APPLICATION TO MOVE MAIN OFFICE OR FACILITY ("BRANCH")

NORTH DAKOTA DEPARTMENT OF FINANCIAL INSTITUTIONS
BANKING AND TRUST COMPANIES DIVISION
SFN 18857 (Rev. 5-2023)

1200 Memorial Hwy
Bismarck, ND 58504
Telephone (701) 328-9933
Fax Number (701) 328-0290

North Dakota Century Code Section 6-03-13

Type of Relocation Contemplated (Check One)	Date
☐ Move Main Office (Complete 1 & 2) ☐ Move Branch Office Complete 1, 3, & 4)	

1. PRESENT MAIN OFFICE

Name		
Address		
City	State	Zip Code

3. PRESENT BRANCH OFFICE

Name		
Address		
City	State	Zip Code

2. PROPOSED MAIN OFFICE

New Name (if contemplated)		
Address		
City	State	Zip Code
Distance and Direction from Present Location		

4. PROPOSED BRANCH OFFICE

New Name (if contemplated)		
Address		
City	State	Zip Code
Distance and Direction from Main Office		
Distance and Direction from Present Location		

INFORMATION FOR THE APPLICANT

Schedules or inserts may be attached to this application whenever the space provided is insufficient. Such attached schedules or inserts are a part of this application and should be on paper the same size as this page. Applications are to be securely bound.

The completed original application and nine copies are to be forwarded to the State Banking Board, 1200 Memorial Hwy, Bismarck, ND 58504. A completed copy should be retained by the Bank.

Requests for clarification as to what information is necessary to complete this application should be directed to the Department of Financial Institutions.

You may provide any information in addition to that requested in this application which, in your opinion, might aid in the disposition of your proposal.

Complete responses to all questions in this application will expedite processing.

In preparing your application, keep in mind that the State Banking Board deems that public policy warrants making all information submitted to it in connection with your application available for public review unless it is confidential in nature.

It is the responsibility of the applicant to identify the information submitted with the proposal which it deems CONFIDENTIAL clearly and on separate pages. However, the determination of the questions of confidentiality and the discretion to release information submitted to it which is exempt resides with the State Banking Board. Specific information you indicate to be confidential may be made available for public review after consideration.

RESOLUTION OF BOARD OF DIRECTORS OF APPLICANT BANK

The Board of Directors of the Applicant Bank at a meeting duly called and held on _____ (Date) adopted the following resolution:

"Whereas it is the sense of this meeting that application should be made on behalf of this bank to the State Banking Board for written consent to move its main office or branch now being operated at:

to	Street Address	City or Town	State
	Street Address	City or Town	State

in accordance with the provisions of the North Dakota Century Code;

NOW, THEREFORE, IT IS RESOLVED, that the President or Vice-President and the Cashier or Secretary of this Bank are hereby authorized and directed to make application on behalf of this Bank to the State Banking Board to move its main office or branch now being operated at

to	Street Address	City or Town	State
	Street Address	City or Town	State

and to submit in connection therewith information on the several factors enumerated in North Dakota Century Code for the purpose of inducing the State Banking Board to grant approval to move the main office or the branch as indicated in this resolution."

The above Resolution has not been rescinded or modified and has been duly entered in the minute book of the Applicant Bank. Application is hereby made.

Name of Applicant Bank	
Location of Applicant Bank	
Signature of President or Vice-President X	Date
Attest (Signature of Cashier or Secretary) X	Date

(SEAL)

BANK REPRESENTATIVE RESPONSIBLE FOR RESPONDING TO QUESTIONS RELATING TO THIS APPLICATION

Name	Telephone Number
Title	

POLICY CONSIDERATIONS IN CONNECTION WITH THE PROPOSAL

1. A bankruptcy clause should be included in leases. An example of such a clause follows:

   "Notwithstanding any other provisions contained in this lease, in the event the Lessee is closed or taken over by the banking authority of the State of North Dakota, or other bank supervisory authority, the Lessor may terminate the lease only with the concurrence of such banking authority or other bank supervisory authority, and any such authority shall in any event have the election either to continue or to terminate the lease: Provided, that in the event this lease is terminated, the maximum claim of Lessor for damages or indemnity for injury resulting from the rejection or abandonment of the unexpired term of the lease shall in no event be in an amount exceeding the rent reserved by the lease, without acceleration, for the year next succeeding the date of the surrender of the premises to the Lessor, or the date for re-entry of the Lessor, whichever first occurs, whether before or after the closing of the bank, plus an amount equal to the unpaid rent accrued, without acceleration up to such date."

2. The bank, in establishing this new office, will develop external security procedures and install security devices in compliance with Part 326 of the Federal Deposit Insurance Corporation's Rules and Regulations.

3. Any payment or arrangement to/with any bank-related party such as a director, officer, 5% or more shareholder or their relatives or business interests must be fully detailed and supported.

4. A determination must be made as to whether the application involves a district, site, building, structure, or object which is included in or eligible for inclusion in the National Register of Historic Places. Under certain circumstances, the applicant may be requested to aid in the determination.

FIXED ASSET EXPENDITURES

Are temporary quarters anticipated? ☐ No ☐ Yes - Provide the following information:	
Street Address	
Direction and Distance from Permanent Quarters	Monthly Rental or Cost (Specify)
Brief Physical Description	
Permanent Quarters are Anticipated as Follows:	
Brief Physical Description	
Are permanent quarters owned or leased? ☐ Owned (Complete 1 below) ☐ Leased (Complete 2 below)	

1. OWNED

ITEM	TOTAL COST
Land	$
Building	
Furniture and Equipment	
TOTAL FIXED ASSET EXPENDITURE	$ **0.00**

2. LEASED

ITEM	TOTAL COST
Leasehold Improvement	$
Furniture and Equipment	
TOTAL FIXED ASSET EXPENDITURE	$ **0.00**

List Basic Terms of Lease (term, renewal or purchase options, etc.)
List in detail any plans of the bank to finance the construction of the branch building or other fixed assets in connection with the subject proposal. (If none, so state.)

DISPOSITION OF QUARTERS TO BE VACATED

If owned, indicate name(s) of prospective buyer(s) and estimated sale price.
If leased, provide details regarding termination of such lease and abandonment costs which will have to be absorbed on any leasehold improvements.
If insiders are involved, provide names, relationships, particulars of the transaction(s) and supporting documentation.
Discuss disposition of any other assets in connection with the proposal and resultant reduction in carrying value.

RELATIONSHIPS AND ASSOCIATIONS WITH THE BANK

Are any architects, real estate brokers, the sellers or lessors of land, buildings or equipment listed on page 4 otherwise directly or indirectly associated with the applicant?

☐ No ☐ Yes - Complete the following table

NAME	ITEM (Mark Appropriate Column)			RELATIONSHIP OR ASSOCIATION WITH BANK (Specify Director, Officer, 5% Stockholder, or their relatives. Designate any business interests of the aforementioned.)
	LAND	BUILDING	EQUIPMENT	

If fixed assets are to be purchased from a related party, evidence of the reasonableness of the cost(s) must be provided. Attach copies of bids, independent appraisals and/or other supporting evidence.

If an insider is a party to any lease contract in connection with the application, explain the manner in which lease payments were determined and submit a copy or draft copy of the lease.

FEES PAID IN CONNECTION WITH THE PROPOSAL

NAME OF RECIPIENT	TYPE OF FEES PAID (Mark Appropriate Column)			RELATIONSHIP OR ASSOCIATION WITH BANK (Specify Director, Officer, 5% Stockholder, or their relatives. Designate any business interests of the aforementioned.)	AMOUNT
	LEGAL	CONSULTING	OTHER		

ADEQUACY OF THE CAPITAL STRUCTURE

Are there any plans to increase the capital structure other than through retained earnings?

☐ No ☐ Yes - Give Details.

ESTIMATED DEPOSITS (Note: Complete only if the relocation will result in a change in primary trade territory.)

TYPE OF DEPOSIT	ESTIMATED VOLUME AT END OF		
	FIRST YEAR	SECOND YEAR	THIRD YEAR
Demand Deposits			
Time Deposits			
NOW Accounts and Savings Deposits			
TOTAL DEPOSITS	**$0.00**	**$0.00**	**$0.00**

The above estimates are based on the following data and assumptions:

INSTRUCTIONS: Complete only if new capital stock is being issued in connection with the subject proposal.

A. Does the bank propose to directly or indirectly finance the purchase of capital stock by a director, officer, or 5% stockholder?

☐ No ☐ Yes - Give Details.

B. Is each stockholder being offered new capital stock on a pro rate basis with their current holdings?

☐ Yes ☐ No - fully describe the manner in which the new stock will be issued.

FUTURE EARNINGS PROSPECTS

ESTIMATED CHANGES IN OCCUPANCY EXPENSES RESULTING FROM THE PROPOSED MOVE

INSTRUCTIONS: Include only those changes which are applicable to the subject relocation.

TYPE OF OCCUPANCY EXPENSE	PRESENT COST	PROPOSED COST
Rent		
Depreciation		
Heat, Light, and Power		
Maintenance (including janitor's salary)		
Insurance		
Taxes on Real Estate		
Other Occupancy Costs		
TOTAL OCCUPANCY EXPENSES	**$0.00**	**$0.00**
Less: Rental Income Anticipated		
NET OCCUPANCY EXPENSES	**$0.00**	**$0.00**

Detail any other significant changes in earnings anticipated as a result of this proposal.

MANAGEMENT

If there have been any changes in senior bank management since the last examination, give full details. If none, so state.

CHANGE IN CHARACTER OF BUSINESS

Will there be any change in the type of business to be conducted at the relocated main office or branch?

☐ No ☐ Yes - Give Details.

CONVENIENCE AND NEEDS

A. Outline the reasons for the relocation and indicate banking (financial) services which will remain available in the vacated area.

NOTE: Complete this page only if the relocation will result in a change in primary trade territory. If no change in primary service area will result, so indicate.	Check One ☐ Change ☐ No Change

The applicant is responsible for developing the convenience and needs of the community in a way which clearly shows the economic support and justification for the proposal. Submit such data relating to the trade area which you feel is relevant. If an economic survey or feasibility study has been prepared, it may provide most of the information needed.

B. Describe the trade territory which will be served

C. COMPETITION (List all banks and branches now serving the trade territory to be served. Include a map of the trade territory pinpointing the present location of the main office, existing branches, and the location of the proposed site.)

NAME OF BANK	LOCATION (City and State)	DEPOSITS (Indicate Date and Source)	DISTANCE AND DIRECTION FROM PROPOSED SITE

D. List the name and location of any financial institutions, other than banks, now serving the trade area to be served. (Include Savings and Loan Associations, Credit Unions, and Finance Companies)