

Application to Establish a Foreign-Trade Zone

In the City of  
Fargo, North Dakota

Submitted by  
Municipal Airport Authority  
of the City of Fargo

March 11, 2005



**MUNICIPAL AIRPORT AUTHORITY  
OF THE  
CITY OF FARGO**

March 11, 2005

Mr. Dennis Puccinelli  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
FCB - Suite 4100W  
1401 Constitution Avenue, N.W.  
Washington, D.C. 20230

Dear Mr. Puccinelli:

On behalf of the Municipal Airport Authority of the City of Fargo, I hereby apply for authority to establish a Foreign-Trade Zone project in the Fargo, North Dakota area. This application is submitted pursuant to the Foreign-Trade Zones Act of 1934, as amended, State of North Dakota Section 82 10-19.1-150, as amended, and a Resolution that was passed on November 23, 2004 by the Municipal Airport Authority of the City of Fargo.

The proposed General-Purpose Zone consists of six sites including Airport, Science and Technology Complex, Midtown Industrial Complex, West Fargo Industrial Complex, Heartland Industrial Complex, Mapleton Industrial Complex, and Swanson Industrial Complex.

The Zone project is designated to enhance the competitiveness of Fargo's area businesses engaged in international trade. I believe that the proposed Zone project will have a significant beneficial effect on the local, state, and domestic economies. As such, the Municipal Airport Authority of the City of Fargo respectfully requests your expedited and favorable consideration of the application.

Sincerely,

*Shawn A. Dobberstein*

Shawn Dobberstein  
Executive Director

# TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY</b> .....	<b>1</b>
<b>EXHIBIT 1 – LEGAL AUTHORITY TO APPLY</b> .....	<b>3</b>
<b>EXHIBIT 2 – SITE DESCRIPTION</b> .....	<b>13</b>
Detailed Description of Zone Site. ....	13
Detailed Description of the Larger Project.....	21
Adjacency to Customs Port of Entry .....	21
Port and Transportation Services and Facilities .....	22
Possibilities and Plans for Zone Expansion.....	23
<b>EXHIBIT 3 – OPERATION AND FINANCING</b> .....	<b>24</b>
Site Ownership .....	24
Operation Plan.....	24
Plans for Providing Facilities, Physical Security and Satisfying Customs and Automated Systems Requirements.....	25
Financing and Operational Cost.....	26
Time Schedule.....	26
<b>EXHIBIT 4 - ECONOMIC JUSTIFICATION</b> .....	<b>27</b>
Economic Profile.....	28
Role and Objectives of the Zone .....	30
Economic Impact.....	31
Need for Zone Services .....	32
<b>EXHIBIT FIVE – MAPS</b> .....	<b>33</b>
<b>APPENDICES</b> .....	<b>54</b>

## **EXECUTIVE SUMMARY**

The Municipal Airport Authority of the City of Fargo, public body corporate and political created and existing under Chapter 2-06 N.D.C.C, is submitting this application to establish a Foreign-Trade Zone project in the Fargo, North Dakota metropolitan area. As the proposed grantee, the Municipal Airport Authority of the City of Fargo, (Municipal Airport Authority) seeks authority to establish a Foreign-Trade Zone project with General-Purpose Zone sites in the metropolitan area of Fargo, North Dakota.

The Municipal Airport Authority, an independent political subdivision of the State of North Dakota, is qualified under state law to serve as a zone grantee. The proposed zone meets the Foreign-Trade Zones Board's Customs Port of Entry adjacency requirements.

The proposed entire General-Purpose Zone plan consists of six sites comprised of the Airport, Science and Technology Complex, Midtown Industrial Complex, West Fargo Industrial Complex, Heartland Industrial Complex, Mapleton Industrial Complex, and Swanson Industrial Complex. In Exhibit Five, each of the six sites is outlined in yellow. Immediate zone status is sought for the property outlined, or colored solid in red within each of the six sites. The proposed sites within the plan total 3,161.4 acres. Of the 3,161.4 total acres, immediate zone status is requested for 1026.66 acres.

The Municipal Airport Authority seeks zone status in order to retain existing employment and capital investment, and attract new employment and capital investment opportunities. Zone status will provide a significant tool in assisting Fargo in achieving its economic development mission of increasing the standard of living in the Fargo community, as well as assisting in maintaining its pro-business environment.

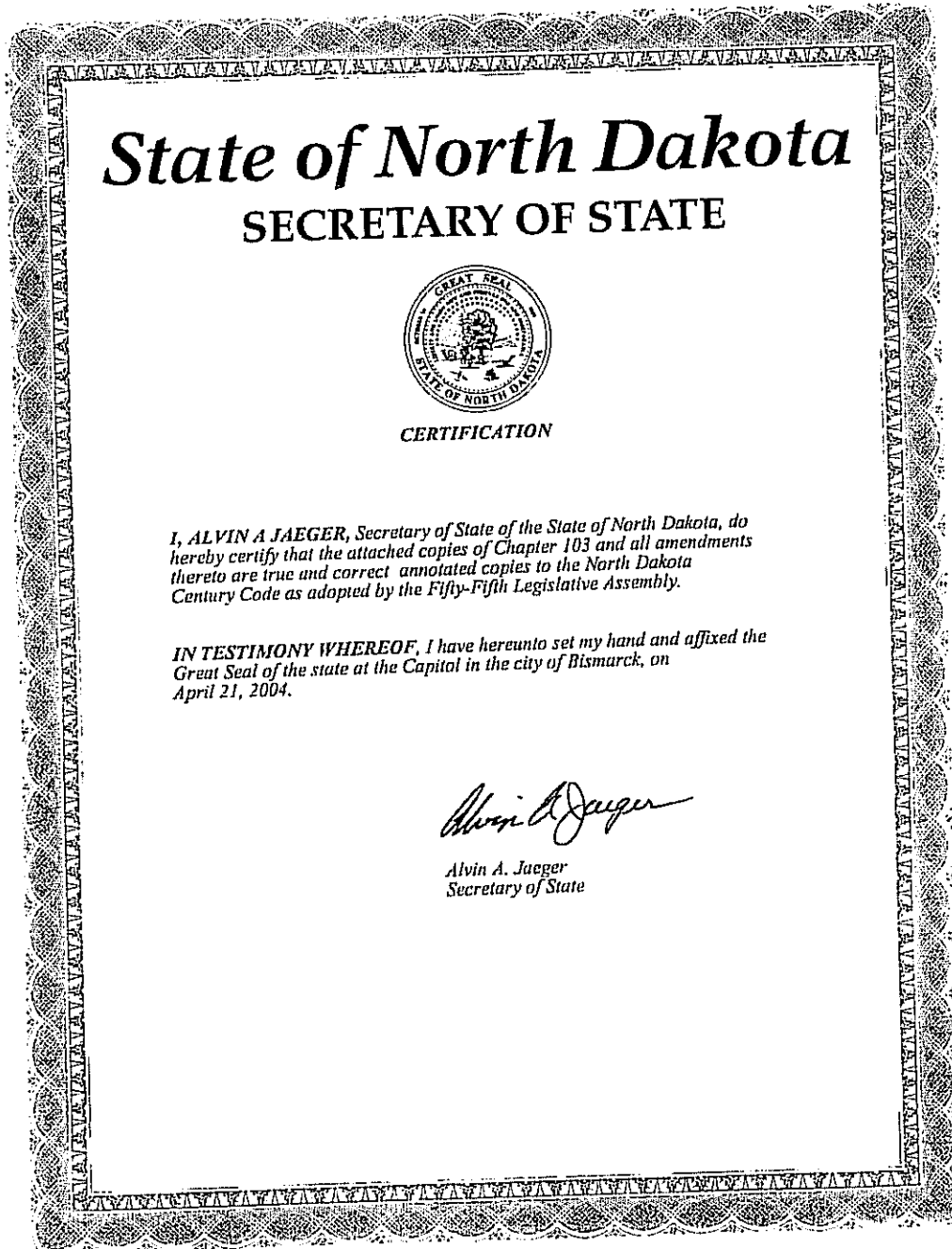
The establishment of a zone project is consistent with the considerable economic development efforts of the Municipal Airport Authority, who, together with the Fargo-Cass County Economic Development Corporation (FCCEDC), are working toward creating a more balanced economy for the region.

The proposed sites were chosen due to the sites existing international trade activity, as well as its potential activity. Fargo's air cargo has increased approximately 400% over the last ten years. However, given the needs of the distribution and manufacturing community in the area, air cargo has the potential for an even more significant increase. Zone status will provide a valuable tool to aid Fargo in encouraging its international business community to better utilize its CBP Port of Entry, and its transportation services. Success in this endeavor will not only contribute to the creation of jobs in the Fargo area, but will also reduce congestion in larger ports in the United States.

Establishment of the zone project is being financed through the Municipal Airport Authority, which is financing its share of the application cost via tax levy funds collected for the airport improvement fund. The FCCEDC is also providing financial support for the preparation of this application. Ongoing management of zone operations is anticipated to be conducted by the Municipal Airport Authority, and, ongoing costs of providing zone services are anticipated to be funded from user fees.

# EXHIBIT 1 – LEGAL AUTHORITY TO APPLY

The following is a certified copy of the state enabling legislation of the State of North Dakota concerning the establishment of Foreign-Trade Zones.



## CHAPTER 103

## SENATE BILL NO. 2344

(Senator W. Stenehjem)  
(Representative Kretschmar)

## CORPORATION AND LLC REVISIONS

AN ACT to create and enact sections 10-19.1-41.1, 10-19.1-72.1, 10-19.1-73.2, 10-19.1-73.3, 10-19.1-75.1, 10-19.1-75.2, 10-19.1-76.1, 10-19.1-76.2, 10-19.1-76.3, 10-19.1-85.1, 10-19.1-132, 10-19.1-133, 10-19.1-134, 10-19.1-135, 10-19.1-136, 10-19.1-137, 10-19.1-138, 10-19.1-139, 10-19.1-140, 10-19.1-141, 10-19.1-142, 10-19.1-143, 10-19.1-144, 10-19.1-145, 10-19.1-146, 10-19.1-147, 10-19.1-148, 10-19.1-149, 10-19.1-150, 10-19.1-151, 10-19.1-152, 10-32-39.1, 10-32-40.1, 10-32-40.2, 10-32-43.1, 10-32-43.2, 10-32-48.1, 10-32-52.1, 10-32-78.1, 10-32-130.1, 10-32-130.2, 10-32-156, 57-38-07.2, and 57-38.1-17.3 of the North Dakota Century Code, relating to the North Dakota Business Corporation Act - General Provisions, the Limited Liability Company Act, limited liability partnerships, income tax, and the Uniform Division of Income Tax Act; to amend and reenact sections 10-06.1-17, 10-19.1-01, 10-19.1-10, 10-19.1-13, 10-19.1-14, 10-19.1-15, 10-19.1-16, 10-19.1-25, 10-19.1-26, 10-19.1-30, 10-19.1-31, 10-19.1-35, 10-19.1-40, 10-19.1-41, 10-19.1-42, 10-19.1-43, 10-19.1-47, 10-19.1-48, 10-19.1-50, 10-19.1-51, 10-19.1-52, 10-19.1-53, 10-19.1-55, 10-19.1-56, 10-19.1-57, 10-19.1-58, 10-19.1-59, 10-19.1-60, 10-19.1-66, 10-19.1-71, 10-19.1-72, 10-19.1-73, 10-19.1-74, 10-19.1-75, 10-19.1-76, 10-19.1-81, 10-19.1-82, 10-19.1-83, 10-19.1-85, 10-19.1-86, 10-19.1-87, 10-19.1-89, 10-19.1-90, 10-19.1-91, 10-19.1-92, 10-19.1-95, 10-19.1-110, 10-19.1-110.1, 10-19.1-115, 10-19.1-117, 10-19.1-123, 10-19.1-124, 10-19.1-127, 10-31-01, 10-31-02, 10-31-02.1, 10-31-02.2, 10-31-03, 10-31-04, 10-31-05, 10-31-07, 10-31-07.1, 10-31-07.2, 10-31-07.3, 10-31-12, 10-31-13, 10-31-13.1, 10-32-02, 10-32-06, 10-32-07, 10-32-10, 10-32-11, 10-32-12, 10-32-13, 10-32-15, 10-32-16, 10-32-17, 10-32-19, 10-32-22, 10-32-23, 10-32-28, 10-32-31, 10-32-32, 10-32-34, 10-32-37, 10-32-38, 10-32-39, 10-32-40, 10-32-42, 10-32-43, 10-32-44, 10-32-47, 10-32-48, subsection 1 of section 10-32-50, sections 10-32-51, 10-32-52, 10-32-53, 10-32-54, 10-32-55, 10-32-56, 10-32-58, 10-32-64, 10-32-66, 10-32-67, 10-32-68, 10-32-72, 10-32-77, 10-32-78, 10-32-79, 10-32-80, 10-32-81, 10-32-83, 10-32-84, 10-32-85, 10-32-86, 10-32-87, 10-32-88, 10-32-89, 10-32-91, 10-32-92, 10-32-93, 10-32-94, 10-32-95, 10-32-96, 10-32-97, 10-32-99, 10-32-100, 10-32-101, 10-32-102, 10-32-103, 10-32-104, 10-32-105, 10-32-106, 10-32-107, 10-32-108, 10-32-109, 10-32-110, 10-32-113, 10-32-114, 10-32-115, 10-32-117, 10-32-119, 10-32-121, 10-32-122, 10-32-127, 10-32-135, 10-32-136, 10-32-137, 10-32-138, 10-32-139, 10-32-140, 10-32-141, 10-32-142, 10-32-143, 10-32-144, 10-32-145, 10-32-146, 10-32-147, 10-32-148, 10-32-149, 10-32-150, 10-32-152, 10-32-153, 10-32-154, 10-32-155, 45-10.1-01, 45-10.1-02, 45-10.1-03, 45-10.1-04, 45-10.1-07.1, 45-10.1-08, 45-10.1-51, 45-10.1-52, 45-10.1-53, 45-10.1-54, 45-10.1-55, 45-10.1-56, 45-10.1-57, 45-10.1-58, 45-20-01, 45-22-01, 45-22-03, 45-22-04, 45-22-05, 45-22-06, 45-22-07, 45-22-08, 45-22-11, 45-22-12, 45-22-13, 45-22-14, 45-22-16, 45-22-17, 45-22-18, 45-22-20, 45-22-22, 45-22-23, 45-22-24, 45-22-25, 45-22-26, 45-22-27, 57-38-07.1, and 57-38.1-17.2 of the North Dakota Century Code, relating to corporations or limited liability company farming, the Business Corporation Act, the Professional

4. If the secretary of state revokes the certificate of authority to transact business in this state of any foreign corporation, pursuant to section 10-19.1-141, then the foreign corporation may appeal to the district court of the county where the registered office of the foreign corporation in this state is situated by filing with the clerk of the court a petition setting forth a copy of the corporation's certificate of authority to transact business in this state and a copy of the notice of revocation given by the secretary of state. The matter must be tried de novo by the court. The court shall sustain the action of the secretary of state or direct the secretary of state to take the action the court determines proper.
5. Appeals from all final orders and judgments entered by the district court under this section in review of any ruling or decision of the secretary of state are treated as other civil actions.

SECTION 81. Section 10-10.1-149 of the North Dakota Century Code is created and enacted as follows:

10-19.1-149. Secretary of state - Certificates and certified copies to be received in evidence.

1. All certificates issued by the secretary of state and all copies of documents filed in accordance with this chapter, when certified by the secretary of state, must be taken and received in all courts, public offices, and official bodies as prima facie evidence of the facts stated.
2. A certificate by the secretary of state under the great seal of this state, as to the existence or nonexistence of the facts relating to corporations which would not appear from a certified copy of any of the foregoing documents or certificates, must be taken and received in all courts, public offices, and official bodies as prima facie evidence of the existence or nonexistence of the facts stated.

SECTION 82. Section 10-19.1-150 of the North Dakota Century Code is created and enacted as follows:

10-19.1-150. Secretary of state - Forms to be furnished by the secretary of state. All reports required by this chapter to be filed in the office of the secretary of state must be made on forms prescribed by the secretary of state. Forms for all other documents to be filed in the office of the secretary of state may be furnished by the secretary of state upon request. However, the use of such documents, unless otherwise specifically required by law, is not mandatory.

SECTION 83. Section 10-19.1-151 of the North Dakota Century Code is created and enacted as follows:

10-19.1-151. Miscellaneous - Foreign trade zones.

1. As used in this section, unless the context otherwise requires:
  - a. "Act of Congress" means the Act of Congress approved June 18, 1934, entitled an act to provide for the establishment, operation, and maintenance of foreign trade zones and ports of entry of the United States, to expedite and encourage foreign commerce and for

A copy of the pertinent sections of the Grantee's charter is shown below:

Permanent Minutes  
Page No. 257

BOARD OF CITY COMMISSIONERS  
Fargo, North Dakota

Regular Meeting:

Tuesday:

April 8, 1969 :

Resolution Adopted Appointing the First Commissioners for the Municipal Airport Authority:

Commissioner Schuster offered the following Resolution and moved its adoption:  
WHEREAS, The City of Fargo has adopted a Resolution creating a Municipal Airport Authority, and,

WHEREAS, Section 2-06-02 of the North Dakota Century Code (1963) requires that five persons be appointed as commissioners of the Authority, and,

WHEREAS, Section 2-06-02 of the North Dakota Century Code (1963) requires that the terms of said commissioners be designated at the at the time of appointment, and,

WHEREAS, Harold Vavra, Director of the Aeronautics Commission recommends that the composition of the Authority be as follows:

- a. Two representatives affiliated with the aviation industry.
- b. Two representatives of the business and professional community.
- c. A member of the governing body of the City.

NOW, THEREFORE, BE IT RESOLVED, That the City of Fargo does hereby appoint the following persons as the first commissioners of the Municipal Airport Authority:

One Year Term - Nicholas Schuster  
Two Year Term - Thomas Wold  
Three Year Term - A. J. "Prince" Kundert  
Four Year Term - G. L. "Bud" Hustad  
Five Year Term - General Homer Goebel

Second by Oakey.

Commissioner Oakey asked if each future appointment would be made for a five-year term.

Commissioner Schuster stated that he believed it would be.

On the vote being taken on the question of the adoption of the Resolution Commissioners Schuster, Oakey, Markey and Lashkowitz voted aye.

Absent and not voting: Commissioner See.

The President declared the Resolution to have been duly passed and adopted.

Mr. Kenneth R. Johnson, Chairman of the Chamber of Commerce Aviation Committee, stated that his Committee will cooperate with the City to develop the Airport.

AGREEMENT REGARDING  
HECTOR AIRPORT PROPERTY

THIS AGREEMENT Made and entered into this 16th day of September, 1969, by and between the CITY OF FARGO, NORTH DAKOTA, a municipal corporation, hereinafter called the "City", and the MUNICIPAL AIRPORT AUTHORITY OF THE CITY OF FARGO, NORTH DAKOTA, a public body corporate and politic created and existing pursuant to the provisions of Chapter 2-06 of the North Dakota Century Code, hereinafter called the "Authority":

WHEREAS, by resolution dated April 8, 1969, the Board of City Commissioners of the City of Fargo, North Dakota, established the Authority to operate in accordance with the provisions of Chapter 2-06 of the North Dakota Century Code; and

WHEREAS, Section 2-06-07 (5) of the North Dakota Century Code provides that the Authority may acquire existing airports and air navigation facilities; and

WHEREAS, the City has heretofore operated the air navigation facilities and property known as Hector Municipal Airport and the City deems it to be in the best interests of the City that the Authority acquire said property by lease; and

WHEREAS, the City desires to cooperate with the Authority in the planning and operation of airports and air navigation facilities pursuant to Section 2-06-19 of the North Dakota Century Code;

NOW, THEREFORE, the parties hereto do hereby covenant and agree as follows:

(1) Effective April 8, 1969, the City does hereby assign, transfer, and convey to the Authority all rights of the City

to operate, maintain, lease, and collect revenues from existing airport and air navigation facilities known as Hector Municipal Airport, which property is portrayed on a map attached hereto as Exhibit "A", and does hereby lease all said airport property together with all building and appurtenances to said airport Authority.

(2) From and after the effective date of this instrument, the Authority shall:

- (a) Assume full responsibility and authority for operating, maintaining, repairing, leasing, insuring and collecting revenues from the properties hereinbefore described and shall operate said properties according to the provisions of Chapter 2-06 of the North Dakota Century Code and any other laws that may be applicable to the construction, maintenance and operation of said property.
- (b) Pay over to the City the sum of Thirty Thousand Dollars (\$30,000.00) on or before the end of fiscal year plus any sum that may be necessary to reimburse the City for any expenditures made by the City on behalf of the Authority.

(3) The City does hereby sell, assign, and transfer to the Authority all of its right, title, and interest in any and all leases or operating agreements presently in effect between the City and third persons, provided, however, that the said leases or agreements shall continue in full force and effect until they expire by their own terms or until modified by mutual agreement between the Authority and said third persons.

(4) The City hereby recognizes that the Authority shall have the right to modify any existing facilities and buildings or construct new buildings and facilities on any of the property hereby transferred, and, shall have the right pursuant to Chapter 2-06 of the North Dakota Century Code to acquire additional property as an addition to the airport.

(5) The City hereby covenants and agrees that in accordance with the terms of this agreement, it will not enter into any new

lease or operation agreement, or extend any existing lease or operating agreement relating to any of the property hereby transferred.

(6) It is further agreed and understood that the City will provide the Authority with the use of its treasurer, auditing department, and will continue to regard the employees of the Airport Authority as City employees for the purpose of the City employees Pension Plan.

(7) The term of this lease shall be ten (10) years from and after the date of execution hereof.

Dated at Fargo, North Dakota, this 16th day of September, 1969.

CITY OF FARGO, A Municipal Corporation

BY

Herschel Lashkowitz  
Herschel Lashkowitz, President of  
Board of City Commissioners

Attest:

Frank R. Fahrlander  
Frank R. Fahrlander  
City Auditor

THE MUNICIPAL AIRPORT AUTHORITY  
OF THE CITY OF FARGO, NORTH DAKOTA

BY

Nicholas F. Schuster  
Nicholas F. Schuster, Chairman

AND

Joseph Farmer  
Joseph Farmer, Secretary

STATE OF NORTH DAKOTA )  
( ss.  
COUNTY OF CASS )

On this 16<sup>th</sup> day of September, 1969, before me, a notary public in and for said county and state, personally appeared HERSCHEL LASHKOWITZ and FRANK R. FAHRLANDER, to me known to be the President of the Board of City Commissioners and the City Auditor, respectively, of the CITY OF FARGO, a municipal corporation, and acknowledged to me that said municipal corporation executed the same.

Carol J. Kraft  
Notary Public  
Cass County, North Dakota  
My Commission Expires:

(NOTARIAL SEAL)

CAROL J. KRAFT  
Notary Public, CASS COUNTY, N. DAK.  
My Commission Expires SEPT. 11, 1973

STATE OF NORTH DAKOTA )  
( ss.  
COUNTY OF CASS )

On this 16<sup>th</sup> day of September, 1969, before me, a notary public in and for said county and state, personally appeared NICHOLAS F. SCHUSTER and JOSEPH PARMER, to me known to be the Chairman and Secretary, respectively, of the public corporation that is described herein and that they executed the foregoing instrument and acknowledged to me that such corporation executed the same.

Carol J. Kraft  
Notary Public  
Cass County, North Dakota  
My Commission Expires:

(NOTARIAL SEAL)

CAROL J. KRAFT  
Notary Public, CASS COUNTY, N. DAK.  
My Commission Expires SEPT. 11, 1973

**A certified copy of a Resolution passed on November 23, 2004 is included on the following page.**



**MUNICIPAL AIRPORT AUTHORITY  
OF THE  
CITY OF FARGO**

Regular Meeting

Tuesday

November 23, 2004

The regular meeting of the Municipal Airport Authority of the City of Fargo, North Dakota, was held Tuesday, November 23, 2004, at 8:00 a.m. in the Airport Boardroom.

The members present or absent were as follows:

Present: Clark, Macdonald, Pawluk, Anderson, Kilander  
Absent: None  
Others: Stewart, Williams

Chairman Kilander presiding.

Adopted Resolution Pertaining to the Foreign Trade Zone Project:

Mr. Pawluk offered the following resolution and moved its adoption.

BE IT RESOLVED BY THE MUNICIPAL AIRPORT AUTHORITY OF THE CITY OF FARGO, that its Executive Director, or his designee, be, and hereby are, authorized and directed to attest, for and on behalf of the Municipal Airport Authority, an application to the U.S. Foreign-Trade Zones Board to establish a foreign-trade zone project for Fargo and the surrounding area pursuant to the rules and regulations established by the U.S. Foreign-Trade Zones Act of 1934, as amended; and the State of North Dakota enabling legislation as set forth in Chapter 103, Section 83, of the North Dakota Century Code, as amended; furthermore, that the Executive Director or his designee be authorized to respond to any questions or requests for information regarding the foreign-trade zone application, attached hereto and made a part hereof, as though set out in full.

Second by Dr. Clark.

All members present voted aye and the resolution was declared to have been duly passed and adopted.

CERTIFICATE OF SECRETARY, MUNICIPAL AIRPORT AUTHORITY

STATE OF NORTH DAKOTA  
COUNTY OF CASS

I, Shawn A. Dobberstein, do certify that I am the duly appointed, qualified, and acting Municipal Airport Authority Secretary of the City of Fargo, North Dakota, and

That the foregoing is a full, true and correct copy of a resolution adopted by the Municipal Airport Authority of the City of Fargo, North Dakota, at its regular meeting held November 23, 2004, and

That such resolution is now a part of the permanent records of the Municipal Airport Authority, as such records are filed in the Office of the Municipal Airport Authority.

*Shawn A. Dobberstein*  
Shawn A. Dobberstein, Executive Director  
Secretary, MUNICIPAL AIRPORT AUTHORITY

## **EXHIBIT 2 – Site Description**

### **Detailed Description of Zone Site.**

The proposed General-Purpose Zone consists of six sites:

- Airport, Science and Technology Complex
- Midtown Industrial Complex
- West Fargo Industrial Complex
- Heartland Industrial Complex
- Mapleton Industrial Complex
- Swanson Industrial Complex

The following are detailed descriptions of the area that comprise the proposed General-Purpose Zone. Also included is the acreage within each area, land-use zoning, transportation routes, utilities, infrastructure information, and security measures taken at each proposed site. Legal Descriptions are located in Appendix B.

### **Site 1 - Airport, Science and Technology Complex**

The Airport, Science and Technology Complex, which encompasses approximately 1546 acres, is located North of the city of Fargo, within Cass County. This proposed site is located approximately at, and adjacent to, the Hector International Airport. The Airport not only provides air passenger service and air cargo service, but participates in economic development efforts in the area. The site is located 1.5 miles from Interstate 29 and approximately 4 miles from Interstate 94. The proposed zone is zoned for transportation and industrial use. The proposed zone site is owned by Municipal Airport Authority of the City of Fargo, North Dakota State University's Science and Technology Park, and Reile's Transfer and Delivery, Inc. These businesses collectively employ 280 people. A complete list of parcel descriptions and employment for the site is located in Appendix A.

**Total Acreage within proposed Site 1 – 1546 acres**

**Total acreage for which FTZ status is herein requested: 270.12 acres**

#### **Services/facilities available or planned:**

Over 70,000 square feet within the proposed site is currently used for manufacturing activity, and over 200,000 square feet is used for warehousing and distribution.

The airport has three runways. The longest of the three runways is a recently reconstructed 9,000 foot runway. The airport provides passenger air service through United Express and Northwest Airlines with direct service to Minneapolis, Denver, and Chicago. Currently, six air cargo carriers service the airport and they are UPS, ABX Air/DHL, Business Aviation, Eagle Air Cargo, Capital City Air, and Bemidji Aviation. Air cargo tonnage at Hector International has increased approximately 400% over the past 10 years. Customs and Border Protection is located within the complex.

**Land-use Zoning** – This proposed site is zoned for transportation and commercial use.

**100-year Floodplain** – All the land included in proposed Site 1 is located outside the 100 year flood plain except for the building located at 4007 33<sup>rd</sup> St. NW.

**Utilities** – Electricity and gas – Xcel Energy  
Water and Sewer - The City of Fargo

#### **Transportation links:**

**Highway** – Interstates 94 is located 4 miles from the site and Interstate 29 is located 1.5 miles from the proposed site. I-94 reaches from Boston on the east to Seattle on the west. I-29 reaches from Winnipeg, Canada to Kansas City and provides direct links to major east-west connections such as I-70, I-80, and I-90.

**Air** – Hector International Airport is part of proposed site 1.

**Rail** - Burlington Northern/Santa Fe rail service can be accessed approximately 1 mile from the Airport, Science and Technology Complex. An intermodal operation is located approximately 11 miles from the proposed site.

#### **Security for Entire Proposed Site**

Each business firm located at the proposed site currently utilizes its own security systems, security procedures, and other measures for security. These range from fencing, walls, and other physical measures, to electronic systems, surveillance systems and security personnel. Prior to activation, each zone user will meet security standards required by the U.S. Customs and Border Protection.

#### **Current Activities**

There are a number of firms currently engaged in business activities that are operating within the service area of the proposed Grantee, Municipal Airport Authority of the City of Fargo. Activities conducted include air cargo service, warehousing and distribution, manufacturing, and air passenger service.

Additionally, there is still property available within the proposed general purpose zone area for development.

## **Site 2 - Midtown Industrial Complex**

The Midtown Industrial Complex, which encompasses approximately 1,074 acres, is located in the Fargo-West Fargo metropolitan area, next to U.S. Highway 10 and 2 miles from Interstate 29. Land-use zoning for the facility is commercial and agriculture use. The proposed zone site is owned by CNH America LLC, Union Storage and Transfer, Phoenix International Corporation, Magnum Companies, Midwest Motor Express, Inc., Gremada Industries, Inc., Matrix Properties, and Fay Land Partners. These businesses collectively employ 1412 people. A complete list of parcel descriptions for the site is located in Appendix A.

**Total Acreage within proposed Site 2 – 1074 acres**

**Total acreage for which FTZ status is herein requested: 392.27 acres**

### **Services/facilities available or planned:**

Over 800,000 square feet within the proposed site is currently used for manufacturing activity, and over 300,000 square feet is used for distribution activity. The complex also offers motor carrier service.

Magnum Companies currently has a CBP bonded warehouse within the complex. It is anticipated that Magnum Companies will offer Foreign-Trade Zone services to third parties in the area.

**Land-use Zoning** – This proposed site is zoned for commercial, limited industrial, general industrial, and agriculture use.

**100-year Floodplain** – The land included in Site 2 is located outside the 100 year flood plain.

**Utilities** – Electricity and gas – Xcel Energy  
Water and Sewer - The City of Fargo

### **Transportation links:**

**Highway** – The proposed site is located approximately 1 mile from Highway 10, 4 miles from Interstate 94, and approximately 1 mile from Interstate 29. I-94 reaches from Boston on the east to Seattle on the west. I-29 reaches from Winnipeg, Canada to Kansas City and provides direct links to major east-west connections such as 1-70, I-80, and I-90.

**Air** – Hector International Airport is located approximately 2 miles from the proposed Midtown Industrial Complex.

**Rail** – Burlington Northern/Santa Fe rail service is located 1 mile from the proposed Midtown Industrial Complex. An intermodal operation is located approximately 10 miles from the proposed site.

#### **Security for Entire Proposed Site**

Each business firm located at the proposed site currently utilizes its own security systems, security procedures, and other measures for security. These range from fencing, walls, and other physical measures, to electronic systems, surveillance systems and security personnel. Prior to activation, each zone user will meet security standards required by the U.S. Customs and Border Protection.

#### **Current Activities**

Currently, activity conducted at the site includes warehousing, distribution, over the road carrier service, and manufacturing. Additionally, there is still land available within the proposed General-Purpose Zone area for development.

### **Site 3 - West Fargo Industrial Complex**

The West Fargo Industrial Complex, which encompasses approximately 395 acres, is located in the City of West Fargo, ND, within Cass County, approximately 2 miles from Interstate 94, and 3 miles from Interstate 29. Land-use zoning for this proposed zone is for industrial use. The proposed zone site is owned by Gremada Industries, Inc., Crary Company, and Mid-America Aviation Inc. These businesses collectively employ 337 people. A complete list of parcel descriptions for the site is located in Appendix A.

**Total Acreage within proposed Site 3 – 395 acres**

**Total acreage for which FTZ status is herein requested: 221.97 acres**

#### **Services/facilities available or planned:**

Over 280,000 square feet within the proposed site is currently used for manufacturing activity.

**Land-use Zoning** – The land for this proposed site is zoned for industrial use.

**100-year Floodplain** – All the land included in Proposed Site 3 is located outside the 100 year flood plain.

**Utilities** – Electricity and gas – Xcel Energy  
Water and Sewer - The City of West Fargo

### **Transportation links:**

**Highway** – The West Fargo Industrial Complex is located on Highway 10, 2 miles from Interstate 94, and 3 miles from Interstate 29. I-94 reaches from Boston on the east to Seattle on the west. I-29 reaches from Winnipeg, Canada to Kansas City and provides direct links to major east-west connections such as I-70, I-80, and I-90.

**Air** – Hector International Airport is located approximately 5 miles from the proposed West Fargo Industrial Complex.

**Rail** – Burlington Northern/Santa Fe rail service is located adjacent to the proposed West Fargo Industrial Complex. An intermodal operation is located approximately 12 miles from the proposed site.

### **Security for Entire Proposed Site**

Each business firm located at the proposed site currently utilizes its own security systems, security procedures, and other measures for security. These range from fencing, walls, and other physical measures, to electronic systems, surveillance systems and security personnel. Prior to activation, each zone user will meet security standards required by the U.S. Customs and Border Protection.

### **Current Activities**

Currently, activity conducted at the site includes warehousing, distribution, over the road carrier service, and manufacturing. Additionally, there is still land available within the proposed general purpose zone area for development.

## **Site 4 - Heartland Industrial Complex**

The Heartland Industrial Complex, which encompasses approximately 27.8 acres, is located in Casselton, North Dakota within Cass County. Heartland Industrial Complex is located less than 1 mile from Interstate 94, approximately 18 miles from Interstate 29 and within Casselton, ND's city limits. The proposed zone's land is zoned for industrial use. The proposed zone site is owned by Identity Ag Processing, LLC (I.A.P.), Loegering MFG., Inc., and Southeast Rural Vision Enterprises, Co. These businesses collectively employ 72 people. A complete list of parcel descriptions for the site is located in Appendix A.

**Total Acreage within proposed Site 4 – 31.4 acres**

**Total acreage for which FTZ status is herein requested: 27.3 acres**

**Services/facilities available or planned:**

Over 76,000 square feet within the proposed site is currently used for manufacturing, processing, and warehouse/distribution activity.

**Land-use Zoning** – The land for this area is zoned for industrial use.

**100-year Floodplain** – All the land included in Proposed Site 4 is located outside the 100 year flood plain.

**Utilities** – Electricity and gas – Xcel Energy  
Water and Sewer - The City of Casselton

**Transportation links:**

**Highway** – Heartland Industrial Complex is located less than 1 mile from Interstate 94 and is located 18 miles from Interstate 29. I-94 reaches from Boston on the east to Seattle on the west. I-29 reaches from Winnipeg, Canada to Kansas City and provides direct links to major east-west connections such as I-70, I-80, and I-90.

**Air** – Hector International Airport is located approximately 23 miles from the proposed Heartland Industrial Complex.

**Rail** – Burlington Northern/Santa Fe rail service is located less than one mile from the proposed Heartland Industrial Complex. An intermodal operation is located approximately 25 miles from the proposed site.

**Security for Entire Proposed Site**

Each business firm located at the proposed site currently utilizes its own security systems, security procedures, and other measures for security. These range from fencing, walls, and other physical measures, to electronic systems, surveillance systems and security personnel. Prior to activation, each zone user will meet security standards required by the U.S. Customs and Border Protection.

**Current Activities**

Currently, activity conducted at the site includes warehousing, distribution, over the road carrier service, and manufacturing. Additionally, there is still land available within the proposed general purpose zone area for development.

**Site 5 - Mapleton Industrial Complex**

The proposed zone site, which encompasses approximately 100 acres, is located in Mapleton, North Dakota. Mapleton Industrial Complex is located less than 1 mile from Interstate 94, approximately 11 miles from Interstate 29, and is within Cass County. The proposed zone site is zoned for industrial use and is owned by

Ottertail Power Company. A complete list of parcel descriptions for the site is located in Appendix A.

**Total Acreage within proposed Site 5 – 100 acres**

**Total acreage for which FTZ status is herein requested: 100 acres**

**Services/facilities available or planned:**

Currently, development of buildings has not taken place. However, it is important to the zone plan, and the Fargo metropolitan area to have industrial property available for development to prospective client's specifications.

**Land-use Zoning** – This land is zoned for industrial use.

**100-year Floodplain** – All the land included in proposed Site 5 is located outside the 100 year flood plain.

**Utilities** – Electricity and gas – Otter Tail Power Company  
Water and Sewer - The City of Mapleton

**Transportation links:**

**Highway** – Mapleton Industrial Complex is located less than one mile from Interstate 94 and approximately 11 miles from Interstate 29. I-94 reaches from Boston on the east to Seattle on the west. I-29 reaches from Winnipeg, Canada to Kansas City and provides direct links to major east-west connections such as I-70, I-80, and I-90.

**Air** – Hector International Airport is located 16 miles from the proposed Heartland Industrial Complex.

**Rail** – Burlington Northern/Santa Fe rail service is located less than one mile from the Heartland Industrial Complex. An intermodal operation is located approximately 18 miles from the proposed site.

**Security for Entire Proposed Site**

Each business firm that will locate in the Mapleton Industrial Complex will meet security standards required by the U.S. Customs and Border Protection before activation.

## **Site 6 – Swanson Industrial Complex**

The Swanson Industrial Complex consists of 15 acres located in Fargo, North Dakota. Swanson Industrial Complex is located in Cass County, less than 1 mile

from Interstate 94 and is adjacent to Interstate 29 within Fargo's city limits. The proposed zone site is zoned for industrial use and is owned and operated by Swanson Health Products. The site employs 430 people. A complete list of parcel descriptions for the site is located in Appendix A.

**Total Acreage within proposed site 6 – 15 acres**

**Total acreage for which FTZ status is herein requested: 15 acres**

**Services/facilities available or planned:**

Over 85,000 square feet within the site is currently used for warehousing, distribution, and manufacturing activity.

**Land-use Zoning** – The land for this proposed zone is zoned for industrial use.

**100-year Floodplain** – All the land included in proposed Site 6 is located outside the 100 year flood plain.

**Utilities** – Electricity and gas – Xcel Energy  
Water and Sewer - The City of Fargo

**Transportation links:**

**Highway** – Interstate 94 is located less than one mile from the proposed Swanson Industrial Complex. Interstate 29 is adjacent to the proposed Swanson Industrial Complex. I-94 reaches from Boston on the east to Seattle on the west. I-29 reaches from Winnipeg, Canada to Kansas City and provides direct links to major east-west connections such as 1-70, I-80, and I-90.

**Air** – Hector International Airport is located 6 miles from the proposed Swanson Industrial Complex.

**Rail** – Burlington Northern/Santa Fe rail service runs approximately 3 miles from the proposed Swanson Industrial Complex. An intermodal operation is located approximately 12 miles from the proposed site.

**Security for Entire Proposed Site**

All external doors require an entrance code or electronic key to enter 24-hours a day. The exception is the main entrance which is open 8-5 Monday-Friday. All guests must sign-in at the front desk and be escorted throughout the entire building. Offices are all keyed for private entry as required. The facility uses electronic video camera security for all external doors and parking lots for the entire property. Prior to activation, the zone user will meet security standards required by the U.S. Customs and Border Protection.

## **Current Activities**

Currently activity conducted at the site includes warehousing, distribution, and manufacturing. Additionally, there is still land available within the proposed general purpose zone area for development.

## **Detailed Description of the Larger Project**

The proposed zone project is being developed to enhance the competitiveness of existing small and large businesses in the Fargo area, and to attract new businesses that are engaged in international trade. The proposed zone is more than a project to expand an airport or industrial complex; it is being developed to enhance the quality of life in the Fargo area. The General-Purpose Zone services will be provided through Municipal Airport Authority and their goal is to increase the overall employment level and capital investment in the area.

Zone status will increase international trade in the area, and encourage existing firms that are currently involved in international trade to conduct current CBP and overseas transportation activity in the Fargo area. This will not only help the economy of the Fargo metropolitan area and surrounding area, but will also help to alleviate a portion of the congestion at the United States' larger ports.

The Municipal Airport Authority will be responsible for marketing the Zone's property in conjunction with the Fargo-Cass County Economic Development Corporation.

## **Adjacency to Customs Port of Entry**

As described in 68 FR 42588, issued on July 17, 2003, the boundaries of the Fargo, IL port limits are as follows:

In Cass County, North Dakota: Northern boundary, Cass County highway 20, southern boundary, an east-west line in accordance with 64<sup>th</sup> Avenue South in Fargo, North Dakota, and western boundary, a north-south line represented by 25<sup>th</sup> Street south of the intersection of U.S. Interstate 94 and U.S. 10 and 26<sup>th</sup> Street north of the intersection of U.S. Interstate 94 and U.S. 10 in West Fargo. In Clay County, Minnesota; northern boundary, Clay County highway 22. Southern boundary, an east-west line in accordance with 64<sup>th</sup> Avenue South in Fargo, Cass County, North Dakota, and eastern boundary, a north-south line represented by Clay County Road 78 south of U.S. 10 and Clay County Road 90 north of U.S. 10.

## **Proposed Site 1 – Airport, Science and Technology Complex**

The proposed site is located within the CBP Port of Entry.

**Proposed Site 2 – Midtown Industrial Complex**

The proposed site straddles the CBP Port of Entry boundary.

**Proposed Site 3 – West Fargo Industrial Complex**

The proposed site is located within the CBP Port of Entry.

**Proposed Site 4 – Heartland Industrial Complex**

The proposed site is located approximately 17.5 miles from the CBP Port of Entry.

**Proposed Site 5 – Mapleton Industrial Complex**

The proposed site is located approximately 11 miles from the CBP Port of Entry boundaries.

**Proposed Site 6 – Swanson Industrial Complex**

The proposed site is located within the CBP Port of Entry boundaries.

**Port and Transportation Services and Facilities**

**Highway** – All of the proposed sites have an excellent transportation network. The Fargo metropolitan area is located at the crossroads of Interstate 94 and Interstate 29. All of the sites have quick access to one or both of the Interstate highways. I-94 reaches from Boston on the east to Seattle on the west. Interstate 29 also serves the Fargo area. I-29 reaches from Winnipeg, Canada to Kansas City and provides direct links to major east-west connections such as I-70, I-80, and I-90.

**Air** – Hector International Airport is located adjacent to I-29 in North Fargo. Passenger air service at Hector International Airport is provided by United Express and Northwest Airlines with direct service to Minneapolis, Denver, and Chicago. There are currently six air cargo carriers that operate from the airport and they are UPS, ABX Air/DHL, Business Aviation, Eagle Air Cargo, Capital City Air and Bemidji Aviation.

**Railroad** – Railroad access spurs are located throughout the Fargo and west Fargo sites with Burlington Northern/Santa Fe providing the rail service. Burlington Northern/Santa Fe has connections with Seattle, the Gulf of Mexico,

Chicago, Denver, and Houston. It covers 25,000 miles of track, 25 states, and 2 Canadian Provinces. Located seven miles east of Fargo is an intermodal operation that handles flatcar shipments of trailers, containers, and other freight.

### **Possibilities and Plans for Zone Expansion**

Every effort has been made to identify the need for zone services. However, as zone activity grows, the Municipal Airport Authority will do a thorough evaluation of firms that may benefit from zone procedures.

## **EXHIBIT 3 – Operation and Financing**

### **Site Ownership**

**Site 1, Airport, Science and Technology Complex** – Letters of interest and/or concurrence have been received from Municipal Airport Authority, NDSU Research & Technology Complex, Inc. and Reile's Transfer and Delivery Inc. Copies are provided in Appendix C.

**Site 2, Midtown Industrial Complex** - Letters of interest and/or concurrence have been received from CNH America LLC, Union Storage and Transfer, Phoenix International Corporation, Magnum Companies, Midwest Motor Express, Inc., Gremada Industries, Inc., Matrix Properties, and Fay Land Properties. Copies are provided in Appendix C.

**Site 3, West Fargo** - Letters of interest and/or concurrence have been received from Gremada Industries, Inc., Crary Company, and Mid-America Aviation Inc. Copies are provided in Appendix C.

**Site 4, Heartland Industrial Complex** - Letters of interest and/or concurrence have been received from Identity Ag Processing, LLC (I.A.P.), Loegering MFG., Inc. and Southeast Rural Vision Enterprises, Co. Copies are provided in Appendix C.

**Site 5, Mapleton Industrial Complex** – A letter of interest and/or concurrence has been received from Ottertail Power Company. A copy is provided in Appendix C.

**Site 6, Swanson Industrial Complex** – A letter of interest and/or concurrence has been received from Swanson Health Products. Copies are provided in Appendix C.

### **Operation Plan**

The proposed Grantee for the General-Purpose Zone will allow multiple operators within the zone project.

The goal of the Municipal Airport Authority is to make the U.S. Foreign-Trade Zones program available to anyone in North Dakota that needs the program to enhance international competitiveness. Use of the zone project will be predicated on real-estate criteria, except as those criteria may be imposed by the Foreign-Trade Zones Board. In short, the operation of the proposed zone project will be focused on enhancing economic activity. It is anticipated that the Foreign-

Trade Zone Corporation will provide administrative services on behalf of the Municipal Airport Authority, and that the proposed zone project will operate under the same "centralized zone management" concept which has made other zone operations successful.

### **Plans for Providing Facilities, Physical Security and Satisfying Customs and Automated Systems Requirements.**

As described in Exhibits 2 and 4, the various proposed zone sites include a variety of facilities for manufacturing and industrial use. Additionally, areas for future commercial and industrial development are available at the proposed General-Purpose Zone site.

Physical security will meet standards developed in TD 72-56, "Federal Standards for Cargo Security," or those standards approved by the appropriate U.S. Customs and Border Protection personnel.

Each business firm currently located at the proposed site and each business that will locate in this site will utilize its own security systems, security procedures, and other measures for security. These range from fencing, walls, and other physical measures, to electronic systems, surveillance systems and security personnel. Prior to activation, each zone user will meet security standards required by the U.S. Customs and Border Protection.

### **CBP and Automated Systems Requirements**

In accordance with CBP's requirement concerning the automated commercial system and prospective Foreign-Trade Zones, the Municipal Airport Authority submits the following:

The Municipal Airport Authority of the City of Fargo hereby commits itself to the establishment of an electronic interface with the U.S. Customs and Border Protection (CBP) through its Automated Commercial System, when the specifications and requirements of that interface have been developed and implemented by CBP. The Municipal Airport Authority understands this commitment is applicable to its agents and any Operators in the zone. It is also understood that, if Municipal Airport Authority has not established that interface, CBP will not activate any portion of the approved zone covered by this application.

## **Financing and Operational Cost**

The cost to prepare and submit the application will be paid by the Municipal Airport Authority via tax levy funds collected for the airport improvement fund and the Fargo-Cass County Economic Development Corporation. Any costs associated with the zone project after submission of the application or its subsequent approval will be paid by the Municipal Airport Authority.

Any zone operating costs will be paid for from fees charged to Users and funds provided by the Municipal Airport Authority. Such funds will be used to provide zone related services to zone Users and to further market and develop use of the zones program.

## **Time Schedule**

Upon submission of the application, representatives of the zone will conduct activities such as marketing of zone benefits to the community, training of zone employees on proper CBP procedures, and implementing any security changes necessary. As soon as the application is approved, steps to activate appropriate zone operations will begin in the existing established businesses located within the General-Purpose Zone.

## **Exhibit 4 - Economic Justification**

### **Background**

The Fargo metropolitan area has had an increase in international trade in recent years. This is illustrated by Fargo's permanent Customs Port of Entry designation in 2003. The Municipal Airport Authority of the City of Fargo has recognized the need for zone status in the area for some time.

The Municipal Airport Authority of the City of Fargo and the Fargo-Cass County Economic Development Corporation (FCCEDC) realized that by establishing a FTZ in the Fargo area, the zone will provide financial benefits to the existing manufacturing and distribution firms located in the region. This in turn would allow the companies to redirect the savings into other aspects of the businesses such as the creation of more jobs, job retention due to higher wages, and expansion of current facilities. In addition, this will support long term employment opportunities in Fargo by promoting business in the U.S. and not moving operations abroad where the cost of labor and operation of facilities are more cost effective.

By obtaining zone status, the Fargo metropolitan and Cass County area will become more attractive to prospective industries as they evaluate sites for development of its manufacturing and distribution facilities. An established Foreign-Trade Zone in the Fargo area, coupled with a highly skilled local work force, is the best way to attract and retain new employment as well as capital investment opportunities for the Fargo area.

### **Overall Goals and Strategies**

The North Dakota Department of Commerce's goals for the state are to improve the quality of life of the people of North Dakota, strengthen North Dakota's business climate to increase global competitiveness, and broaden the state's economic base. To carry out these goals the Department of Commerce decided to target five industries: value-added agriculture, advanced manufacturing, information technology, tourism, and energy.

The mission of FCCEDC is to promote and develop industrial and economic development in Cass County. FCCEDC set a plan in place in 2003 to direct the course the community would take in terms of business recruitment and expansion. In the plan, several target industries were selected as FCCEDC's area of focus: advanced manufacturing, warehouse/distribution, information technology, life sciences, physical sciences, and corporate service centers. Securing a Foreign-Trade Zone would be a key factor in accomplishing the goals set within the advanced manufacturing and warehouse/distribution industries.

By establishing a FTZ in the Fargo area, the Municipal Airport Authority of the City of Fargo and the FCCEDC committed themselves to two main goals: give the importing and exporting companies in the area a competitive advantage against companies that have moved operations abroad and give the community an advantage in recruiting additional manufacturing and distribution companies to the Fargo area.

Companies currently located in the Fargo area compete globally with companies located overseas that enjoy lower operating costs. By establishing a FTZ in the Fargo area, these companies will realize zone savings that can be funneled back into the local economy. This will support the creation and retention of jobs, and expansion of current facilities.

The second goal in establishing the zone is to give the community a competitive advantage in recruiting companies involved in international trade. Geographically, the Fargo metropolitan area is at a disadvantage due to the distance from major markets. If the Fargo area receives Foreign-Trade Zone designation the community will become more globally competitive. Fargo will also become more appealing to companies looking to move to the area due to the lower cost of doing business.

Commonly, companies that export tend to pay higher wages than those that do not. This supports the overall mission of the FCCEDC's economic development plan, which is to increase the standard of living in the community.

## **Economic Profile**

According to the 2003 demographic profile, the dominant employment sectors are broken out as follows: 32% is attributable to the service industry, 20% is attributable to the retail industry, 15% is attributable to government agencies, 8% is attributable to the manufacturing industry, and 8% to the wholesale industry. The Fargo metropolitan area is a regional hub, attracting people from throughout North Dakota, eastern and southern Minnesota, and northern South Dakota. The concentration of government jobs is due in part to the area's Air National Guard Base, several public institutions of higher education, and the many government agencies that serve eastern North Dakota. The country has lost millions of manufacturing jobs over the last few years. However, the Fargo area, not feeling the effects of the loss, has seen an increase in its manufacturing facilities employment. The Fargo metropolitan area has also become home to several regional warehouse distribution centers accounting for a higher percentage in the warehousing/distribution sector.

For the state of North Dakota, exports have grown from \$669 million in 1999 to \$854 million in 2003. The top export commodities from the state and the Fargo area are machinery manufactures, crop production, transportation equipment, processed foods, and chemical manufactures.

The average unemployment rate in Cass County varies from 2% to 3.5% with the national unemployment rate currently at 5.4%. The area economy is fairly diversified. This diversity has kept the community's economy strong during times of recession and has kept growth steady during times of economic booms.

Among the area's assets are its six institutions of higher education with a combined enrollment of 24,000 students. There is also a good transportation network, an outstanding telecommunications network with redundancy, available land for growth, low cost electricity, and a highly skilled labor force. According to a Forbes Magazine report in 2004, Fargo is the second-best smaller U.S. city for doing business. The overall ranking was based on the its individual rankings of 34<sup>th</sup> in offering advanced degrees; 31<sup>st</sup> in the cost of doing business based on cost of labor, energy, taxes, and office space; and 28<sup>th</sup> in cost of living based on cost of housing, utilities, transportation, 39<sup>th</sup> in job growth, and 14<sup>th</sup> in income growth.

Obstacles the Fargo area has over come are overall population decline in North Dakota, lack of proximity to the major markets, lack of proximity to a water port, and an inadequate water source for future growth.

Companies investigating regions in which to establish or relocate its manufacturing and distribution business would look favorably on the Fargo area if a Foreign-Trade Zone is established.

The establishment of a zone project is consistent with economic development efforts of the Municipal Airport Authority, who together with the FCCEDC, are working toward creating a more balanced economy for the region.

The Fargo area has an excellent transportation network and as mentioned previously, has a Customs Port of Entry. The Fargo metropolitan area is located at the crossroads of Interstate 94 and Interstate 29. All of the sites have quick access to one or both of the Interstate highways. I-94 reaches from Boston on the east to Seattle on the west. I-29 reaches from Winnipeg, Canada to Kansas City and provides direct links to major east-west connections such as I-70, I-80, and I-90.

Hector International Airport is located adjacent to I-29 in North Fargo. The airport provides passenger air service through United Express and Northwest Airlines with direct service to Minneapolis, Denver, and Chicago. Currently there are six air cargo carriers that operate from the airport and they are UPS, ABX Air/DHL, Business Aviation, Eagle Air Cargo, Capital City Air and Bemidji Aviation..

Railroad access spurs are located throughout the Fargo and West Fargo sites with Burlington Northern/Santa Fe providing the rail service. Burlington Northern/Santa Fe has connections with Seattle, Gulf of Mexico, Chicago, Denver, and Houston and covers 25,000 miles of track, 25 states, and 2 Canadian Provinces. Three miles east of Fargo is an intermodal operation that handles flatcar shipments of trailers, containers, and other freight.

## **Role and Objectives of the Zone**

The role of the Zone project is to make the Fargo metropolitan area a more cost-competitive environment for existing businesses as well as businesses seeking to conduct or locate manufacturing and distribution operations in the area. Zone status will make the area more competitive and will increase industry retention, expansion, and attraction. The Foreign-Trade Zone project will help area business enhance competitiveness and thereby support investment, growth, and employment in the area.

### **Site 1 - Airport, Science and Technology Complex**

Airport, Science and Technology Complex is ideally suited to serve as a General-Purpose Zone site. The site already has direct airfreight service and great highway access. The presence of the Port of Entry of the CBP will enable zone Users at the site to enjoy immediate access to CBP. In addition to the buildings and facilities already in place, the site provides plenty of room for future industrial and commercial development.

### **Site 2 - Midtown Industrial Complex**

The Midtown Industrial Complex is located in the heart of Fargo and has great access to transportation services. The proposed area also provides ample room for growth that can accommodate firms conducting international trade.

### **Site 3 - West Fargo Industrial Complex**

This site is an industrial complex containing various lot sizes and roads. Access to existing highways and paved roads are an added enhancement to the area. With the aim of increasing economic activity, this site will attract business and industries that will contribute to the local tax base.

### **Site 4 - Heartland Industrial Complex**

This new industrial complex, Heartland Industrial Complex, is located within Cass County and it has easy access to Interstates 94 and 29. This complex has over 70 acres available for sale and development. If zone status is granted, this site will serve as a catalyst for attracting new industries to the area.

### **Site 5 - Mapleton Industrial Complex**

The Mapleton Industrial Complex provides an affordable yet well located alternative for companies that require an industrial park setting. The site's ease of highway and air access, coupled with its affordability, make it an ideal General-Purpose zone site for zone users. The site is a mile north of Interstate 94.

#### **Site 6 Swanson Industrial Complex**

The zone project will assist in maximizing trade and economic opportunities for zone the facilities located in the complex.

### **Economic Impact**

It is anticipated that the zone project will allow a number of existing industries to grow as well as remain competitive in the United States, thereby maintaining the existing tax base in the Fargo metropolitan area. A Foreign-Trade Zone project will provide a much needed incentive to attract manufacturing and distribution operations to the area. This will create immediate openings for the area's highly skilled workers as well as the low and semi skilled workers. The establishment of a General-Purpose Zone will also create future growth in the service-related industries due to increased employment and increased wages for employees in the area.

North Dakota's economy is export-dependent, with export sales averaging approximately \$1,108 per state resident. Almost 7,000 North Dakota jobs depend on exports of manufactured goods. Of the 7,000 jobs dependent on manufacturing, approximately 2,300 of these Fargo area residents are working for the companies currently seeking zone status.

As previously stated, the Fargo area has a positive balance of trade. Zone status for Fargo area businesses will serve to enhance the positive trade balance by offering area firms greater opportunities to increase value added services utilizing 100% domestic labor and capital investment.

Foreign-Trade Zone Status and use of FTZ procedures is not a pre-condition for construction or activity at any of the proposed zone sites. It should also be noted that FTZ procedures will not significantly change the physical aspects of the proposed sites.

Development at each site is subject to all federal, state and local environmental regulations. The Municipal Airport Authority of the City of Fargo, ND, as applicant, is aware that Zone status for each site will not exempt any site or party (i.e. operators or users) from any federal, state or local health, safety, occupational, or environmental requirements.

## **Need for Zone Services**

As previously stated, the Fargo area possesses the manufacturing and distribution base along with the transportation access to make successful use of the Foreign-Trade Zones program. With its highly skilled workforce, the Fargo area has the potential to attract businesses that are considering locating in the area as well as retain companies currently located in Fargo, West Fargo, and the surrounding region.

Foreign-Trade Zone status will assist companies located in the Fargo metropolitan area to create an environment for increased international trade and increased exports. This will translate into an increase in capital investment and growth for the community.

Letters of Interest and/or concurrence from each site are provided in Appendix C.

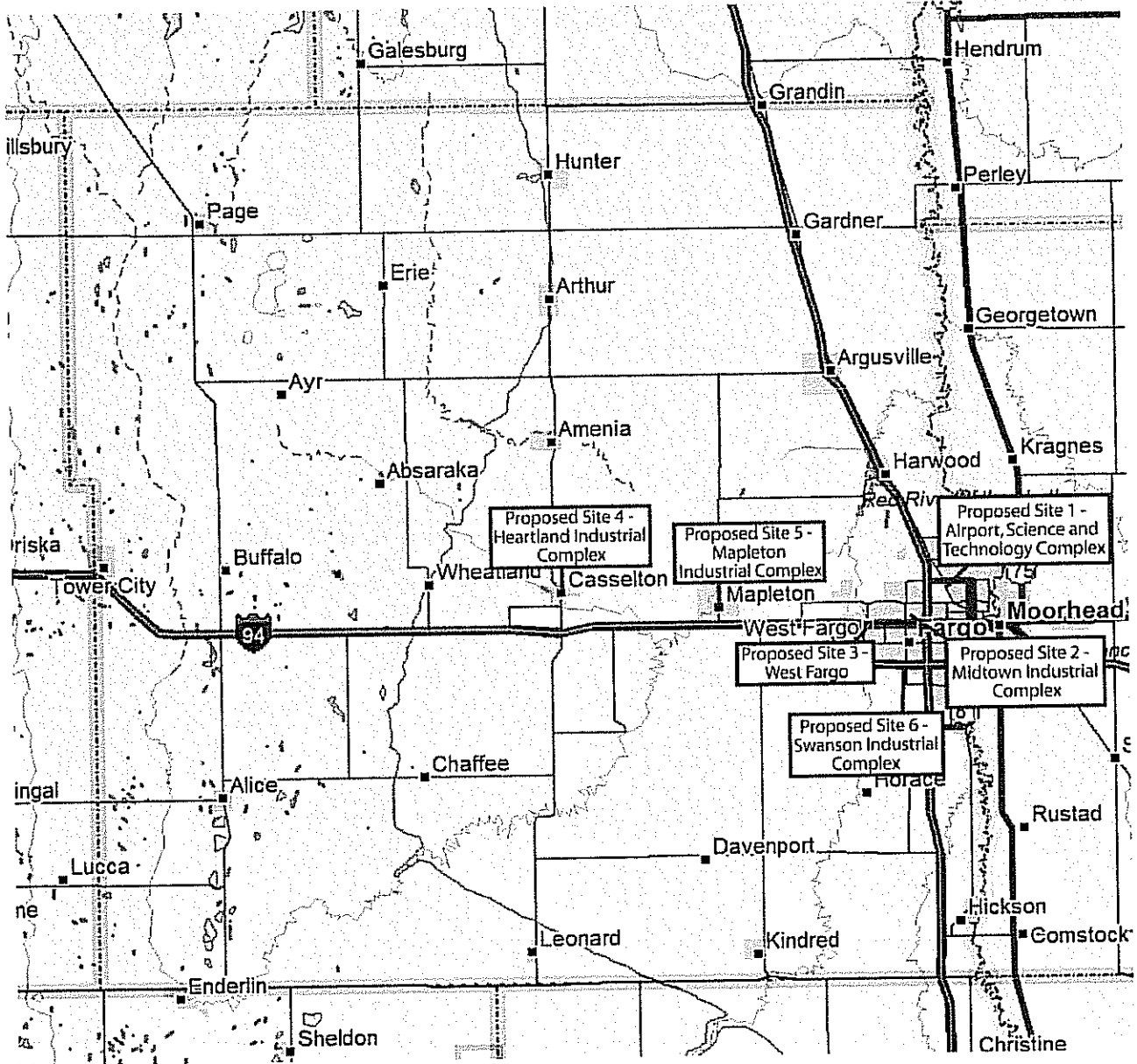
## **Exhibit Five – Maps**

**The following maps and drawings are herein included:**

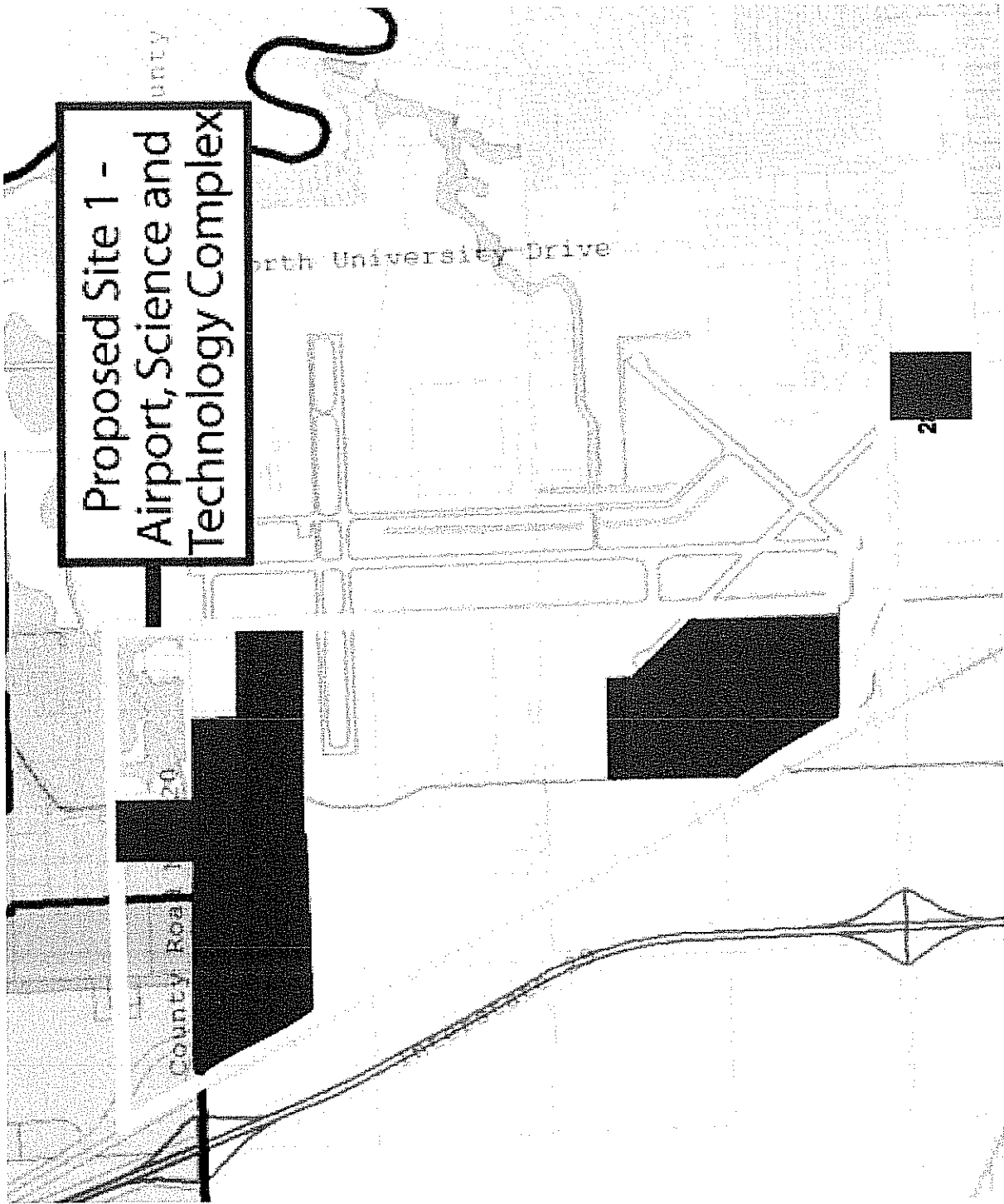
- State and County maps showing the general location of the zone in terms of the area's transportation network;
- A U.S. Geodetic map or the equivalent showing in red the location of the proposed Zone sites; and,
- A detailed image of each Zone site showing Zone boundaries in red.



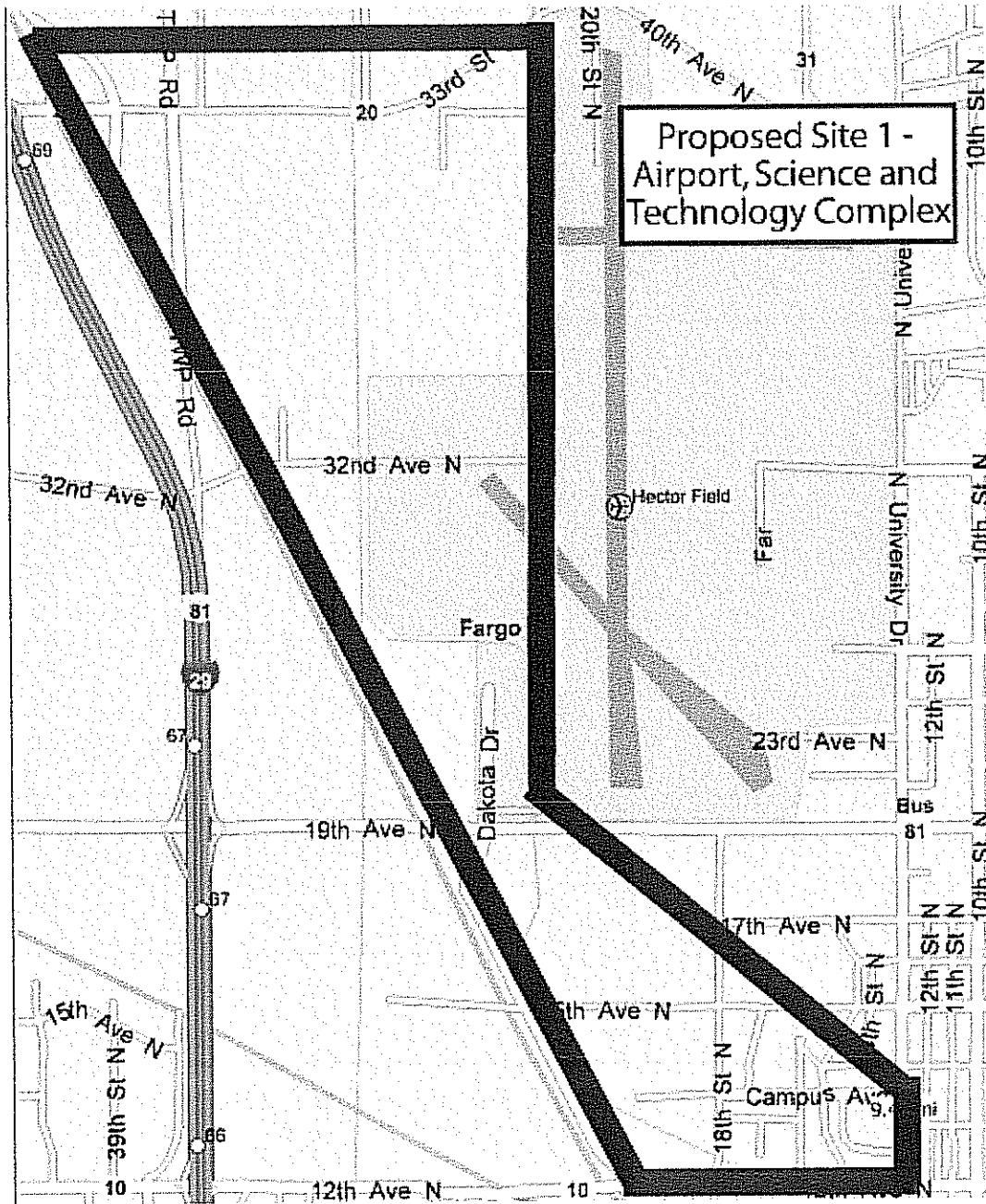
# Cass County Map



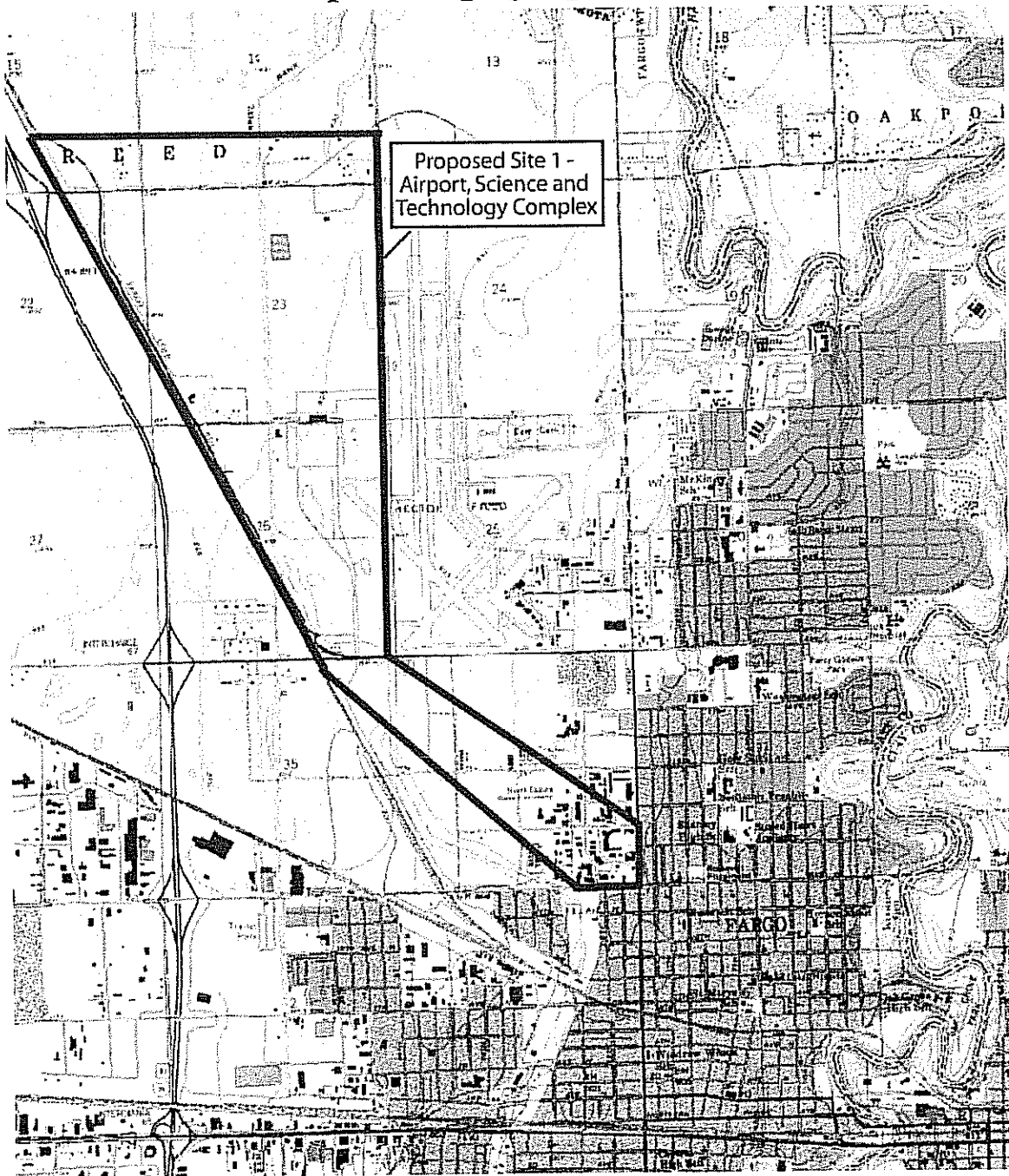
# Proposed Site 1 – Airport, Science and Technology Complex



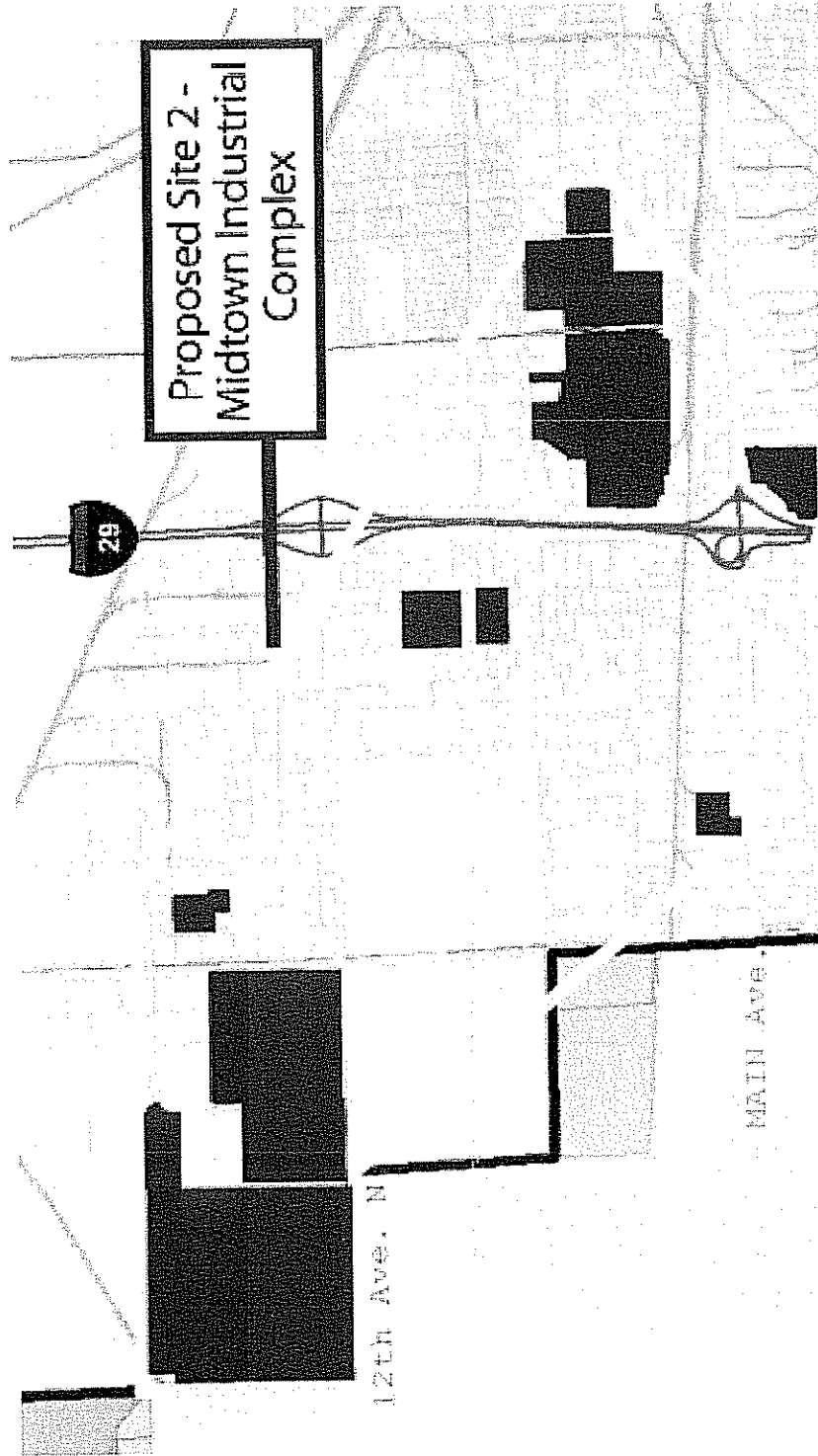
# Proposed Site 1 – Airport, Science and Technology Complex Detailed Street Map



# Proposed Site 1 – Airport, Science and Technology Complex Topographical Map

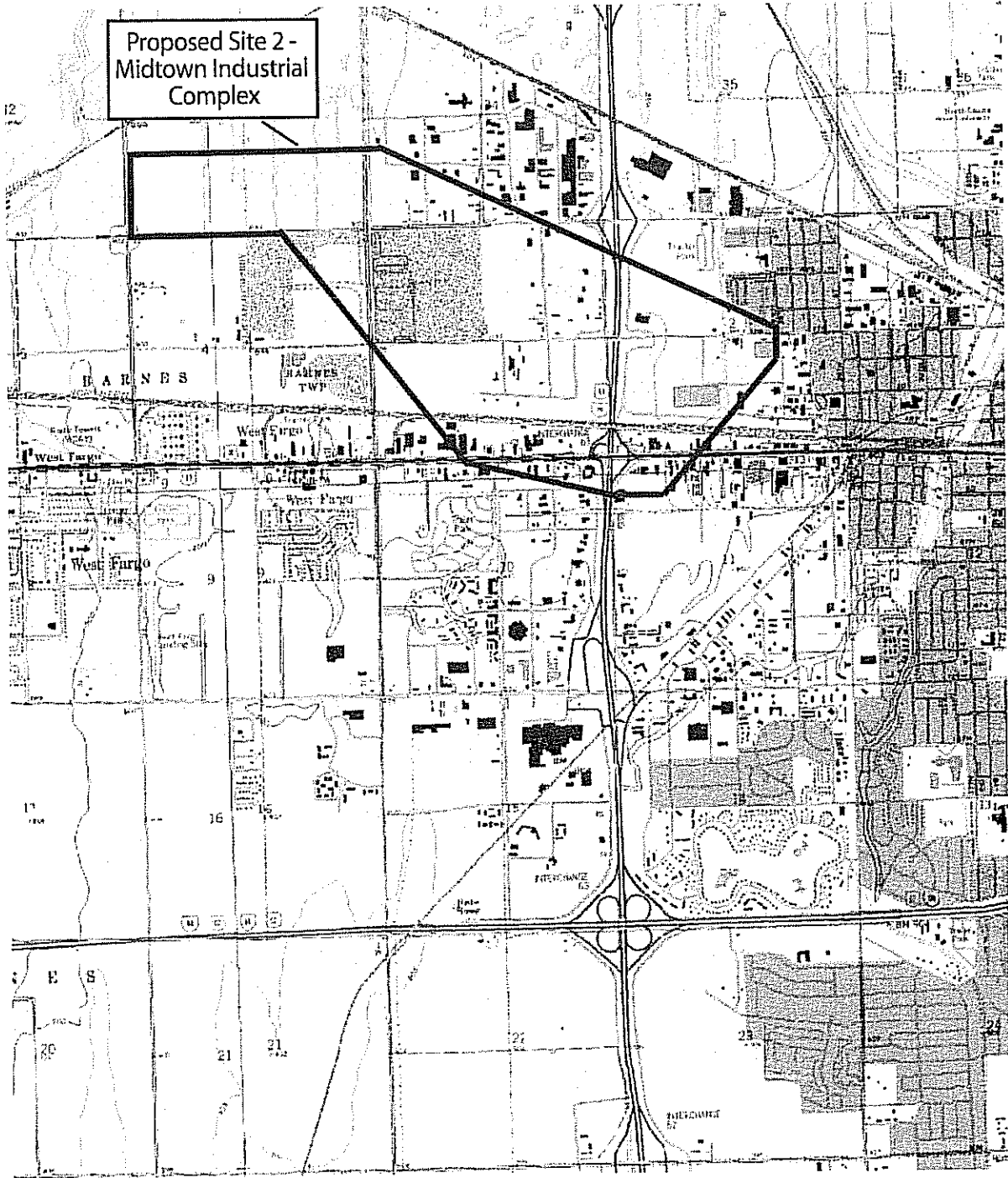


# Proposed Site 2 – Midtown Industrial Complex

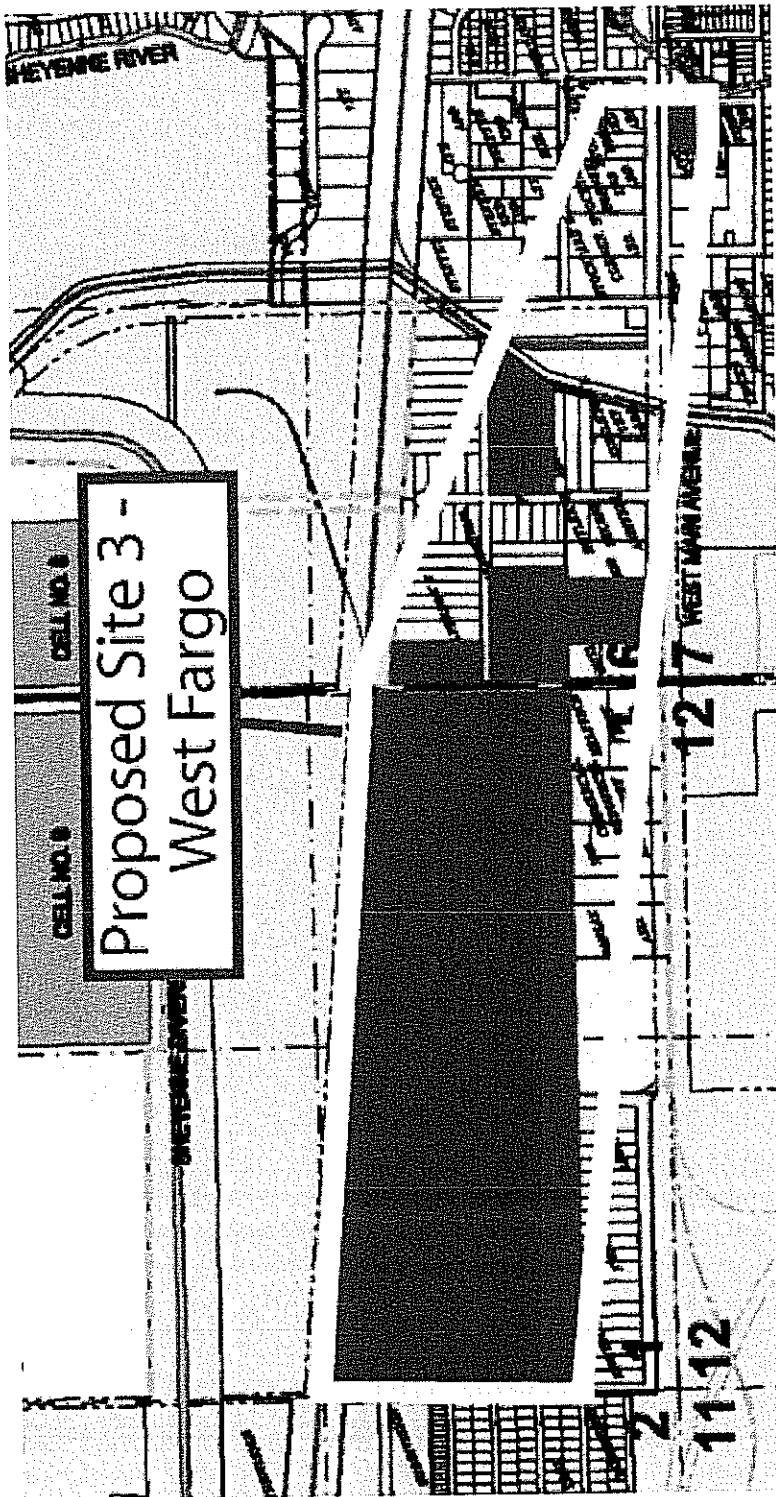




# Proposed Site 2 – Midtown Industrial Complex Topographical Map

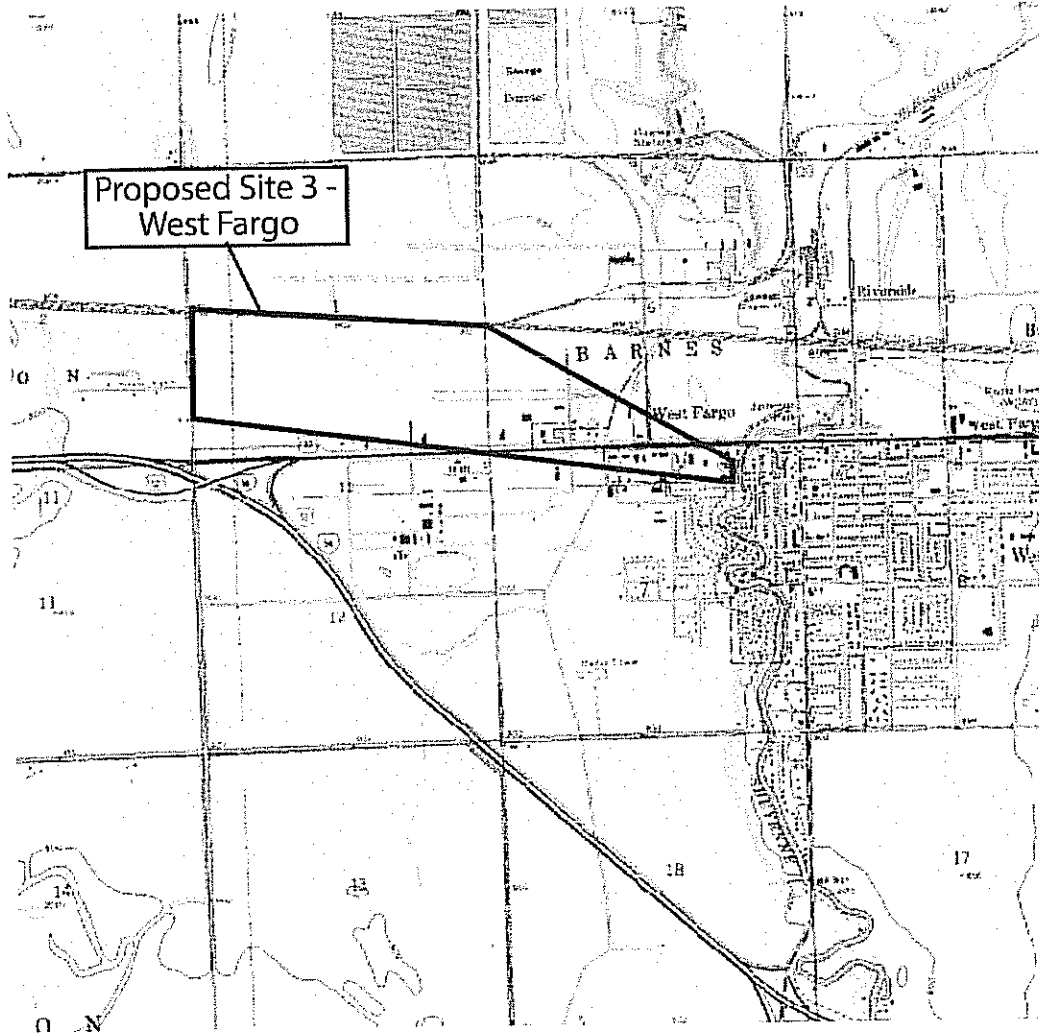


# Proposed Site 3 – West Fargo Complex

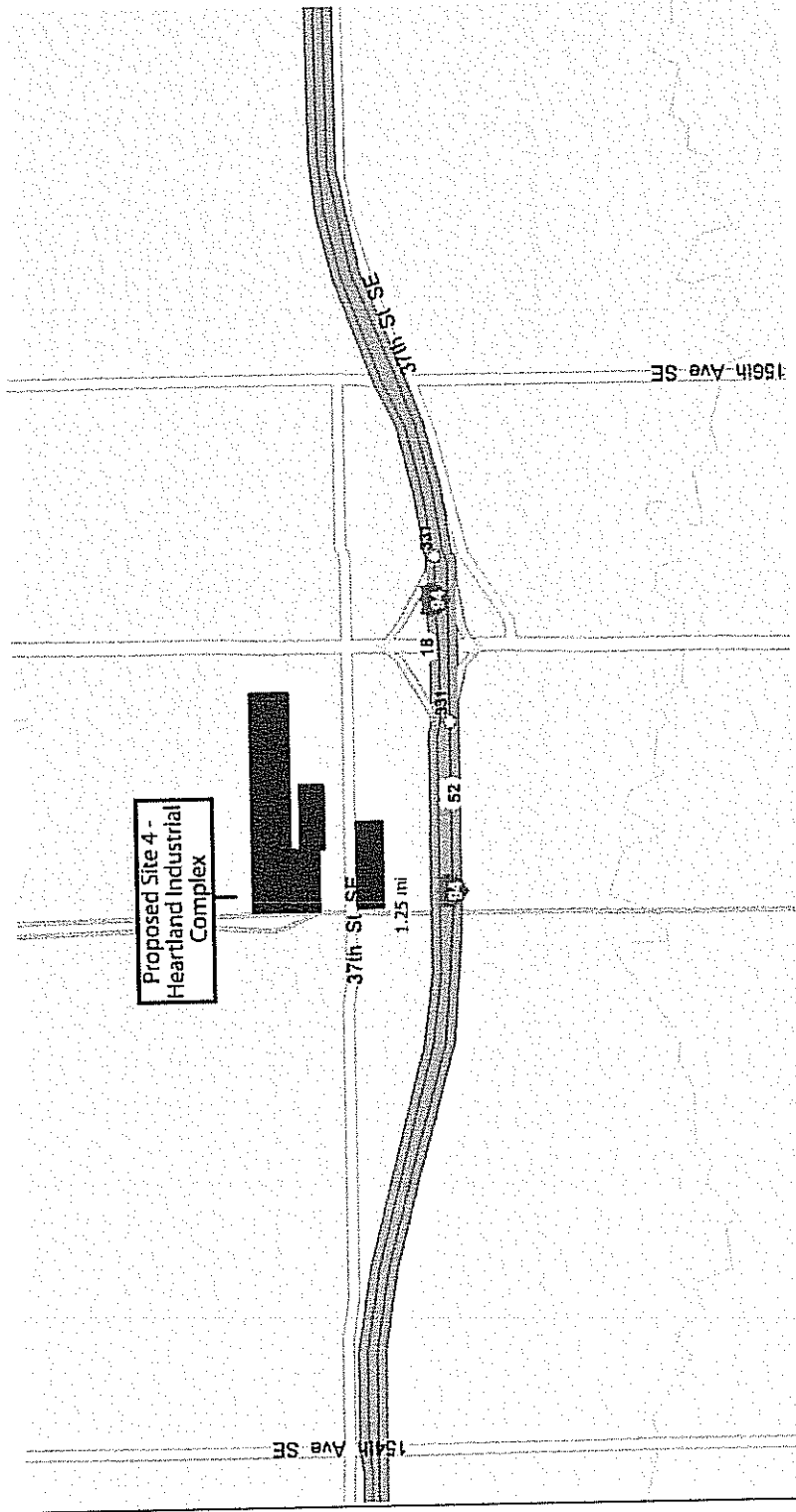




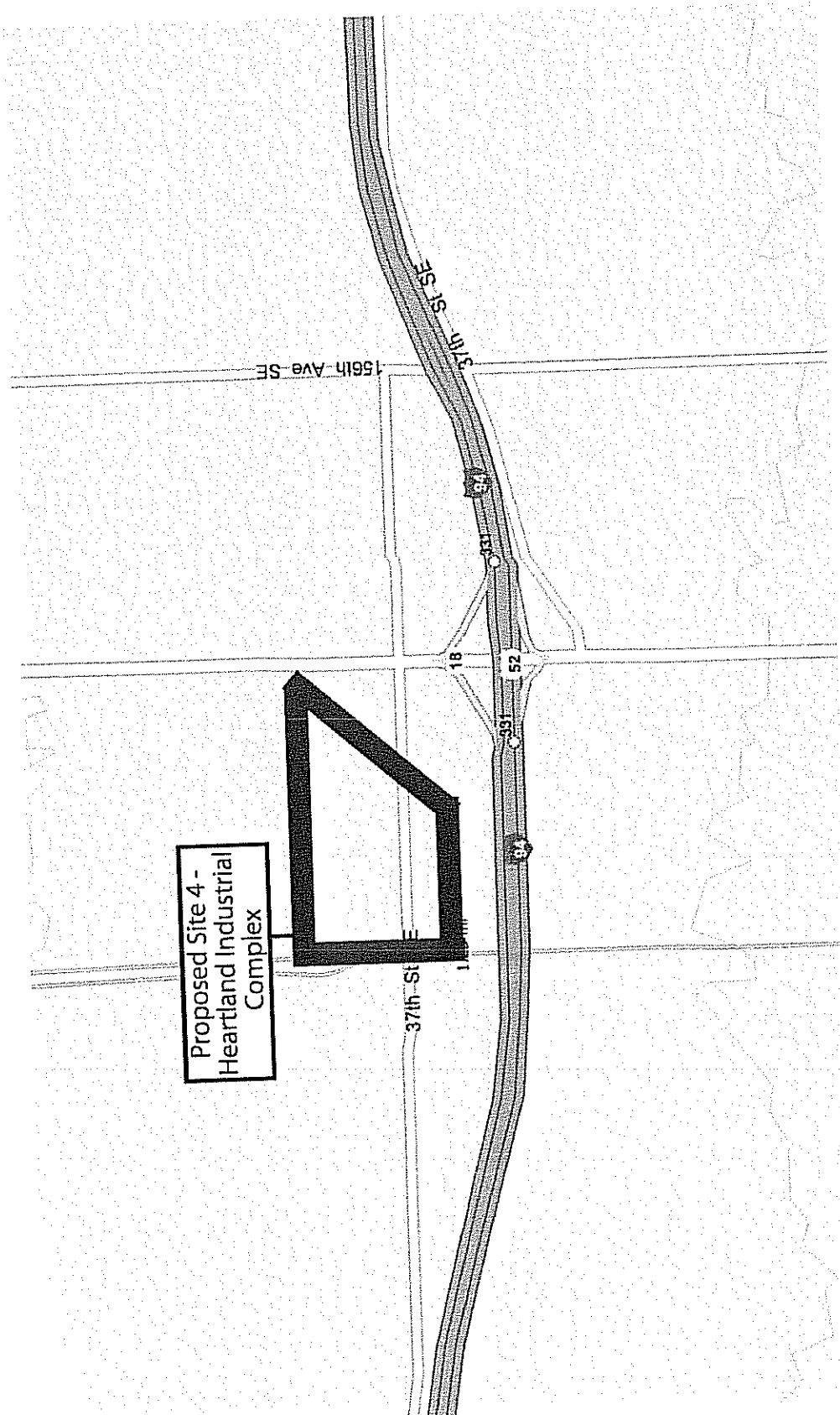
# Proposed Site 3 – West Fargo Complex Topographical Map



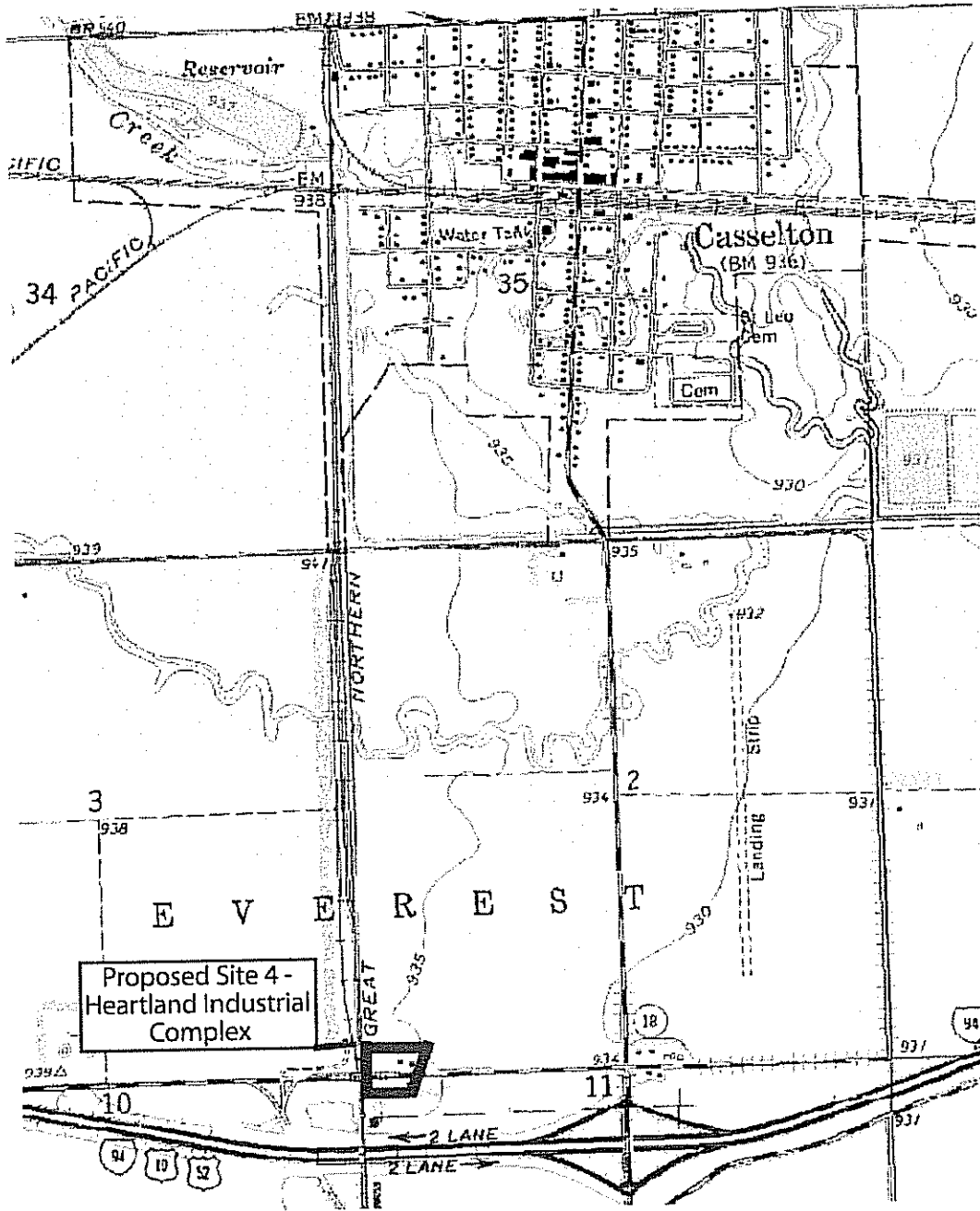
# Proposed Site 4 – Heartland Industrial Complex



# Proposed Site 4 – Heartland Industrial Complex Detailed Street Map



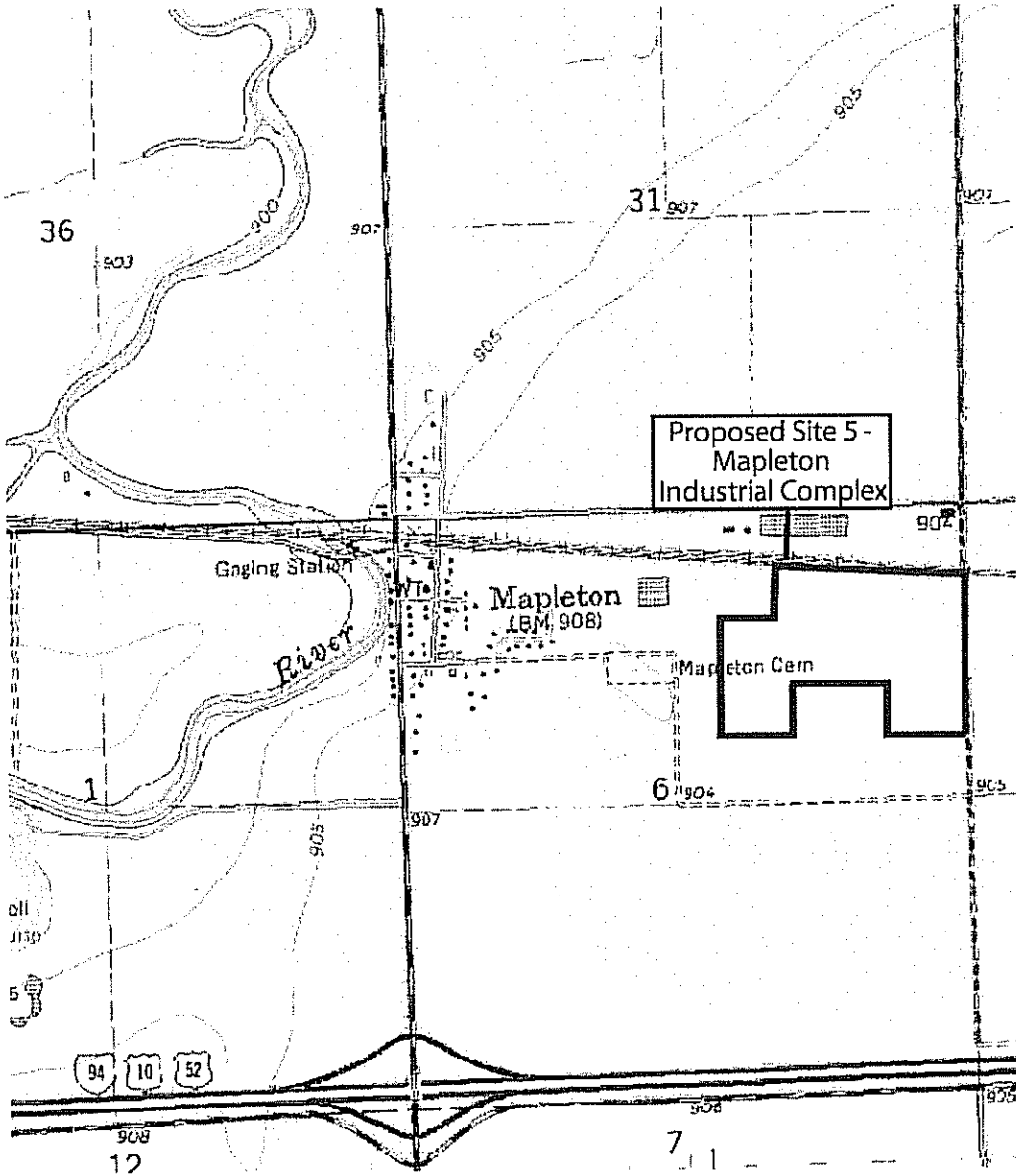
# Proposed Site 4 – Heartland Industrial Complex Topographical Map



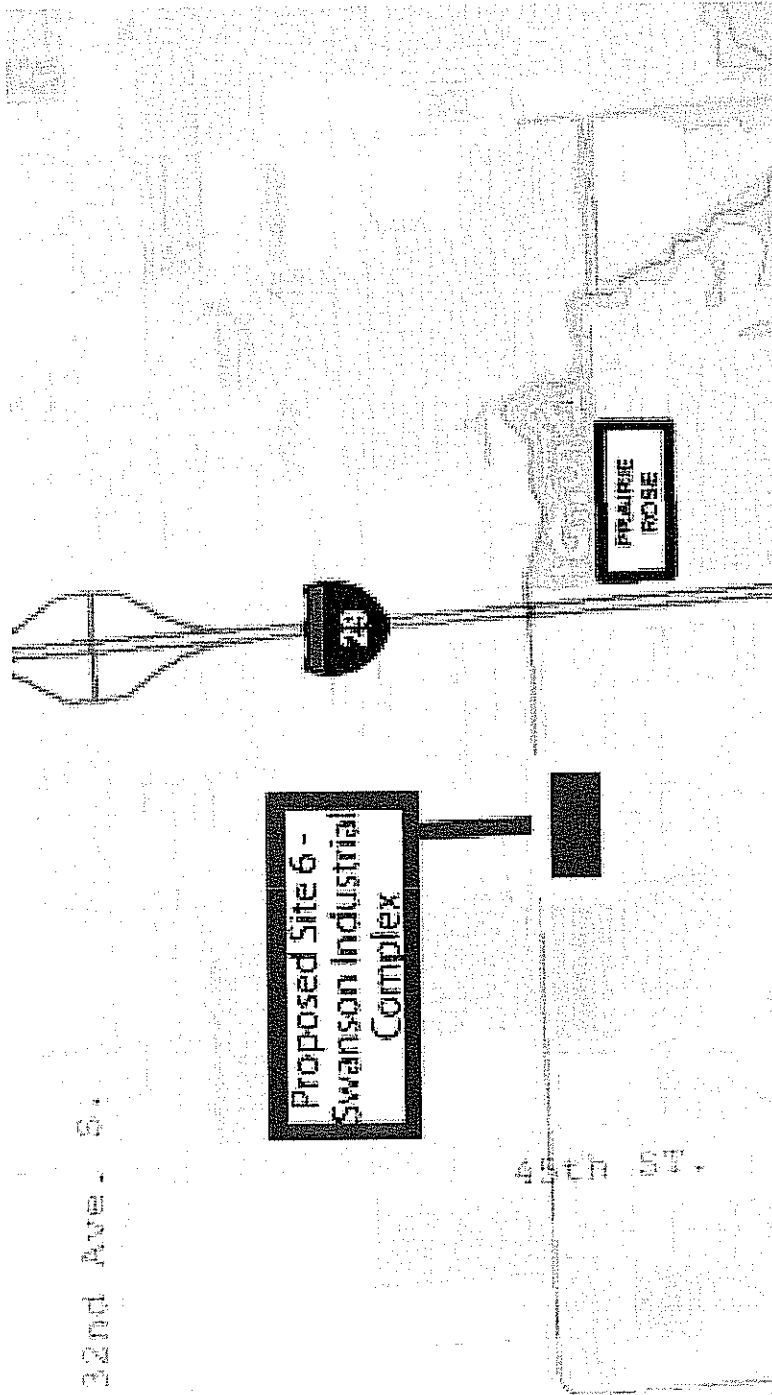




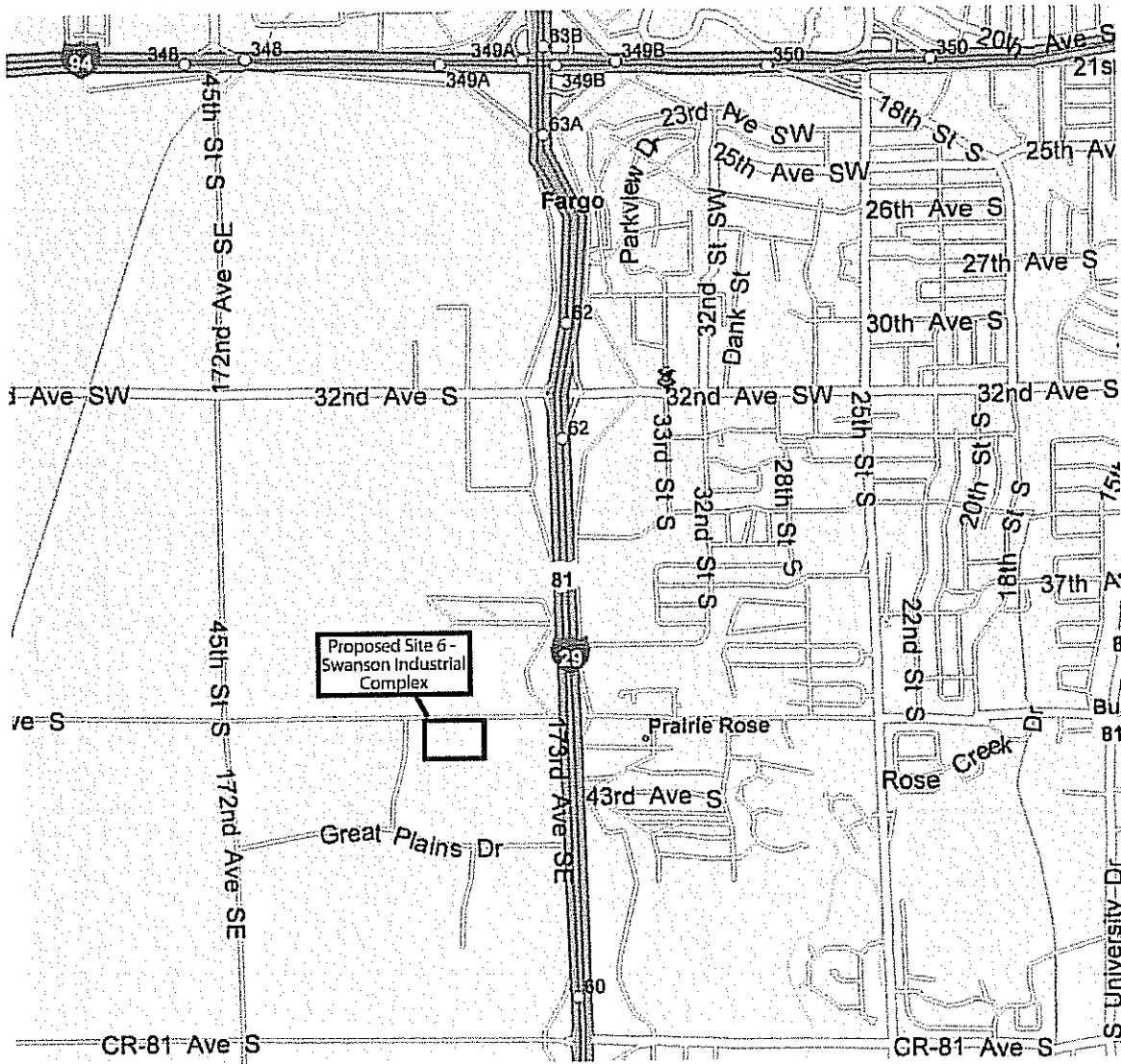
# Proposed Site 5 – Mapleton Industrial Complex Topographical Map



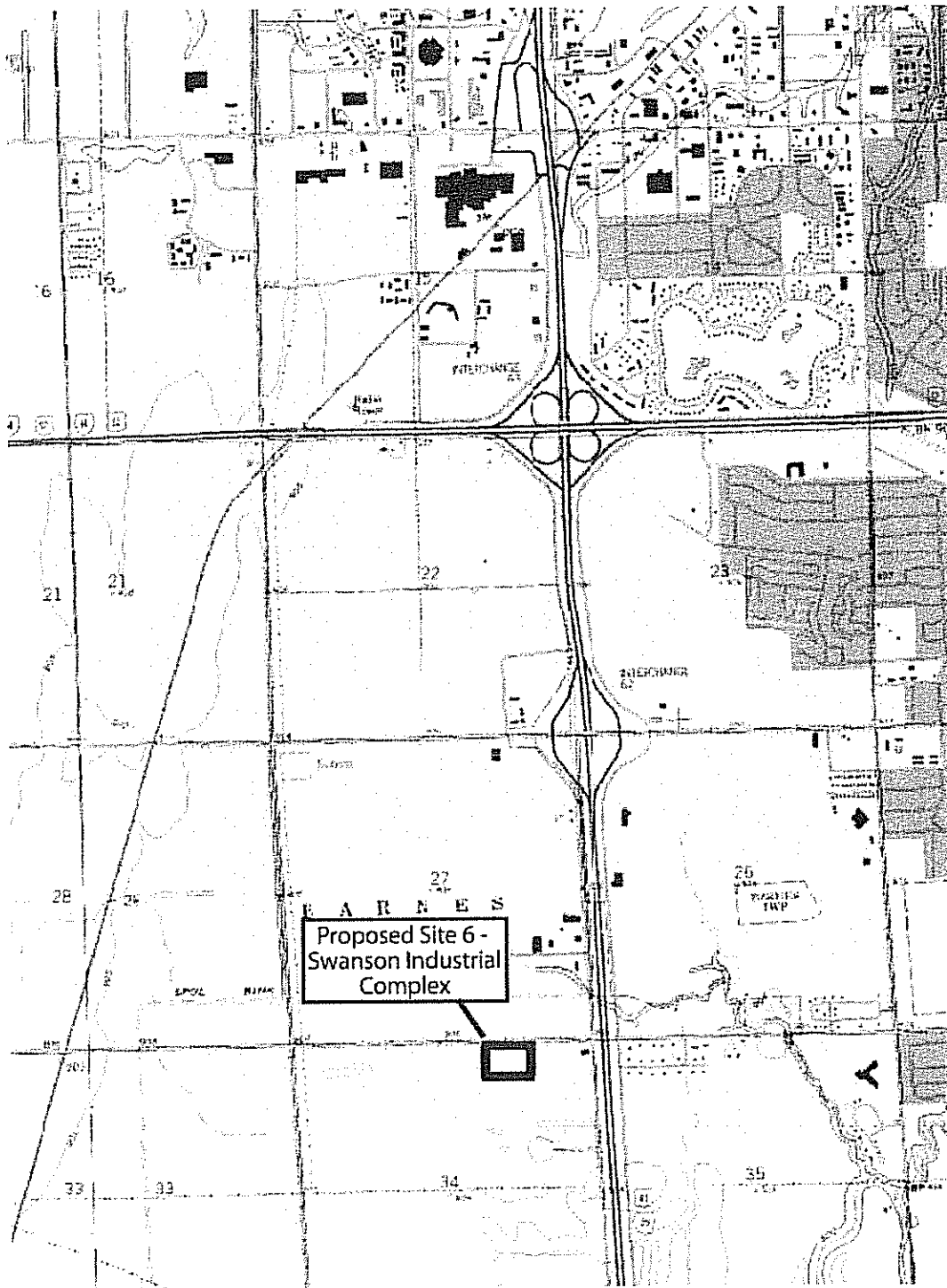
# Proposed Site 6- Swanson Industrial Complex



# Proposed Site 6- Swanson Industrial Complex Detailed Street Map



# Proposed Site 6- Swanson Industrial Complex Topographical Map



## Appendices

Appendix A –  
Detailed Parcel Information

### Site 1 - Airport, Science and Technology Complex

Facility	Parcel Size (Acres)	Jobs	Warehousing or Manufacturing Square Footage	Infrastructure	Map	Map Reference
Municipal Airport Authority of the City of Fargo, ND Tract 1	135	30	16,710	One-story, metal building with a brick veneer front	Site 1	Page 36
Municipal Airport Authority of the City of Fargo, ND Tract 2	80	Property available for development			Site 1	Page 36
North Dakota State University 1735 NDSU Research Park, Dr.	2	80	40,000	Tilt-up concrete facility	Site 1	Page 36
North Dakota State University 1750 NDSU Research Park, Dr.	6.7	150	75,291	Tilt-up concrete facility with metal framing and steel studded walls	Site 1	Page 36
North Dakota State University (Remaining area)	31.3	Property available for development			Site 1	Page 36
Reile's Transfer and Delivery Inc.	15.12	20	245,000	Concrete, tilt-up panel building	Site 1	Page 36
<b>TOTAL</b>	<b>270.12</b>	<b>280</b>	<b>377,001</b>			

## Site 2 – Midtown Industrial Complex

Facility	Parcel Size (Acres)	Jobs	Warehousing or Manufacturing Square Footage	Infrastructure	Map	Map Reference
CNH America LLC 3101 1 <sup>st</sup> Ave. Building 1	8.6	688 CNH total	59,000	Concrete block and metal walls	Site 2	Page 39
CNH America LLC 3101 1 <sup>st</sup> Ave. Building 2			19,600	Metal facility	Site 2	Page 39
CNH America LLC 3301 1 <sup>st</sup> Ave.			47.5	570,000	Pre-cast concrete building with concrete block and metal walls	Site 2
CNH America LLC 3452 7 <sup>th</sup> Ave.	5.14	Property available for development		Site 2	Page 39	
CNH America LLC 211 36 <sup>th</sup> St.	12.11	Property available for development		Site 2	Page 39	
CNH America LLC 2901 4 <sup>th</sup> Ave.	12	Property available for development		Site 2	Page 39	
Union Storage & Transfer 4275 Main Ave. Building 1	4.95	14	16,000	Metal building with concrete floors	Site 2	Page 39
Union Storage & Transfer 4275 Main Ave. Building 2			32,000	Metal building with concrete floors	Site 2	Page 39
Union Storage & Transfer 4275 Main Ave. Building 3			42,000	Metal building with concrete floors	Site 2	Page 39
Union Storage & Transfer 4275 Main Ave. Building 4			100,000	Metal building with concrete floors	Site 2	Page 39
Union Storage & Transfer 1500 47 <sup>th</sup> St.	10.2	14	43,000	Metal and brick building with dock high ceilings	Site 2	Page 39
Phoenix International Corporation 1441 44 <sup>th</sup> St.	4.5	450	89,843	Metal framing facility with steel/foam core panels	Site 2	Page 39

Phoenix International Corporation 4315 14 <sup>th</sup> Ave.	.28		Parking Lot	Parking Lot	Site 2	Page 39
Magnum Companies 3000 7 <sup>th</sup> Ave.	11.27	50	146,000	Steel and metal building on a concrete slab	Site 2	Page 39
Magnum Companies 801 40 <sup>th</sup> St.	4.5	20	14,675	Steel and metal building on a concrete slab	Site 2	Page 39
Magnum Companies 941 40 <sup>th</sup> St.	4.5	40	22,000	Steel and metal building on a concrete slab	Site 2	Page 39
Magnum Companies 1817 Great Northern Dr.	3.48	0	37,500	Steel and metal building on a concrete slab	Site 2	Page 39
Magnum Companies 1901 Great Northern Dr.	.28	3	12,000	Steel and metal building on a concrete slab	Site 2	Page 39
Magnum Companies 1015 40 <sup>th</sup> St.	4.8	20	10,000	Steel and metal building on a concrete slab	Site 2	Page 39
Midwest Motor Express, Inc. 314 27 <sup>th</sup> St., NW	7.9	50	47,750	Brick facility	Site 2	Page 39
Gremada Industries 100 36 <sup>th</sup> St.	5.36	63	19,200	Metal storage facility	Site 2	Page 39
Gremada Industries 3500 Main Ave.	11		90,800	Block, brick, and steel construction	Site 2	Page 39
Fay Land Partners 1200 45 <sup>th</sup> Street, NW	92	Property available for development			Site 2	Page 39
Matrix Properties Corp 5401 12 <sup>th</sup> Ave., NW.	141.9	Property available for development			Site 2	Page 39
<b>Total</b>	<b>392.27</b>	<b>1412</b>	<b>1,371,368</b>			

### Site 3 - West Fargo Industrial Complex

Facility	Parcel Size (Acres)	Jobs	Warehousing or Manufacturing Square Footage	Infrastructure	Map	Map Reference
Gremada Industries, Inc. 1262 Main Ave., W	6.6	89	88,375	Steel facility	Site 3	Page 42
Gremada Industries, Inc. Address Not Assigned	101.57	Property available for development			Site 3	Page 42
Gremada Industries, Inc. Address Not Assigned	55.21	Property available for development			Site 3	Page 42
Gremada Industries, Inc. Address Not Assigned	46.59	Property available for development			Site 3	Page 42
Crary Company 237 12 <sup>th</sup> Street NW	10	220	200,000	Steel facility	Site 3	Page 42
Mid-America Aviation, Inc. Main Ave., W	2	28	12,000	Brick faced, steel structure	Site 3	Page 42
<b>TOTAL</b>	<b>221.97</b>	<b>337</b>	<b>300,375</b>			

### Site 4 - Heartland Industrial Complex

Facility	Parcel Size (Acres)	Jobs	Warehousing or Manufacturing Square Footage	Infrastructure	Map	Map Reference
Identity Ag. Processing, LLC Address 1950 Heartland Ave.	9.67	7	46,800	Steel building	Site 4	Page 45
Loegering MFG., Inc Address 15514 37 <sup>th</sup> St., E	1.9	65	36,000	Metal building	Site 4	Page 45
Southeast Rural Vision Enterprises, Co. 310 Industrial Blvd.	4.63	Property available for development			Site 4	Page 45
Southeast Rural Vision Enterprises, Co. 500 Industrial Blvd.	2.18	Property available for development			Site 4	Page 45
Southeast Rural Vision Enterprises, Co. 610 Industrial Blvd.	2.19	Property available for development			Site 4	Page 45
Southeast Rural Vision Enterprises, Co. 750 Industrial Blvd.	4.03	Property available for development			Site 4	Page 45
Southeast Rural Vision Enterprises, Co. 700 Industrial Blvd	.22	Property available for development			Site 4	Page 45
Southeast Rural Vision Enterprises, Co. 331 Industrial Blvd	.5	Property available for development			Site 4	Page 45
Southeast Rural Vision Enterprises, Co. Rural Address	1.98	Property available for development			Site 4	Page 45
<b>Total</b>	<b>27.3</b>	<b>72</b>	<b>82,800</b>			

### Site 5 – Mapleton Industrial Complex

Facility	Parcel Size (Acres)	Jobs	Warehousing or Manufacturing Square Footage	Infrastructure	Map	Map Reference
OtterTail Power Company Address Not Assigned	100			Property available for development	Site 5	Page 48
<b>TOTAL</b>	<b>100</b>			Property available for development		

### Site 6 – Swanson Industrial Complex

Facility	Parcel Size (Acres)	Jobs	Warehousing or Manufacturing Square Footage	Infrastructure	Map	Map Reference
Swanson Health Products Address 4075 40 Ave., SW	5	430	75,000	Tilt-up, concrete building	Site 6	Page 51
Swanson Health Products Address 4055 40 <sup>th</sup> Ave., S	10		Property available for development		Site 6	Page 51
<b>TOTAL</b>	<b>15</b>	<b>430</b>	<b>75,000</b>			

Appendix B –  
Legal Descriptions

## Proposed Site 1 - Airport, Science and Technology Complex

### Parcel 1

APPROXIMATELY 135 ACRES IN REED TOWNSHIP; A PORTION OF THE NE  $\frac{1}{4}$  OF SECTION 22 AND A PORTION OF THE W  $\frac{1}{2}$  OF SECTION 23. Tract 2 APPROX. 80 ACRES IN REED TOWNSHIP; A PORTION OF THE E  $\frac{1}{2}$  OF SECTION 26.

### Parcel 2

A TRACT OF LAND SITUATED IN THE NORTH HALF OF SECTION 36, TOWNSHIP 140 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 36; THENCE SOUTH 01 DEGREES 43 MINUTES 20 SECONDS; EAST ON A RECORD BEARING ALONG THE EAST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 60.00 FEET TO THE SOUTH RIGHT-OF-WAY OF 19<sup>TH</sup> AVENUE NORTH A DISTANCE OF 840.30 FEET TO THE WEST LINE OF THE EAST 1817.5 FEET OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 36; THENCE SOUTH 02 DEGREES 23 MINUTES 01 SECONDS EAST 14.25 FEET TO THE SOUTH RIGHT-OF-WAY OF 17<sup>TH</sup> AVENUE NORTH; THENCE SOUTH 87 DEGREES 25 MINUTES 08 SECONDS WEST 829.06 FEET ALONG THE SOUTH RIGHT-OF-WAY OF 17<sup>TH</sup> AVENUE NORTH; THENCE NORTH 02 DEGREES 08 MINUTES 12 SECONDS WEST 1329.68 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF 19<sup>TH</sup> AVENUE NORTH; THENCE NORTH 87 DEGREES 42 MINUTES 48 SECONDS EAST 105.07 FEET ALONG SAID SOUTH RIGHT-OF-WAY TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 28.85 ACRES MORE OR LESS. IN ADDITION, AN APPROXIMATE 11.15 ACRES DIRECTLY WEST OF 18<sup>TH</sup> STREET NORTH, ALL OF WHICH AMOUNTS TO FORTH (40) ACRES MORE OR LESS.

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 01 DEGREES 43 MINUTES 20 SECONDS EAST ON A RECORD BEARING ALONG THE EAST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 60.00 FEET TO THE SOUTH RIGHT-OF-WAY A DISTANCE OF 601.51 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 02 DEGREES 23 MINUTES 01 SECONDS WEST 1212.20 FEET; THENCE NORTH 87 DEGREES 25 MINUTES 08 SECONDS EAST 491.23 FEET TO THE WEST RIGHT-OF-WAY OF 18<sup>TH</sup> STREET NORTH; THENCE SOUTH 02 DEGREES 08 MINUTES 12 SECONDS EAST ON SAID WEST RIGHT-OF-WAY A DISTANCE OF 758.37 FEET; THENCE SOUTH 87 DEGREES 51 MINUTES 48 SECONDS WEST 633.66 FEET; THENCE NORTH 02 DEGREES 08 MINUTES 12 SECONDS WEST 1966.39 FEET TO THE POINT OF BEGINNING.

Parcel 3  
RLN BUSINESS PARK 1<sup>ST</sup> ADDN.; LOT 1 BLOCK 1.

## Site 2 - Midtown Industrial Complex

Parcel 1  
SCHULTZ & LINDSAYS 1<sup>ST</sup> BLOCK 2 LOT W 52.5 FT OF 5 & ALL OF 6, 7, 8 &  
ALL OF 39 THRU 44 TEIGENS 2.

Parcel 2  
PT OF GREAT NORTHERN 4, LYING S OF 7 AVE N LESS TRACTS A, B, C, D  
& E.

Parcel 3  
COMM AT SE COR OF GREAT NORTHERN 4, THEN N 00 DEG 00 MIN 14  
SEC E, ASSMD BRG, ALG E LN OF SD GREAT NORTHERN 4, DS E LN BG E  
LN OF SW ¼ OF SEC 2, TWP 139N, RGE 49W, FOR A DIST OF 220.15 FT,  
THEN N 83 DEG 59 MIN 39 SEC W FOR A DIST OF 37.71FT TO A PT OF  
INTER WITH W R/W LN OF CASS CO DRAIN 10, THEN N 00 DEG 00 MIN 14  
SEC E, ALG SD W R/W LN OF SD CASS CO DRAIN 10 FOR A DIST OF  
1179.53 FT, THEN N 88 DEG 20 MIN 14 SEC W FOR A DIST OF 457.69 FT,  
THEN N 00 DEG 00 MIN 14 SEC E, PARA TO E LN OF SDGREAT NORTHERN  
4 DIST OF 491.14 FT TO A PT OF INTER WITH SLY R/W LN OF 7 AVE N,  
THEN N 88 DEG 29 MIN 44 SEC W, ALG SLY R/W LN OF SD 7 AVE N FOR A  
DIST OF 380.03 FT TO TRUE PT OF BEG, THEN COUNT N 88 DEG 29 MIN 44  
SEC W ALG SLY RW LN OF SD 7 AVE N FOR A DIST OF 427.77 FT T9 A OT  
9F 8HTER W8TY A CURVE, CONCAVE NWLY, RADIUS 429.49 FT, WHOSE  
TANG BEARS S 01 DEG 30 MIN 16 SEC W, SD PT BG 10 FT ELY OF CNTRLN  
OF A RR SPUR LN, THEN SWLY, ALG SD CURVE, PARA TO & 10 FT ELY OF  
SD RR CNTRLN, FOR AN ARC LENTH OF 299.84 FT, CENT ANGLE 40 DEG  
00 MIN 00 SEC, THEN S 41 DEG 30 MIN 16 SEC W, PARA TO & 10 FT SELY  
OF CNTRLN OF SD RR CNTRLN FOR A DIST OF 129.20 FT TO A PT OF  
TANG CURVE TO LEFT, RADIUS 389.49 FT, THEN SWLY ALG SDCURVE TO  
LEFT, FOR AN ARC LENTH OF 84.20 FT, THEN N 89 DEC 57 MIN 36 SEC E  
FOR A DIST OF 669.48 FT, THEN N 00 DEG 00 MIN 14 SEC E PARA TO E LN  
OF SD GREAT NORTHERN 4, FOR A DIST OF 426.97 FT TO A PT ON INTER  
WITH SLY R/W LN OF SD 7 AVE N & TO TRUE PT OF BEG.

Parcel 4  
COMM AT SE COR OF GREAT NORTHERN 4 THEN N 00 DEG 00 MIN 14  
SEC E, ASSMD BRG, ALG E LN OF SD GREAT NORTHERN 4, SD E LN BG E  
LN OF SE ¼ OF SEC 2, TWP 139 N, RGE 49W, FOR A DIST OF 220.15 FT TO  
A PT OF INTER WITH NLY R/W LN OF 1 AVE N, THEN N 83 DEG 59 MIN 39  
SEC W ALG NLY R/W LN OF 1 AVE N, FOR A DIST OF 87.71 FT THEN S 56

DEG 26 MIN 57 SEC W, ALG NLY R/W LN OF 1 AVE N FOR A DIST OF 155.02 FT, THEN N 83 DEG 57 MIN 19 SEC W ALG NLY R/W LN OF 1 AVE N FOR A DIST OF 1531.94 FT TO TRUE PT OF BEG, THEN CONT N 83 DEG 57 MIN 19 SEC W ALG NLY R/W LN OF 1 AVE FOR A DIST OF 392.27 FT, THEN N 58 DEG 07 MIN 20 SEC W ALG NLY R/W LN OF 1 AVE N FOR A DIST OF 183.39 FT THEN N 24 DEC 05 MIN 23 SEC W ALG NLY R/W LN OF 1 AVE N FOR A DIST OF 99.43 FT TO ELY R/W LN OF 36 ST N, THEN N 06 DEG 06 04 SEC E ALG ELY R/W LN OF 36 ST N FOR A DIST OF 749.56 FT, THEN N 88 DEG 47 MIN 03 SEC E FOR A DIST OF 532.74 FT, THEN S 01 DEC 30 MIN 16 SEC W FOR A DIST OF 985.89 FT TO TRUE PT OF BEG.

Parcel 5

SCHULTZ & LINDSAYS 1<sup>ST</sup> BLOCK 3 LOT 1 THRU 11.

Parcel 6

4 & 5, LESS A TRACT LYING N OF A LN DESC AS BEG 209.43 FT S OF NE COR OF 4, THEN W PARA TO S LN OF 4 & 5 FOR 260.6 FT, THEN S & PARA TO W LT LN OF 5 FOR 6.12 FT, THEN W & PARA TO S LN OF 5 FOR 236.5 FT TO W LN OF 5, LESS COMMAT 83 FT N OF ORIG PLATTED SE COR OF 4, THEN NLY ALG E LN OF 4, 185 FT TO PT THEN WLY ON A LN PARA TO S LN OF 4 & 5, 341.1 FT TO A PT, THEN SLY ALG A LN PARA TO W LN OF 5, 185 FT TO A PT, THEN ELY ALG A LN PARA TO S LN OF 5 & 4 TO PT OF BEG & LESS THE S 10 FT OF THE W 80 FT OF LT 5.

Parcel 7

SHEYENNE INDUSTRIAL CENTER 3<sup>RD</sup>; Block 3; Lot 3

Parcel 8

SPRAQUES ADDN. LOTS 4 & 5

Parcel 9

INDUSTRIAL SUBD 1<sup>ST</sup> ADDN; BLOCK 10 REPLAT; 5 150 FT. OF E 80 FT 04 LOT 4.

Parcel 10

INDUSTRIAL SUBD 1<sup>ST</sup> ADDN.; BLOCK 10 REPLAT; LOTS 3 & 4 – EXCEPT 5 150 FT. OF LOT 4.

Parcel 11

BEG AT NE COR OF CLK 3 OF SCHULTZ AND LINDSAYS 1<sup>ST</sup> ADDNS, THEN ON AN ASSMD BRG OF N 88 DEG 10 MIN 56 SEC W, ALG N LN OF DS SCHULTZ & LINDSAYS 1<sup>ST</sup> ADDN 1130.52 FT TO A PT ON A E R/W LN OF CTY DITCH NUMBER 10; THEN N 00 DEG 20 MIN 08 SEC E, ALG SD R/W 50 FT; THEN S 88 DEG 10 MIN 56 SEC E. PARA WITH N LN OF SCHULTZ & LINDSSAY 1 ADDN 244.85 FT TO A FOUND IRON MONUMENT; THEN N 01 DEG 50 MIN 20 SEC E 505.18 FT TO A PT ON S R/W LN OF 7 AVE N; THEN S

88 DEG 10 MIN 56 SEC E, ALG SD R/W 859.10 FT TO INTER OF WLY R/W 29 ST N; THEN S 00 DEG 00 MIN 00 SEC W, ALG W LN OF 29 ST N 555.35 FT TO PT OF BEG.

Parcel 12  
ARNTS – DENVER SUBD; N ½ OF LOT 12.

Parcel 13  
ARDNTS – DENVER SUBD.; N 276.5 FT. OF LOT 11 AS NOW PLATTED AND ½ OF VAC 10 AVE N. ADJ OF 11.

Parcel 14  
GADBERRY ADDN.; BLOCK 1; LOT 1 & N ½ OF VAC 10 AVE. N ABUTTING 1

Parcel 15  
GREAT NORTHERN 1<sup>ST</sup> ADDN.; LOTS 51-59

Parcel 16  
SCHULTZ & LINDSAYS 1<sup>ST</sup> ADDN.; BLOCK 4; LOT 1

Parcel 17  
BN I-29 S IND CENTER LOTS 2 THRU 11 BLK 7

Parcel 18  
1 LESS THE FOLL: ALL THAT PT OF LT 1 LYING WITHIN A STRIP OF LAND 45.00 FT WIDE, MEAS ON THE ELY SD OF THE FOLL DESC CTR LN AS SURVEYED & STAKED OVER & ACROSS SD LT 1, SD STRIP & CTR LN BEGIN WHERE SD CTR LN IS LOC 909.49 FT E ALG THE SEC LN, THEN 82.49 FT S FROM THE NW COR OF SD NW ¼ NW ¼, THEN RUNNING N 89 DEG 58 MIN 30 SEC W A DIST OF 317.49 FT, THEN ALG A CURVE TO THE LEFT HAVING A RAD OF 515.00 FT A DIST OF 259.22 FT, THEN S 48 DEG 07 MIN 30 SEC W A DIST OF 297.07 FT, THEN ALG A CURVE TO THE LEFT HAVING A RAD OF 350.00 FT UNTIL DS STRIP CROSSES A LN WHICH LIES 296.41 FT N OF THE S LN OF SD LT 1. ALSO INCLUDING ALL THAT PF OF SD LT 1 LYING WLY OF THE ABOVE-DESC STRIP.

Parcel 19  
UNPLATTED, THAT PT OF SEC 33, TWP 140N, RGE 49W, DESC AS FOLL; BEG AT SE COR OF SHEYENNE INDUSTRIAL CENTER 1, SD COR LYING ON E LN OF SD SEC 33; THEN S 88 DEG 14 MIN 03 SEC W ALG S LN OF SD SHEYENNE INDUSTRIAL CENTER 1 FOR A DIST OF 1841.85 FT; THEN SLY ALG S LN OF SD SHEYENNE INDUSTRIAL 1 ALG A CURVE TO RIGHT 500 FT = 18 DEF 17 MIN 28 SEC, CHORD BRG S 11 DEG 04 MIN 34 SEC E FOR AN ARC DIST OF 159.62 FT; THEN S 01 DEG 55 MIN 50 DEC E ALG S LN OF SD SHEYENNE INDUSTRIAL CENTER 1 FOR A DIST OF 245 FT; THEN S 88 DEG 04 MIN 10 SEC W ALG S LN OF SD SHEYENNE INDUSTRIAL CENTER 1

FOR A DIST OF 912.83 FT; THEN S 01 DEG 56 MIN 01 SEC E ALG SLY EXTENSION OF W LN OF SD SHEYENNE INDUSTRIAL CENTER 1 FOR A DIST OF 1299.65 FT TO A PT ON S LN OF SD SEC 33; THEN N 87 DEG 38 MIN 42 SEC E ALG S LN OF SD SEC 33 FOR A DIST OF 2724.60 FT TO SE COR OF SD SEC 33; THEN N 01 DEG 45 MIN 57 SEC W ALG E LN OF SD SEC 33 FOR A DIST OF 1676.10 FT TO PT OF BEG.

Parcel 20

UNPLATTED, THAT PT OF SEC 33, TWP 140N, RGE 49W, DESC AS FOLL; BEG AT SE COR OF SHEYENNE INDUSTRIAL CENTER 1, SD COR LYING ON E LN OF SD SEC 33; THEN S 88 DEG 14 MIN 03 SEC W ALG S LN OF SD SHEYENNE INDUSTRIAL CENTER 1 FOR A DIST OF 1841.85 FT; THEN SLY ALG S LN OF SD SHEYENNE INDUSTRIAL 1 ALG A CURVE TO RIGHT 500 FT = 18 DEF 17 MIN 28 SEC, CHORD BRG S 11 DEG 04 MIN 34 SEC E FOR AN ARC DIST OF 159.62 FT; THEN S 01 DEG 55 MIN 50 DEC E ALG S LN OF SD SHEYENNE INDUSTRIAL CENTER 1 FOR A DIST OF 245 FT; THEN S 88 DEG 04 MIN 10 SEC W ALG S LN OF SD SHEYENNE INDUSTRIAL CENTER 1 FOR A DIST OF 912.83 FT; THEN S 01 DEG 56 MIN 01 SEC E ALG SLY EXTENSION OF W LN OF SD SHEYENNE INDUSTRIAL CENTER 1 FOR A DIST OF 1299.65 FT TO A PT ON S LN OF SD SEC 33; THEN N 87 DEG 38 MIN 42 SEC E ALG S LN OF SD SEC 33 FOR A DIST OF 2724.60 FT TO SE COR OF SD SEC 33; THEN N 01 DEG 45 MIN 57 SEC W ALG E LN OF SD SEC 33 FOR A DIST OF 1676.10 FT TO PT OF BEG.

Parcel 21

UNPLATTED, THREE TRACTS OF LD IN SW ¼ OF SEC 33, TWP 140N, RGE 49W, DESC AS FOLL: TRACT A: BEG AT SW COR OF SD SW ¼; THEN N 02 DEG 05 MIN 47 DEC W, ASSMD BRG ALG W LN OF SD SW 1/4 , A DIST OF 2327.41 FT; THEN N 79 DEG 01 MIN 58 SEC E 140.18 FT; THEN N 51 DEG 27 MIN 08 SEC E 69.20 FT; THEN N 87 DEG 39 MIN 19 SEC E 55.85 FT; THEN N 02 DEG 05 MIN 47 SEC W 46.22 FT; THEN N 39 DEG 59 MIN 48 SEC E 19.92 FT; THEN N 27 DEC 59 MIN 48 SEC E 39.87 FT; THEN N 42 DEG 59 MIN 48 SEC E 38.68 FT; THEN N 57 DEG 59 MIN 48 SEC E 100.33 FT; THEN N 87 DEG 34 MIN 50 SEC E 2060.19 FT; THEN S 01 DEG 56 MIN 03 SEC E 2401.66 FT; THEN S 88 DEG 04 MIN 22 SEC W 26.80 FT; THEN S 01 DEG 55 MIN 38 SEC E 46.77 FT; THEN S 78 DEG 03 MIN 47 SEC W 300.04 FT; THEN S 02 DEG 20 MIN 41 SEC E 66 FT TO A S LN OF SD SW 1/4 ; THEN S 87 DEG 39 MIN SEC W 2128.83 FT ALG S LN OF SD SW ¼ TO PT OF BEG; TRACT B: COMMAT SW COR OF SD SW ¼; THEN N 02 DEG 05 MIN 47 SEC W. ASSMD BRG ALG W LN OF SD SW 1/4 , A DIST OF 2337.53 FT TO A PF OF BEG OF TRACT TO BE DESC; THEN CONT N 02 DEG 05 MIN 47 SEC W 51.77 FT ALG W LN OF SD SW ¼; THEN N 87 DEG 39 MIN 19 SEC E 177.24 FT; THEN S 51 DEG 27 MIN 08 SEC W 53.09 FT; THEN S 79 DEG 01 MIN 58 SEC W 136.16 FT TO PT OF BEG, TRACT C COMM AT SW COR OF SD SW 1/4 ; THEN N 02 DEG 05 MIN 47 SEC W, ASSMD BRG ALG W LN OF SD SW ¼ DIST OF 2389.30 FT; THEN N 87 DEG 39 MIN 19 SEC E 250.02 FT; THEN N 02 DEG 05

MIN 47 SEC W 61.14 FT TO A PT OF BEG OF TRACT TO BE DESC THEN CONT N 02 DEG 05 MIN 47 SEC W 38.89 FT; THEN N 57 DEG 59 MIN 48 SEC E 155.33 FT; THEN N 87 DEG 34 MIN 50 SEC E 1.09 FT; THEN S 57 DEG 59 MIN 48 SEC W 93.59 FT; THEN S 43 DEG 59 MIN 48 SEC W 41.32 FT; THEN S 27 DEG 59 MIN 48 DEC W 40.13 FT; THEN S 39 DEG 59 MIN 48 SEC W 7.80 FT TO A PF OF BEG, LESS A PT IN THE NW ¼ KNOWS AS PARCEL 3500-50550.

### **Proposed Site 3 – West Fargo Industrial Complex**

#### Parcel 1

BUTLER'S LOT 4; BLOCK 1; LOTS 5, 6, AND 7

#### Parcel 2

1-139-50 DESC TRACT 101.57 AC SW ¼ LYING S OF BNSF RR CO LESS THE S 700' OF SW ¼ AND LESS APART ANNEXED INTO WEST FARGO

#### Parcel 3

1-139-50 DESC TRACT 55.21 AC SE ¼ LYING S OF BNSF RR LESS THE S 700' OF SD SEC AND LESS THAT PT ANNEXED TO THE CITY OF WEST FARGO

#### Parcel 4

1-139-50 UNPLATTED 46.59 AC PT OF 1 ½ COMM AT SE COR SEC 1 THN N ALG E LN OF SEC 1 OF 700' TO NE COR OF HELFRICH 1<sup>ST</sup> AS PT OF BEG THN W ALG N LN OF THE HELFRICH 1<sup>ST</sup> COMMERCIAL RESOURCES 1<sup>ST</sup>, & INN ADDITION AND WLY EXT THEREOF FOR 2647' +/- TO A PT ON W LN OF SE ¼ SEC 1 SD PT LYING OF ELY EXT OF N LN OF KNUTSON 1<sup>ST</sup>, THN N ALG NLY EXT OF E LN LT 19 FOR 645' THN E PARA TO N LN OF KNUTSON'S 1<sup>ST</sup> ADDN FOR 500' TO PT ON W LN OF SE ¼ SEC 1 THN E PARA TO S LN OF SE ¼ FOR 2646' +/- TO PT ON E LN OF SE ¼ THN S ALG E LN OF SE ¼ FOR 645' TO PT OF BEG.

#### Parcel 5

HALVERSON IND. PARK; BLOCK 4; LOTS 2-14

#### Parcel 6

BEGINNING AT A POINT 75 FEET SOUTH AND 1130 FEET EAST OF THE NORTHWEST CORNER OF THE NE QUARTER OF SAID SECTION SEVEN; THENCE 227.10 FEET SOUTH; THENCE 300 FEET EAST; THENCE 277.10 FEET NORTH; THENCE 300 FEET WEST TO THE POINT OF BEGINNING, LESS A 15 FOOT WIDE STRIP ALONG THE NORTH AND EAST BOUNDARIES THEREOF FOR HIGHWAY AND STREET PURPOSES.

## **Proposed Site 4 – Heartland Industrial Complex**

### Parcel 1

HEARTLAND 1<sup>ST</sup> ADDN.; LOT 1 BLOCK 3.

### Parcel 2

BEGINNING AT A POINT ON THE NORTHWEST CORNER OF SECTION 11 IN TOWNSHIP 139 NORTH, OF RANGE 52 WEST, OF THE 5<sup>TH</sup> P.M., THENCE EAST 674 FEET ALONG THE NORTH BOUNDARY LINE OF SAID SECTION 11 THENCE EAST 674 FEET ALONG THE NORTH BOUNDARY LINE OF SAID SECTION 11 THENCE SOUTH 170 FEET; THENCE WEST 674 FEET; THENCE NORTH ALONG THE WEST BOUNDARY LINE OF SAID SECTION 11, 170 FEET TO THE POINT OF BEGINNING, SUBJECT TO EXISTING HIGHWAY RIGHT-OF-WAY.

### Parcel 3

HEARTLAND 1<sup>ST</sup> ADDN.; BLOCK 1; LOT 1-5.

### Parcel 4

HEARTLAND 1<sup>ST</sup> ADDN.; BLOCK 2; LOT 1.

### Parcel 5

HEARTLAND 1<sup>ST</sup> ADDN.; BLOCK 2; LOT 2 – LESS WITH 230.87 FT.

## **Proposed Site 5 - Mapleton Industrial Complex**

### Parcel 1

NEQTR; Section 6; TWN 139N; Range 50W.

## **Proposed Site 6 – Swanson Industrial Complex**

### Parcel 1

BEG AT NE COR OF SHP ADDN; THEN N 88 DEG 10 MIN 33 SEC E ON AN ASSUMED BRG ALG THE S LN OF CASS CO DRAIN NO 27 FOR A DIST OF 361.27 FT; THEN S 01 DEG 52 MIN 58 SEC E 602.70 FT TO THE N RW OF 40 AVE SW; THEN S 88 DEG 07 MIN 58 SEC W ALG SD N RW FOR A DIST OF 361.27 FT TO THE SE COR OF SD SHP ADDN; THEN N 01 DEG 52 MIN 58 SEC W ALG THE E LN OF SD SHP ADDN FOR A DIST OF 603.07 FT TO PT OF BEG.

### Parcel 2

SHP ADDN.; BLOCK 1; LOT 1; SEGMENTS 1 & 2.

Appendix C –  
Letters of Interest and/or Concurrence

Proposed Site 1 –  
Airport, Science and Technology Complex



**MUNICIPAL AIRPORT AUTHORITY  
OF THE  
CITY OF FARGO**

August 31, 2004

Mr. Dennis Puccinelli  
Executive Director  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
FCB-Suite 4100W  
1099 14<sup>th</sup> Street N.W.  
Washington, D.C. 20005

Dear Mr. Puccinelli:

As the duly authorized representative of the Municipal Airport Authority of the City of Fargo, I hereby attest our concurrence to have property located at Hector International Airport included within the Fargo Municipal Airport Authority's application for general purpose zone status.

The first tract is approximately 135 acres located in the northwest portion of the airport property within the following boundary of Reed Township: a portion of the NE 1/4 of Section 22 and a portion of the W 1/2 of Section 23; north of the Charlie taxiway safety area; west of the Alpha taxiway safety area; south of Cass County Road 20 right-of-way; east of Old Highway 81 right-of-way; excluding the ND Armed Forces Reserve and associated Army Guard equipment maintenance facility tracts within this description.

The second tract is approximately 80 acres located in the southwest portion of the airport property within the following boundary of Reed Township: a portion of the E 1/2 of section 26; north of the Old Highway 81 right-of-way; west of the County Drain #10 easement; south of the east/west crossover road located between the northbound and southbound Dakota Drive airport roads; east of northbound Dakota Drive airport road.

I understand that the Airport Authority, or any Zone user located on the property, will realize FTZ benefits and be subject to FTZ operational requirements only upon activation of its facilities with the Customs and Border Protection. Furthermore, I understand that attainment of FTZ benefits for manufacturing or processing activity requires a separate request for such authority which must be submitted to and approved by the U. S. Foreign-Trade Zones Board, and that in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities permitted provided the zone Grantee retains the control necessary to implement the approved zone project.

Sincerely,  
*Shawn A. Dobbstein*  
Shawn A. Dobbstein  
Executive Director

**REILE'S**  
**TRANSFER & DELIVERY**  
INC.

4007 33RD STREET N.W.  
P.O. BOX 9161  
FARGO, ND 58106-9161  
TELEPHONE: (701) 232-5109 FAX: (701) 232-0378

August 16, 2004

Mr. Dennis Puccinelli  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
FCB-Suite 4100W  
1099 14<sup>th</sup> Street NW  
Washington, DC 20005

Dear Mr. Puccinelli:

As the owner of Reile's Transfer & Delivery Inc., I hereby declare my agreement to have the property located at 4007 33<sup>rd</sup> Street NW, Fargo, ND, included within the Fargo Municipal Airport Authority's application for general purpose zone status.

I confirm that the City of Fargo supplies the water and sanitary sewer needs, XCEL Energy provides gas and Cass County Electric provides for electricity. Please be advised that my property located at 4007 33<sup>rd</sup> Street NW is outside the 100-year flood plain.

I understand that my company, or any Zone user located on the property, will realize FTZ benefits and be subject to FTZ operational requirements only upon activation of our facility with the Custom and Border Protection. I also understand that attainment of FTZ benefits for manufacturing or processing activity requires a separate request for such authority which must be submitted to and approved by the U.S. Foreign-Trade Zones Board, and that in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities is permitted provided the zone Grantee retains the control necessary to implement the approved zone project.

Sincerely,



Ken Reile  
Vice President/Owner

NDSU  
**research ch** - - - PARK, INC.

1735 NDSU research park drive :: Fargo ND 58102 :: phone 701.231.7460 :: fax 701.231.7886  
www.ndsuresearchpark.com

July 30, 2004

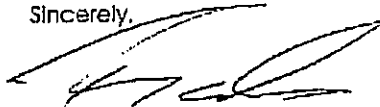
Mr. Dennis Puccinelli  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
FCB-Suite 4100W  
1099 14<sup>th</sup> Street N.W.  
Washington, DC 20005

Dear Mr. Puccinelli:

As the duly authorized representative of the NDSU Research & Technology Park, Inc., I hereby attest my concurrence to have the property located in the NDSU Research & Technology Park (see attached legal description), included within Fargo Municipal Airport Authority's application for general purpose zone status.

I understand that our company, or any Zone user located on the property, will realize FTZ benefits and be subject to FTZ operational requirements only upon activation of our/its facilities with the Customs and Border Protection. Furthermore, I understand that attainment of FTZ benefits for manufacturing or processing activity requires a separate request for such authority which must be submitted to and approved by the U.S. Foreign-Trade Zones Board, and that in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities is permitted provided the zone Grantee retains the control necessary to implement the approved zone project.

Sincerely,



Tony S. Grindberg  
Executive Director  
Email: [tony@ndsuresearchpark.com](mailto:tony@ndsuresearchpark.com)  
[www.ndsuresearchpark.com](http://www.ndsuresearchpark.com)

**board of directors**

JOSEPH A. CHAPMAN  
president  
:: North Dakota State University

BARRY MARTIN  
vice president  
:: US Bank

CHARLES HODGE  
secretary/treasurer  
:: Otter Tail Corporation

MICHAEL CHAMBERS  
assistant secretary  
:: A Devon, LLC

BARRY BATCHELLER  
:: Phoenix International, Ovens & Company

PHILIP BOUDJOUK  
:: North Dakota State University

LARRY ELLINGSON  
:: Eli Lilly & Company (retired)

CRAIG SCHNELL  
:: North Dakota State University

GANDY TOKACH  
:: GM

BRADLEY SWENSON  
:: Oursay & Whilney LLP

**executive director**

TONY S. GRINDBERG

Enclosures

north dakota STATE UNIVERSITY

Proposed Site 2 –  
Midtown Industrial Complex



July 22, 2004

Mr. Dennis Puccinelli  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
FCB-Suite 4100W  
1099 14<sup>th</sup> Street N.W.  
Washington, D.C. 20005

Dear Mr. Puccinelli:

As the duly authorized representative of CNH America LLC (Case Equipment Corp. c/o ITM Services, Inc.), I hereby attest my concurrence to have the property located at:

Great Northern 4<sup>th</sup>  
PT OF GREAT NORTHERN 4, LYING S OF 7 AVE N LESS TRACTS A,B,C,D & E  
\*03/23/96 LEGAL DESC CHGD

Schultz & Lindsays 1<sup>st</sup>  
2  
W 52.5 FT OF 5 & ALL OF 6, 7 & 8 & ALL OF 39 THRU 44 TEIGENS 2

Schultz & Lindsays 1<sup>st</sup>  
3  
1 THRU 11

Great Northern 4<sup>th</sup>

included within Fargo Municipal Airport Authority's application for general purpose zone status.

I understand that our company, or any Zone user located on the property, will realize FTZ benefits and be subject to FTZ operational requirements only upon activation of our/its facilities with the Customs and Border Protection. Furthermore, I understand that attainment of FTZ benefits for manufacturing or processing activity requires a separate request for such authority which must be submitted to and approved by the U.S. Foreign-Trade Zones Board, and that in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities is permitted provided the zone Grantee retains the control necessary to implement the approved zone project.

Sincerely,

Erik A. Olson  
General Plant Manager &  
Current Product Owner

CNH America LLC  
3401 First Avenue North  
P.O. Box 6056  
Fargo, North Dakota 58108  
(701) 293-4400  
Fax (701) 293-4550

Founded 1906

*Union Storage*

PHONE 701-282-4321  
FAX 701-277-1244

POST OFFICE BOX 2787  
4275 MAIN AVENUE  
FARGO, NORTH DAKOTA 58108

AND  
**TRANSFER COMPANY**  
GENERAL & REFRIGERATED STORAGE

---

Mr. Dennis Puccinelli  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
FCB-Suite 4100W  
1099 14<sup>th</sup> Street NW  
Washington, D.C. 2005

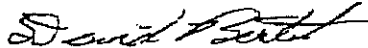
October 8, 2004

Dear Mr. Puccinelli:

As the duly authorized representative of Union Storage and Transfer Company, I hereby attest my concurrence to have the properties located at 4275 Main Avenue and 1500 47<sup>th</sup> Street NW both located in Fargo, ND included within Fargo Municipal Airport Authority's application for general purpose zone status.

I understand that our company, or any Zone user located on the property, will realize FTZ benefits and be subject to FTZ operational requirements only upon activation of our/its facilities with the Customs and Border Protection. Furthermore, I understand that attainment of FTZ benefits for manufacturing or processing activity requires a separate request for such authority which must be submitted to and approved by the U.S. Foreign-Trade Zones Board, and that in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities is permitted provided the zone Grantee retains the control necessary to implement the approved zone project.

Sincerely,



David Bertel  
President  
Union Storage and Transfer Company

---

MEMBER

AMERICAN CHAIN OF WAREHOUSE • INTERNATIONAL WAREHOUSE LOGISTICS ASSN. • INTERNATIONAL ASSN. OF REFRIGERATED WAREHOUSES



**Phoenix  
International**  
A John Deere Company

Phoenix International Corporation  
1750 NDSU Research Park Drive  
Fargo, ND 58102 USA  
Phone: 701.451.3845 Fax: 701.298.0439  
E-mail: mbonn@phoeintl.com

**Monte Bonn**  
Supply Base Manager

September 7, 2004

Mr. Dennis Puccinelli  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
FCB-Suite 4100W  
1099 14<sup>th</sup> Street N.W.  
Washington, D.C. 20005

Dear Mr. Puccinelli:

As the duly authorized representative of Phoenix International Corporation, I hereby attest my concurrence to have the properties located at 1750 NDSU Research Park Drive (as leased from the NDSU Research & Technology Park), 1441 44<sup>th</sup> Street Northwest, and 4315 14<sup>th</sup> Avenue Northwest, each included within Fargo Municipal Airport Authority's application for general purpose zone status.

I understand that our company, or any Zone user located on the property, will realize FTZ benefits and be subject to FTZ operational requirements only upon activation of our/its facilities with the Customs and Border Protection. Furthermore, I understand that attainment of FTZ benefits for manufacturing or processing activity requires a separate request for such authority that must be submitted to and approved by the U.S. Foreign-Trade Zones Board and that, in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities is permitted provided the zone Grantee retains the control necessary to implement the approved zone project.

Sincerely,

Monte Bonn  
Supply Base Manager

**MAGNUM**  
TRANSPORTATION SPECIALISTS

3000 7th Ave. N.

P.O. Box 2023

Fargo, ND 58107-2023

Fax: 701-293-8099

August 19, 2004

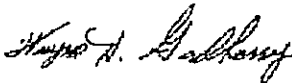
Mr. Dennis Puccinelli  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
FCB-Suite 4100 W  
1099 14<sup>th</sup> Street NW  
Washington, D.C. 20005

Dear Mr. Puccinelli:


As the duly authorized representative of Magnum Companies, I hereby attest my concurrence to have the five properties located at 3000 7<sup>th</sup> Ave North, 801 40<sup>th</sup> St NW, 941 40<sup>th</sup> St NW, 1015 40<sup>th</sup> St NW and 1817 Great Northern Drive all in Fargo, ND 58102, included within Fargo Municipal Airport Authority's application for general purpose zone status.


I understand that our company, or any Zone user located on the property, will realize FTZ benefits and be subject to FTZ operational requirements only upon activation of our/its facilities with the Customs and Border Protection. Furthermore, I understand that attainment of FTZ benefits for manufacturing or processing activity requires a separate request for such authority which must be submitted to and approved by the U.S. Foreign-Trade Zone Board, and that in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities is permitted provided the zone Grantec retains the control necessary to implement the approved zone project.


Sincerely,



Wayne H. Gadberry, President

 **MAGNUM, Ltd.**  
1-800-726-7510  
1-701-293-8082

 **MAGNUM, LTL, Inc.**  
1-800-726-8952  
1-701-293-1744

 **MAGNUM Logistics, Inc.**  
1-800-726-1759  
1-701-293-8946

# MIDWEST MOTOR EXPRESS, INC.

PO Box 1058 • 5015 East Main Avenue • Bismarck, ND 58502  
Voice 701.223.1880 • Fax 701.250.6625 • marlin.kling@mmeinc.com

---

July 19, 2004

Mr. Dennis Puccinelli  
Executive Secretary  
Foreign Trade Zones Board  
U.S. Department of Commerce  
FCB-Suite 4100 W  
1099 14<sup>th</sup> Street N.W.  
Washington, DC 20005

Dear Mr. Puccinelli:

As the duly authorized representative of Midwest Motor Express, Inc., I hereby attest my concurrence to have the property located at 314 N. 27<sup>th</sup> Street within Fargo Municipal Airport Authority's application for general-purpose zone status.

I understand that our company, or any Zone user located on the property, will realize FTZ benefits and be subject to FTZ operational requirements only upon activation of our/its facilities with the Customs and Border Protection. Furthermore, I understand that attainment of FTZ benefits for manufacturing or processing activity requires a separate request for such authority which must be submitted to and approved by the U.S. Foreign-Trade Zones Board, and that in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities is permitted provided the zone Grantee retains the control necessary to implement the approved zone project.

Sincerely,

Midwest Motor Express, Inc.

  
Marlin Kling  
President



1262 WEST MAIN AVENUE • P.O. BOX 715 • PHONE 701-282-5294  
WEST FARGO, NORTH DAKOTA 58078

August 13, 2004

Mr. Dennis Puccinelli  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
FCB-Suite 4100W  
1099 14<sup>th</sup> Street N.W.  
Washington, D.C. 20005

Dear Mr. Puccinelli:

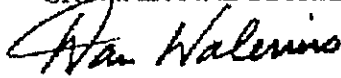
As the duly authorized representative of Gremada Industries, Inc., I hereby attest my concurrence to have the following property included within the Fargo Municipal Airport Authority's application for general purpose zone status:

Legal Description: Butler's Lot 4, Block 1, Lots 5-7, 1-30-95 Comb Fr 02-0030-00045-000, 60-000, & 70-000. Halvorsons Industrial Park Lots 1-11 Block 1, Lots 1-7, Block 2, 1-139-50 Desc Tract, 101.57 acres, SW1/4 Lying South of BNSF RR Co. less the South 700' of SW1/4 and less part annexed into West Fargo Conts. 7.41 acres. 1-139-50 Desc Tract, 55.21 acres, SE1/4 Lying South of BNSF RR less the South 700' of SD Sec and less that part annexed to the City of West Fargo Conts. 39.18 acres in the SE1/4. 1-139-50 Unplatted 46.59 acres, part of S1/2 Comm at SE Cor Sec 1 Thn N Alg E Ln of Sec 1 for 700' to NE Cor of Helfrich 1<sup>st</sup> as part of Beg Thn W Alg N Ln of Helfrich 1<sup>st</sup>, Commercial Resources. BN 1-29 South Industrial Center, Lot 1, Block 7, 12-29-03 SPL to 01-0285-00341-000. BN 1-29 South Industrial Center, Lots 2-11, Block 7, 6-24-92 Comb with 01-0285-00350-010.

I understand that Gremada Industries, Inc., or any Zone user located on the property, will realize FTZ benefits and be subject to FTZ operational requirements only upon activation of our facilities with the Customs and Border Protection. Furthermore, I understand that attainment of FTZ benefits for manufacturing or processing activity requires a separate request for such authority which must be submitted to and approved by the U.S. Foreign-Trade Zones Board, and that in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities is permitted provided the zone Grantee retains the control necessary to implement the approved zone project.

Sincerely,

GREMADA INDUSTRIES, INC.

  
Dan Walerius  
V.P. Corporate Services



**GOLDMARK**  
COMMERCIAL CORPORATION

December 2, 2004

Mr. Dennis Puccinelli  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
FCB-Suite 4100W  
1099 14<sup>th</sup> Street N.W.  
Washington, D.C. 2005

Dear Mr. Puccinelli:

As the duly authorized representative of Fay Land Partners, I hereby attest my concurrence to have the property located 1200 45<sup>th</sup> Street NW, included within Fargo Municipal Airport Authority's application for general purpose zone status.

I understand that our company, or any Zone user located on property, will realize FTZ benefits and be subject to FTZ operational requirements only upon activation of our/its facilities with the Customs and border Protection. Furthermore, I understand that attainment FTZ benefits for manufacturing or processing activity requires a separate request for such authority which must be submitted to and approved by the U.S. Foreign-Trade Zones Board, and that in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities is permitted provided the zone Grantee retains the control necessary to implement the approved zone project.

Sincerely,



Rick Berg

COMMERCIAL/RIK/LETTER-FOREIGN-TRADE ZONES BOARD PUCCINELLI.DOC



December 15, 2004

Mr. Dennis Puccinelli  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
FCB- Suite 4100 W  
1099 14<sup>th</sup> Street N.W.  
Washington, D.C. 20005

Dear Mr. Puccinelli:

As the duly authorized representative of Matrix Properties Corporation, I hereby attest my concurrence to have the property located at 5401 12<sup>th</sup> Avenue N.W., Fargo, North Dakota, included within Fargo Municipal Airport Authority's application for general purpose zone status.

I understand that our company, or any Zone user located on the property, will realize FTZ benefits and be subject to FTZ operational requirements only upon activation of our/its facilities with the Customs and Border Protection. Furthermore, I understand that attainment of FTZ benefits for manufacturing or processing activity requires a separate request for such authority which must be submitted to and approved by the U.S. Foreign-Trade Zones Board, and that in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities is permitted provided the zone Grantee retains the control necessary to implement the approved zone project.

Sincerely,  
MATRIX PROPERTIES CORPORATION

A handwritten signature in black ink, appearing to read 'John O. Lyngstad', is written over the printed name.

John O. Lyngstad  
President

Proposed Site 3 –  
West Fargo Industrial Complex



1262 WEST MAIN AVENUE • P.O. BOX 715 • PHONE 701-282-5284  
WEST FARGO, NORTH DAKOTA 58078

August 13, 2004

Mr. Dennis Puccinelli  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
FCB-Suite 4100W  
1099 14<sup>th</sup> Street N.W.  
Washington, D.C. 20005

Dear Mr. Puccinelli:

As the duly authorized representative of Gremada Industries, Inc., I hereby attest my concurrence to have the following property included within the Fargo Municipal Airport Authority's application for general purpose zone status:

Legal Description: Butler's Lot 4, Block 1, Lots 5-7, 1-30-95 Comb Fr 02-0030-00045-000, 60-000, & 70-000. Halvorsons Industrial Park Lots 1-11 Block 1, Lots 1-7, Block 2, 1-139-50 Desc Tract, 101.57 acres, SW1/4 Lying South of BNSF RR Co. less the South 700' of SW1/4 and less part annexed into West Fargo Conts. 7.41 acres. 1-139-50 Desc Tract, 55.21 acres, SE1/4 Lying South of BNSF RR less the South 700' of SD Sec and less that part annexed to the City of West Fargo Conts. 39.18 acres in the SE1/4. 1-139-50 Unplatted 46.59 acres, part of S1/2 Comm at SE Cor Sec 1 Thn N Alg E Ln of Sec 1 for 700' to NE Cor of Helfrich 1<sup>st</sup> as part of Beg Thn W Alg N Ln of Helfrich 1<sup>st</sup>, Commercial Resources. BN 1-29 South Industrial Center, Lot 1, Block 7, 12-29-03 SPL to 01-0285-00341-000. BN 1-29 South Industrial Center, Lots 2-11, Block 7, 6-24-92 Comb with 01-0285-00350-010.

I understand that Gremada Industries, Inc., or any Zone user located on the property, will realize FTZ benefits and be subject to FTZ operational requirements only upon activation of our facilities with the Customs and Border Protection. Furthermore, I understand that attainment of FTZ benefits for manufacturing or processing activity requires a separate request for such authority which must be submitted to and approved by the U.S. Foreign-Trade Zones Board, and that in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities is permitted provided the zone Grantee retains the control necessary to implement the approved zone project.

Sincerely,

GREMADA INDUSTRIES, INC.

A handwritten signature in black ink, appearing to read "Dan Walerius".

Dan Walerius  
V.P. Corporate Services



Better Harvest Start  
With Better Concepts!

July 29, 2004

Mr. Dennis Puccinelli  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
FCB-Suite 4100W  
1099 14<sup>th</sup> Street NW  
Washington, D.C. 20005

Dear Mr. Puccinelli:

As the duly authorized representative of Crary Company, I hereby attest my concurrence to have the property located at 237 12<sup>th</sup> Street NW, West Fargo ND included within Fargo Municipal Airport Authority's application for general purpose zone status. The legal description for the property is Halverson Industrial Park, Lots 2 thru 14 Blk 4. West Fargo, ND.

I understand that our company, or any Zone user located on the property, will realize FTZ benefits and be subject to FTZ operational requirements only upon activation of our/its facilities with the Customs and Border Protection. Furthermore, I understand that attainment of FTZ benefits for manufacturing or processing activity requires a separate request for such authority which must be submitted to and approved by the U.S. Foreign-Trade Zones Board, and that in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities is permitted provided the zone Grantee retains the control necessary to implement the approved zone project.

Sincerely,

Chuck Crary  
President  
Crary Company

CRARY Company 237 NW 12th St PO Box 849 West Fargo, ND 58078-0849  
1-800-247-7335 701-282-5520 FAX: 701-282-9522  
www.crary.com sales@crary.com



July 27, 2004

Mr. Dennis Puccinelli  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
FCB - Suite 4100W  
1099 14<sup>th</sup> Street NW  
Washington, DC 20005

Dear Mr. Puccinelli:

As the duly authorized representative of Mid-America Aviation, Inc. and JT Properties, I hereby attest my concurrence to have the property located at:

A certain tract of land in the Northeast Quarter of Section Seven, Township One Hundred Thirty-nine North of Range Forty-nine West of the Fifth Principal Meridian, situate in the County of Cass and the State of North Dakota, described as follows: Beginning at a point 75 feet South and 1130 feet East of the Northwest corner of the Northeast Quarter of said Section Seven; thence 227.10 feet South; thence 300 feet East; thence 277.10 feet North; thence 300 feet West to the point of beginning, less a 15 foot wide strip along the North and East boundaries thereof for highway and street purposes,

included within Fargo Municipal Airport Authority's application for general purpose zone status.

I understand that our company, or any Zone user located on the property, will realize FTZ benefits and be subject to FTZ operational requirements only upon activation of our facilities with the Customs and Border Protection. Furthermore, I understand that attainment of FTZ benefits for manufacturing or processing activity requires a separate request for such authority which must be submitted to and approved by the U. S. Foreign-Trade Zones Board, and that in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities is permitted provided the zone Grantee retains the control necessary to implement the approved zone project.

Sincerely,

T. E. Kenville  
President/CEO

FAA Repair  
Station YMDR805L  
601 West Main Avenue  
West Fargo, North Dakota 58078

Telephone:  
701-282-7782



Fax:  
701-282-4041

[www.midamericaaviation.com](http://www.midamericaaviation.com) • [sales@midamericaaviation.com](mailto:sales@midamericaaviation.com)

Proposed Site 4 –  
Heartland Industrial Complex



August 26, 2004

Mr. Dennis Puccinelli  
Executive Secretary  
Foreign-Trade Zones Board  
U. S. Department of Commerce  
FCB – Suite 4100 W  
1099 14<sup>th</sup> Street N.W.  
Washington, DC 20005

Dear Mr. Puccinelli:

As the duly authorized representative of LoeGERING Mfg. Inc., I hereby attest my concurrence to have the property located at 15514 37<sup>th</sup> Street SE, Casselton, ND 58012, included within Fargo Municipal Airport Authority's application for general purpose zone status.

I understand that our company, or any Zone user located on the property, will realize FTZ benefits and be subject to FTZ operational requirements only upon activation of our/its facilities with the Customs and Border Protection. Furthermore, I understand that attainment of FTZ benefits for manufacturing or processing activity requires a separate request for such authority which must be submitted to and approved by the U.S. Foreign-Trade Zones Board, and that in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities is permitted provided the zone Grantee retains the control necessary to implement the approved zone project.

Sincerely,

A handwritten signature in black ink, appearing to read 'DL Carver', written over a horizontal line.

Del Carver  
Director of Sales and Marketing

15514 37th Street SE • Casselton, ND 58012 USA  
Phone: 800-373-5441, 701-347-5441, Fax: 701-347-4323  
Internet: [www.loegering.com](http://www.loegering.com)



P.O. Box 7  
Kindred, North Dakota 58501  
Phone: 701/356-4400  
Fax: 701/356-4500

May 10, 2004

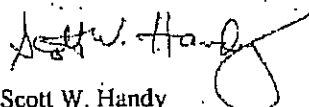
Mr. Dennis Puccinelli  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
FCB-Suite 4100W  
1099 14<sup>th</sup> Street N.W.  
Washington, D.C. 20005

Dear Mr. Puccinelli:

As the duly authorized representative of Southeast Rural Vision Enterprises, Co., I hereby attest my concurrence to have the property located at: Lots 1-5, Block 1; Lots 1 and 2, except the West 230.87' of Lot 2, Block 2, all in Heartland First Addition to the City of Casselton, Cass County, North Dakota, included within Fargo Municipal Airport Authority's application for general purpose zone status.

I understand that our company, or any Zone user located on the property, will realize FTZ benefits and be subject to FTZ operational requirements only upon activation of our/its facilities with the Customs and Border Protection. Furthermore, I understand that attainment of FTZ benefits for manufacturing or processing activity requires a separate request for such authority which must be submitted to and approved by the U.S. Foreign-Trade Zones Board, and that in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities is permitted provided the zone Grantee retains the control necessary to implement the approved zone project.

Sincerely,

  
Scott W. Handy  
President/CEO

Southeast Rural Vision Enterprises, Co.

# I.A.P.

## *Identity Ag Processing, LLC*

May 13, 2004

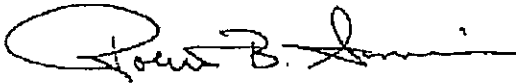
Mr. Dennis Puccinelli  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
FCB-Suite 4100W  
1099 14<sup>th</sup> Street N.W.  
Washington, D.C. 20005

Dear Mr. Puccinelli:

As the duly authorized representative of Identity Ag Processing, LLC, I hereby attest my concurrence to have the property located at 1950 Heartland Ave. S, Casselton, ND included within Fargo Municipal Airport Authority's application for general purpose zone status.

I understand that our company, or any Zone user located on the property, will realize FTZ benefits and be subject to FTZ operational requirements only upon activation of our/its facilities with the Customs and Border Protection. Furthermore, I understand that attainment of FTZ benefits for manufacturing or processing activity requires a separate request for such authority which must be submitted to and approved by the U.S. Foreign-Trade Zones Board, and that in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities is permitted provided the zone Grantee retains the control necessary to implement the approved zone project.

Sincerely,



Robert B. Sinner  
Identity Ag Processing, LLC

Proposed Site 5 –  
Mapleton Industrial Complex

215 South Cascade Street  
PO Box 496  
Fergus Falls, Minnesota 56538-0496  
218 739-8200  
www.otpc.com (web site)



July 17, 2004

Mr. Dennis Puccinelli  
Executive Secretary  
Foreign-Trade Zone Board  
U.S. Department of Commerce  
FCB-Suite 4100w  
1099 14<sup>th</sup> Street N.W.  
Washington, D.C. 20005

Dear Mr. Puccinelli:

As the duly authorized representative of Otter Tail Power Company, I hereby attest my concurrence to have the property known as the Mapleton Industrial Park located in Mapleton, North Dakota included within the Fargo Municipal Airport Authority's application for general-purpose zone status.

I understand that our company, or any Zone user located in the Mapleton Industrial park property, will realize FTZ benefits and will be subject to FTZ operational requirements only upon activation of its facilities with the Customs and Border Protection. Furthermore, I understand that attainment of the FTZ benefits for manufacturing or processing activity requires a separate request for such authority which must be submitted to and approved by the U.S. Foreign-Trade Zones Board, and that in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities is permitted provided the zone Grantee retains the control; necessary to implement the approved zone project.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald E. Fry", is written over a horizontal line that extends to the left and right of the signature.

Donald E. Frye

*An Equal Opportunity Employer*

Proposed Site 6 –  
Swanson Industrial Complex



August 4, 2004

Mr. Dennis Puccinelli  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
FCB-Suite 4100W  
1099 14<sup>th</sup> Street NW  
Washington, DC 20005

Dear Mr. Puccinelli:

As the duly authorized representative of Swanson Health Products, I hereby attest my concurrence to have the properties located at 4055 40<sup>th</sup> Avenue SW & 4075 40<sup>th</sup> Avenue SW, Fargo North Dakota included within Fargo Municipal Airport Authority's application for general purpose zone status.

I understand that our company, or any Zone user located on the property will realize FTZ benefits and be subject to FTZ operational requirements only upon activation of our/its facilities with the Customs and Border Protection. Furthermore, I understand that attainment of FTZ benefits for manufacturing or processing activity requires a separate request for such authority which must be submitted to and approved by the U.S. Foreign-Trade Zones Board, and that in accordance with Foreign-Trade Zones Board regulations, private ownership of Zone status land and facilities is permitted provided the zone Grantee retains the control necessary to implement the approved zone project.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Kraft", written in a cursive style.

Terry Kraft  
Director of Operations