

MEMORANDUM



To: David L. Corliss, Assistant City Manager
From: Toni Ramirez Wheeler, Staff Attorney
Re: Addendum to Performance Agreement With Garage Door Group, Inc.
Date: March 30, 2004

Mr. Richard Brenner contacted our department earlier this year to advise that RAM Kansas, L.L.C. was omitted from the tax abatement application submitted under the name, Garage Door Group, Inc., d/b/a Amarr Garage Doors. Mr. Brenner requested that RAM Kansas, L.L.C. be added to the Amarr tax abatement performance agreement. Please see the attached letter.

Mr. Brenner further advised of a change in the price of the land to be purchased in East Hills Business Park. However, the price of the land is not a condition of the performance agreement.

An Addendum recognizing the name change to the performance agreement is attached for review and approval by the City Commission.



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1/22/2004

Mr. David Corliss
Assistant City Manager
City of Lawrence
6 East 6th Street
Lawrence, KS 66044

Re: Amarr Tax Abatement

Dear Mr. Corliss:

When Amarr's tax abatement application was made to the City of Lawrence, we mistakenly submitted the entire application under the name of Amarr Garage Doors. We respectfully request that the equipment (\$9,400,000) have the ownership name of Amarr Garage Doors and the land and building (\$7,700,000 building and \$291,852 land) be under the name of RAM Kansas, LLC.

As a reminder, previous abatements for RAM and Amarr were styled in this manner. Additionally there has been no ownership change in RAM or Amarr since this process began.

Additionally, we anticipate the price of the land to be 204,466.00 instead of \$291,852, as originally submitted because a minor change in the amount of land we intend to purchase in East Hills Business Park.

Thank you in advance for your prompt action to resolve this matter. We look forward to hearing from you at your earliest convenience as to if further information is required.

Sincerely,

Richard A. Brenner
CEO Amarr Garage Doors
General Manager- RAM

RAB:scc
cc: Dennis W. McNames

PO Box 288 • Winston-Salem, North Carolina 27102-0288
165 Carriage Court • Winston-Salem, North Carolina 27105
Phone (336) 744-5100 ext 1237 • Fax (336) 251.1837
www.amarr.com

FIRST ADDENDUM TO PERFORMANCE AGREEMENT

Whereas, on October 15, 2003, Garage Door Group, Inc., d/b/a Amarr Garage Doors, 3800 Greenway Circle, Lawrence, Kansas ("Amarr"), Lawrence, Kansas, submitted an application ("Application") for property tax abatement to the City of Lawrence, Kansas ("City"); and

Whereas, the Application for the property tax abatement provided for 1) the construction of a facility, new construction and modification to an existing facility in the capital amount of \$7,700,000.00; 2) the purchase of new machinery and equipment in the amount of \$9,400,000.00; and 3) the employment of eighty (80) full-time employees as the result of the project; and

Whereas, the Application was submitted solely in the name of Garage Door Group, Inc., d/b/a Amarr Garage Doors; and

Whereas, the Application for the land and building should have been submitted under the name of RAM Kansas, L.L.C.; and

Whereas, on November 18, 2003, the Governing Body of the City approved a fifty-five percent (55%) tax abatement, subject to conditions, based upon the application submitted in the name of Amarr; and

Whereas, on December 17, 2003, the City and Amarr executed a performance agreement pursuant to the City's Ordinance on Tax Abatements and Incentives for Economic Development (Ordinance No. 7706); and

Whereas, Richard A. Brenner, CEO of Amarr and General Manager of RAM Kansas, L.L.C., reported to the City the omission of RAM Kansas, L.L.C. in the application for the property tax abatement and in the December 18, 2003 Performance Agreement; and

Whereas, the City, Amarr, and RAM Kansas, L.L.C. wish to rectify the omission of RAM Kansas, L.L.C. in the application for the property tax abatement and the December 17, 2003 Performance Agreement; and

NOW THEREFORE, this First Addendum to Performance Agreement is made this 31st day of March, 2004, by and between Garage Door Group, Inc., d/b/a Amarr Garage Doors, RAM Kansas, L.L.C., and the City of Lawrence, Kansas. The parties agree to the following:

1. Garage Door Group, Inc., d/b/a Amarr Garage Doors and RAM Kansas, L.L.C.. agree to comply with, and to be fully bound by, the December 17, 2003

Performance Agreement executed pursuant to the City's Ordinance on Tax Abatements and Incentives for Economic Development (Ordinance No. 7706).

2. The City shall retain any and all rights and remedies granted it under the December 17, 2003 Performance Agreement.

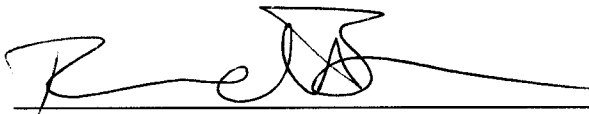
FOR CITY OF LAWRENCE, KANSAS:

Mike Rundle, , Mayor

ATTEST:


Frank S. Reeb, City Clerk

**FOR GARAGE DOOR GROUP d/b/a
AMARR GARAGE DOORS:**



Richard A. Brenner
CEO, Garage Door Group, d/b/a
Amarr Garage Doors

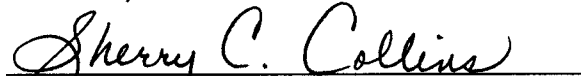
FOR RAM KANSAS, L.L.C.



Richard A. Brenner
General Manager,
RAM Kansas, L.L.C.

STATE OF ~~KANSAS~~)
North Carolina) ss
~~DOUGLAS~~ COUNTY)
Forsyth

BE IT REMEMBERED, that on this 31st day of March, 2004, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Richard A. Brenner, who is personally known to me to be the same person who executed the above First Addendum To Performance Agreement, and such person duly acknowledged the execution of the same to be his free and voluntary act and deed.


Notary Public

