



Board of County Commissioners

October 1, 2024

CEMEX, Inc.
1501 Belvedere Road
West Palm Beach, FL 33406-1501

CEMEX, Inc., Attn: Tax Dept
P.O. Box 1500
Houston, TX 77251

Mr. Nolan Fry
CEMEX, Inc.
1200 Smith Street, Suite 2400
Houston, TX 77002

Mr. John Lohr (or Erik Estrada or current manager)
CEMEX, Inc.
5134 Ute Highway (80503)
P.O. Box 529
Lyons, CO 80540

Dear CEMEX:

This letter shall serve as notice that Boulder County is exercising its option to acquire the Development Parcel and the attached eleven (11) development rights as defined in that certain Purchase Agreement, Lease and Option to Purchase Agreement dated July 11, 2002, recorded with the Boulder County Clerk & Recorder on July 17, 2002, at Reception Number 2308598 (the "Agreement"). The Board of County Commissioners approved this acquisition on October 1, 2024, at their regular business meeting.

Pursuant to Paragraph 20 and Exhibit G of the Agreement, the price for the development rights is \$5,100,403. Paragraph 20 specifies that if the County purchases all 11 of the development rights, CEMEX will convey the Development Parcel to the County no later than December 31, 2024.

The County is ready to pay the full price, subject to closing adjustments, as soon as possible so the Development Parcel can be conveyed to the County by December 31, 2024.

Boulder County is not exercising its option to purchase the Operations Parcel at this time since that option is not yet exercisable. Boulder County reserves the right to exercise that option in accordance with the Agreement.

Please contact Janis Whisman, Real Estate Division Manager, at Parks and Open Space, (303) 678-6263 or jwhisman@bouldercounty.gov, to accomplish the closing.

Claire Levy County Commissioner **Marta Loachamin** County Commissioner **Ashley Stolzmann** County Commissioner

Boulder County Courthouse • 1325 Pearl Street • Boulder, Colorado 80302 • Tel: 303.441.3500 • Fax: 303.441.4525
Mailing Address: P.O. Box 471 • Boulder, CO 80306 • www.BoulderCounty.gov • commissioners@bouldercounty.gov

If it would be helpful, your legal counsel may also reach out to Assistant County Attorney Ryan Malarky at (970) 708-1358 or rmalarky@bouldercounty.gov.

Thank you very much.

COUNTY OF BOULDER, a body corporate and politic

By: _____

Title: _____

Board of County Commissioners

Copies to: Mark Hamilton, Holland & Hart, via email to MEHamilton@hollandhart.com
Sandra P. Velasco, CEMEX, via email to sandrap.velasco@cemex.com