 40 and 15.97 acres out of Survey 60, Block G-12, G.C. & S.F. Ry. Co. Surveys, Brewster County, Texas, said 446.56 acre tract being more particularly described as follows:

BEGINNING at a rock mound found for the common corner of Surveys 33, 34, 39 and 40, said Block G-12, having State Plane Coordinates of Y= 575398.10 feet and X= 508119.46 feet, South Central Zone, NAD 1927;

THENCE South 88deg.52'21" East 1311.0 feet with the North line of said Survey 39 to a 1/4" iron rod and cap marked "WALKER 4425" set for the Northwest corner of a 300.0 acre tract described in Vol. 5, P. 689, Vol. 173, P. 549 and Vol. 196, P. 654, Official Public Records, and the Northeast corner of this tract;

THENCE South 25deg.28'07" East 2943.12 feet to a 1/4" iron rod and cap marked "WALKER 4425" set for a corner of said 300.0 acre tract;

THENCE South 43deg.56'54" East 1864.67 feet to a 1/4" iron rod and cap marked "WALKER 4425" set for a corner of said 300.0 acre tract;

THENCE South 0deg.53'50" West 1316.17 feet to a 1/4" iron rod and cap marked "WALKER 4425" set in the South line of said Survey 39 and the North line of said Survey 60 for the Southwest corner of said 300.0 acre tract and the Southeast corner of this tract;

THENCE North 88deg.49'08" West 1318.91 feet to a 1/4" iron rod and cap marked "WALKER 4425" previously set by me for the Northeast corner of a 15.97 acre tract (Tract 2);

THENCE South 1deg.06'36" West 270.20 feet to a 1/4" iron rod and cap marked "WALKER 4425" previously set by me for the Southeast corner of said Tract 2;

THENCE North 89deg.11'48" West 1427.65 feet to a rock mound found;

THENCE North 89deg.11' West 1070.9 feet to a 1" pipe next to a concrete monument found for the Southwest corner of said Tract 2;

THENCE North 1deg.13'34" East 286.52 feet to a rock mound found in the North line of said Survey 60 and the South line of said Survey 39 for the Northwest corner of said Tract 2;

THENCE North 88deg.49'08" West 140.02 feet to a bolt in a rock mound marked "NE 59 DOD" found for the common corner of Surveys 39, 40, 59 and 60, said Block G-12;

THENCE North 88deg.50'35" West 1054.08 feet with the South line of said Survey 40 and the North line of said Survey 59 to a 1/4" iron rod and cap marked "WALKER 4425" set in the West line of the DIAMOND FIRE mining claim (Tract 7) for the Southwest corner of this tract;

THENCE North 1deg.12' East 160.51 feet to a stone mound found for a corner of said DIAMOND FIVE;

THENCE North 49deg.25' East, passing the Northwest corner of said DIAMOND FIVE and the Southwest corner of the MARIPOSA mining claim (Tract 8), 826.8 feet in all to a rock mound on top of a hill found for an angle of the West line of said MARIPOSA;

THENCE North 1deg.05'17" East 1263.83 feet to a rock mound on side of a steep slope found in the South line of the I.C.L. mining claim (Tract 6) for the Northwest corner of said MARIPOSA;

(PAGE 1 OF 2)

EXHIBIT A

THENCE North 88deg.41' West 426.5 feet to a rock mound found for the Southwest corner of said I.C.L.;

THENCE North 1deg.23' East 896.3 feet to a bolt in a rock mound found for the Northwest corner of said I.C.L. and the Southwest corner of the ROSAURA mining claim (Tract 4);

THENCE North 0deg.48'46" East 1501.35 feet to a rock mound found in the South line of the DAN WHITE mining claim (Tract 5) for the Northwest corner of said ROSAURA;

THENCE North 89deg.07' West 500.0 feet to a rock mound on the side of a slope for the Southwest corner of said DAN WHITE;

THENCE North 1deg.03'30" East 606.9 feet to a rock mound in an arroyo found for the Northwest corner of said DAN WHITE;

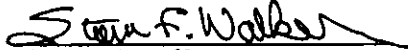
THENCE South 89deg.08'40" East 1371.55 feet with the North line of said DAN WHITE to a 4" iron rod and cap marked "WALKER 4425" set in the West line of said Survey 39 and the East line of said Survey 40;

THENCE North 1deg.09'20" East 275.6 feet to the point of beginning.

Bearings and distances are based on the Texas Coordinate System, South Central Zone, NAD 1927.

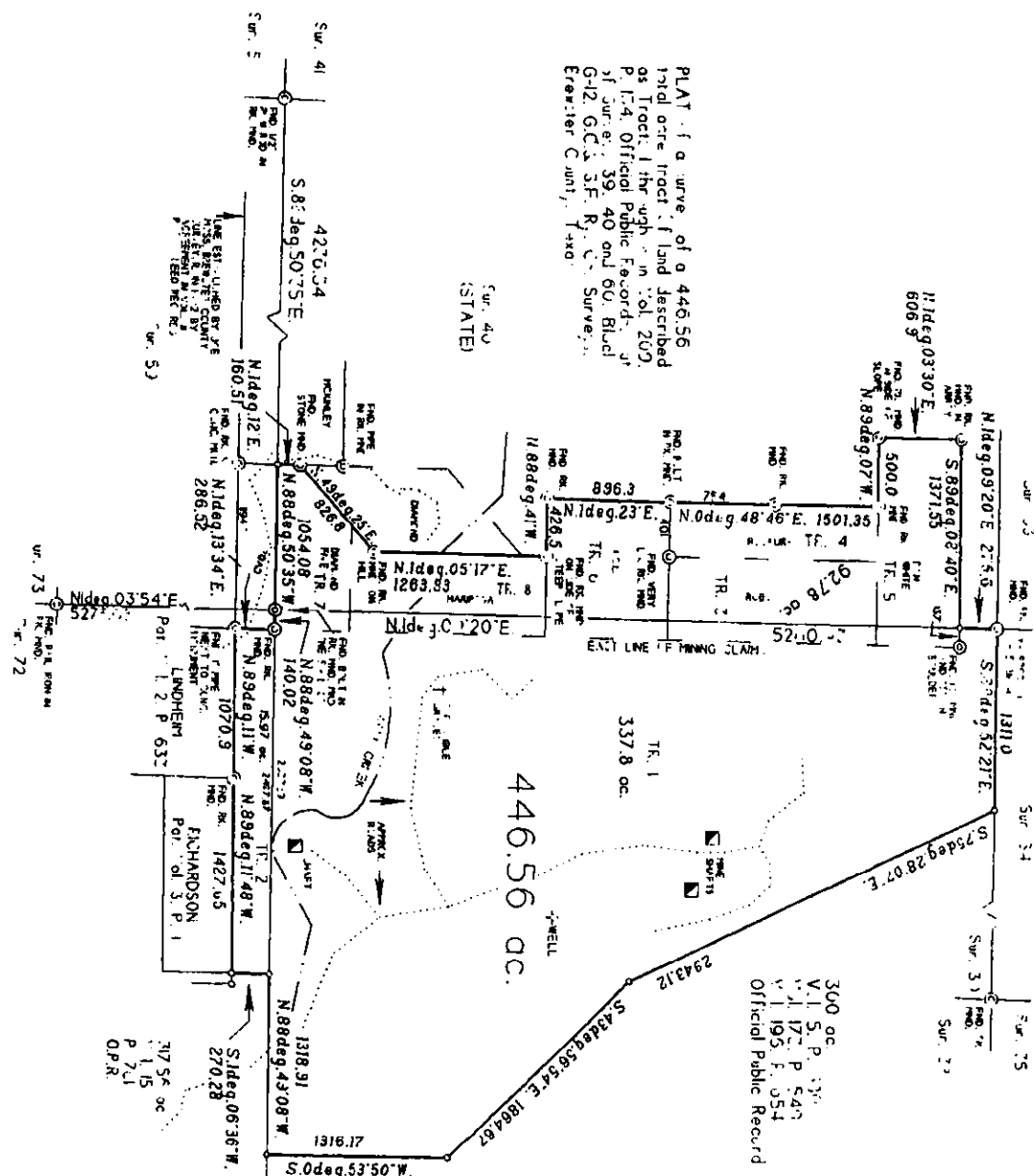
A plat of this survey accompanies this description.

I hereby certify that the foregoing description represents the results of an actual survey on the ground made by me or under my direct supervision and that the lines and corners found or set are true and correct to the best of my knowledge and belief.



Steven F. Walker
Registered Professional Land Surveyor #4425
Licensed State Land Surveyor
Brewster County Surveyor
Date: November 12, 2012

PLAT of a curve of a 446.56
 total acre tract of land described
 as Tract 1 the upper in Vol. 209,
 P. 154, Official Public Records,
 of Surveys 39, 40 and 60, Block
 G-12, G.C.S. 315, R.C.S. Survey,
 Erwiner County, Texas.



300 ac
 V.I. S.P. 137
 V.I. 172 P 547
 V.I. 195 F 054
 Official Public Record



SCALE: 1" = 1000'

BEARINGS AND DISTANCES ARE BASED
 ON THE TEXAS COORDINATE SYSTEM,
 SOUTH CENTRAL ZONE, NAD 1927

COMBINED GRID FACTOR - 0.9997124

1/27 IRON ROD AND CAP MARKED WALKER 4425 SET

A METEER AND PUBLIC DESCRIPTION ACCOMPANIES THIS PLAT

I hereby certify that the plat represents the results of an
 actual survey in the ground made by me and that the lines
 and corners found are true and correct to the best
 of my knowledge and belief.

Steven F. Walker
 Steven F. Walker
 Registered Professional Land Surveyor, No. 4425
 Date: April 16, 2007
 REVISED November 12, 2012

EXHIBIT B

Doc#: 104836
Pages: 6
03/23/2018 04:11PM
Filed & Recorded in
Official Records of
BREWSTER COUNTY
BERTA RIOS-MARTINEZ
COUNTY CLERK
Fees: \$42.00

STATE OF TEXAS
COUNTY OF BREWSTER

I hereby certify that this Instrument was
FILED on the date and at the time stamped
hereon by me and was duly RECORDED in the
Volume and Page of the Official Public
Records of Brewster County, Texas
VOL: 0351 PAGE: 0344

Berta Rios-Martinez

County Clerk, Brewster County, Texas