

IMPORTANT INFORMATION ABOUT ZONE SCHEDULES

This zone schedule is being made available pursuant to 15 CFR 400.44(e), which states: “The Board shall make copies of zone schedules available on its Web site.”

Availability of this zone schedule on the FTZ Board’s website does not imply that the FTZ Board has approved any rate/charge, policy or other content of this zone schedule. In particular, while the FTZ Board staff intends to conduct spot checks over time, zone schedules are not reviewed for compliance with the public utility requirement (19 U.S.C. 81n, 15 CFR 400.42) prior to making the zone schedules available via the Board’s website.

Pursuant to 15 CFR 400.44(b)(4), a grantee may not assess any specific rate or charge for which the amount – or formula for calculating the amount – does not appear in the zone schedule that the grantee has submitted to the FTZ Board.

Complaints about a grantee’s compliance with statutory and regulatory requirements related to public utility and uniform treatment – including rate or charge amounts/formulas, a grantee assessing a rate or charge amount/formula that does not appear in its zone schedule, and a grantee not affording uniform treatment under like conditions – may be presented to the FTZ Board under 15 CFR 400.45 (which also allows for complaints to be made on a confidential basis, if necessary).

Questions or concerns may be addressed to the FTZ Board staff at (202) 482-2862 or ftz@trade.gov.

FTZ 246
City of Waco
Grantee Policies and Procedures Manual

CITY OF WACO
FOREIGN TRADE ZONE No. 246

FOREIGN TRADE ZONE SCHEDULE

Foreign Trade Zone Number 246: covering certain designated property zoned for industrial purposes in Waco, Texas adjacent to the Dallas/Fort Worth, Texas Port of Entry.

Grantee: City of Waco

Contact Information:

Jim Vaughan, Foreign Trade Zone Director

Greater Waco Chamber of Commerce
101 S. University Parks, Waco, TX 76701

254-752-6551 Phone/ 254-752-6618 Fax

Operators: Greater Waco Chamber of Commerce

Original Zone Schedule Date: September 2002

Last Updated on: September 2002

Prepared by: Greater Waco Chamber of Commerce

FTZ 246 Foreign Trade Zone Schedule

TABLE OF CONTENTS

TABLE OF CONTENTS	2
INTRODUCTION.....	3
ZONE OBJECTIVE.....	3
SITE LOCATION	3
PUBLIC AVAILABILITY OF ZONE SCHEDULE.....	4
ACCESS TO FOREIGN TRADE ZONE NUMBER 246	4
MODIFICATION.....	4
APPROVED OPERATORS	5
ACTIVATION PROCEDURES	5
ZONE RATES.....	6
OPERATOR RATES AND CHARGES.....	6
APPENDIX 1.1	7
APPENDIX 1.2	8

INTRODUCTION

On January 17, 2001, the Foreign Trade Zones Board adopted Board Order No. 1139, a grant of authority to the City of Waco establishing Foreign Trade Zone Number 246 in Waco, Texas. Foreign Trade Zone No. 246 includes designated City of Waco and Waco Industrial Foundation property zoned for industrial purposes at three sites located within the city limits of Waco, Texas: (1) the Aviation Parkway East Property, comprising 200 acres of undeveloped land on the northeast side of Waco, within the Texas Aeroplex Industrial Park; (2) the Bagby Avenue and MK&T Railroad Property, including approximately 139 acres of undeveloped land on the south side of Waco, adjacent to Exchange Parkway and near Loop 340 (Highway 6) in the Texas Central Industrial Park; and (3) the Madison-Cooper Airport Property on the northwest side of Waco, consisting of about 70 acres of undeveloped land adjacent to and on the grounds of the Waco Regional Airport

ZONE OBJECTIVE

The Waco, Texas location, (adjacent to the Dallas/Fort Worth Texas Port of Entry) , encompassing Foreign Trade Zone No. 246, is an inland port affording local businesses the opportunity to store, de-van, break-bulk, sort, etc., foreign cargo without tariff consequences. Similar to other zone sites along the NAFTA corridor, the Waco zone will allow local businesses the flexibility to expand internationally, without moving from the area, and will allow businesses involved in international trade to consider Waco as a location for new activities. The presence of a general-purpose zone in Waco serves not just Waco and McLennan County, but the whole of the "Heart of Texas" region, and allows businesses located in the region access to the same resources enjoyed in other areas. The economic benefits will flow not just to Waco, but other communities as well. Cumulatively, the three sites encompassed by Foreign Trade Zone 246 allow for air transportation access, ready access to rail and road services, and close access to the Waco Regional Airport, a fully FAA certified facility serving as the main commercial and passenger airport in the county and surrounding areas. The City of Waco will operate Foreign Trade Zone No. 246 under public utility principles. The City of Waco shall ensure that the reasonable zone needs of the business community are served by its zone project. (Pursuant to 15 CFR §400.41).

SITE LOCATION

The current legal boundaries and corresponding maps of Foreign Trade Zone No. 246 are provided herein in Appendix 1.1. Appendix 1.2 contains additional area maps covering the Greater Waco Foreign Trade Zone.

PUBLIC AVAILABILITY OF ZONE SCHEDULE

The Zone Schedule for Foreign Trade Zone No. 246 is made available for public viewing at the Foreign Trade Zone No. 246 Offices at 101 S. University Parks Drive, Waco, TX, 76701. Members of the public should be aware that the Foreign Trade Zone No. 246 Zone Schedule, including rates and fees, may be revised on occasion.

ACCESS TO FOREIGN TRADE ZONE NUMBER 246

The City of Waco undertook a comprehensive study to determine what property in the Greater Waco area was most suited for foreign trade zone utility. All members of the public are allowed equal opportunity to the property designated within Foreign Trade Zone Number 246.

MODIFICATION

As Grantee of Foreign Trade Zone Number 246, only the City of Waco possesses the legal authority to file requests to the Foreign Trade Zones Board to modify or expand the boundaries of the zone, or to approve a subzone. (15 CFR §§ 400.22-400.26). All written requests to the City of Waco for modification of Foreign Trade Zone Number 246 will be considered by the City of Waco. Decisions to grant or deny such requests are within the discretion of the City of Waco. Requests should be sent to:

Foreign Trade Zone Number 246
c/o Foreign Trade Zone Director
101 S. University Parks
Waco, TX 76701
Fax: 254-752-6511

APPROVED OPERATORS

Foreign Trade Zone No. 246 is under the contractual oversight of the City of Waco and maintained by the Greater Waco Chamber of Commerce. (15 CFR §400.41). The City of Waco does not serve as operator of individual zone sites. Each user may elect to either operate its own zone site directly or to engage the services of a third-party operator approved by the City of Waco.

No person or entity may serve as a zone operator of Foreign Trade Zone No. 246 without the written consent of the Greater Waco Chamber of Commerce. (15 CFR § 400.28, 400.41). All written requests to serve as a zone operator will be considered. Decisions to deny requests to serve as an operator of Foreign Trade Zone No. 246 are within the discretion of the City of Waco.

The Greater Waco Chamber of Commerce and the City of Waco will apply the following criteria to determine if a potential operator is qualified:

- Primary business practice of the entity;
- Prior dealings with the Grantee;
- Reputation in the community and industry;
- Knowledge and background regarding import and export transactions;
- Experience and expertise with Customs regulations and practices;
- Qualifications and education of management; and
- Financial stability and wherewithal.

No operator will be approved by the Greater Waco Chamber of Commerce or the City of Waco prior to the existence of an executed Grantee-Operator Agreement. Standard City of Waco agreements are available at the Foreign Trade Zone No. 246 Offices at 101 S. University Parks Drive, Waco, TX, 76701, upon request.

Current operators within Foreign Trade Zone No. 246 are:

- **Caterpillar**
- **Anheuser-Busch**

ACTIVATION PROCEDURES

No operator may activate its zone site with U.S. Customs without the written concurrence of the Chamber of Commerce. All such requests for concurrence letters from the Chamber of Commerce should be in written form and include the following:

- Company information, including:
 - Company contact name, address, and telephone number;
 - Size of company and number of employees at FTZ site;
- Category of products to be admitted within the FTZ;
- A detailed outline of the scope of operations that will take place in the FTZ;
- Information regarding any processing or manufacturing that may occur within the FTZ;
- Map of the area to be activated.

Requests should be addressed to:

Foreign Trade Zone Number 246
 c/o Foreign Trade Zone Director
 900 Washington Avenue, Suite 501
 Waco, TX 76701
 Fax: 254-296-0405

ZONE RATES

Site User Annual Fee	\$12,000
Subzone User Annual Fee	\$15,000
Site Non-User Annual Fee	\$500
General Purpose Zone Application Fee	\$2,000
Subzone Application Fee	\$3,000

The site user annual fee is due as stated in the executed Grantee/Operator Agreement. Unless otherwise stated in the agreement, the annual fee for each fiscal year is due on **January 1st** of that fiscal year or within 40 days of activation. The General Purpose Zone Expansion Application Fee or Subzone Application Fee is due before an application with the Foreign Trade Zones Board will be filed. In addition to these fees, all application costs will accrue to the party requesting the application.

OPERATOR RATES AND CHARGES

The City of Waco charges no operational fee to users. If a zone user elects to utilize the services of a third-party operating company, the operator rates and charges should be independently negotiated between the user and third-party operating company.

APPENDIX 1.1
Legal Description/Map of General Purpose Waco Foreign Trade Zone Number 246

FOREIGN TRADE ZONE
Aviation Parkway East

Being a parcel of land located in the Tomas de La Vega Grant, Abstract No. 43 in McLennan County, Texas and being out of that certain tract of land called 1064.016 acres in a deed to the Waco Industrial Foundation of record in Volume 1573, Page 793 of the McLennan County, Texas Deed Records;

Beginning at a point marking the intersection of the west right-of-way line of Aviation Parkway with the south line of Concord Road;

Thence southeasterly approximately 3260 feet with the said line of Aviation Parkway to a point for the southeast corner of the herein described tract of land;

Thence in a southwesterly direction perpendicular the said line of Aviation Parkway approximately 2700 feet to a point in the east right-of-way line of Tirey Road;

Thence in a northwesterly direction with the said line of Tirey road approximately 2800 feet to its intersection with the easterly line of Williams Drive;

Thence in a northerly direction with the east line of Williams Drive approximately 750 feet to its intersection with the south line of Concord Road;

Thence easterly with the line of Concord Road approximately 2200 feet to the Point of Beginning and containing approximately 200 acres.

FOREIGN TRADE ZONE
Bagby Avenue and MK&T Railroad

This is a description for a tract of land out of McLennan County, Texas and being part of the B.C. Wallace Survey, Abstract 915, the BB&C Railroad Co. Survey, Abstract 155, the W.L. Hasper Survey, Abstract 119, and the P.M. Maxwell Survey Abstract 576,

Beginning at the northeast corner of the intersection of Exchange Parkway with Texas Central Parkway at a point in the east right-of-way line of Exchange Parkway;

Thence in a northerly direction with the east right-of-way line of Exchange Parkway approximately 2600 feet to a point;

Thence in a northwesterly direction approximately 1500 feet parallel and adjacent to the Army and Airforce Exchange tract described is Volume 1583, Page 453 to a point in the south right-of-way line of the MK&T Railroad,

Thence in a northeasterly direction with the MK&T right-of-way line approximately 1300 feet to a point;

Thence in a southwesterly direction approximately 2200 feet to a point;

Thence in a southerly direction approximately 2100 feet to a point in the north line in Bagby Avenue;

Thence with said north line of Bagby Avenue approximately 1500 feet to the Point of beginning and containing approximately 139.29 acres.

FOREIGN TRADE ZONE
Waco Madison-Cooper Airport Area

This tract of land in McLennan County, Texas, out of the J.G. Smith Survey, Abstract No. 38;

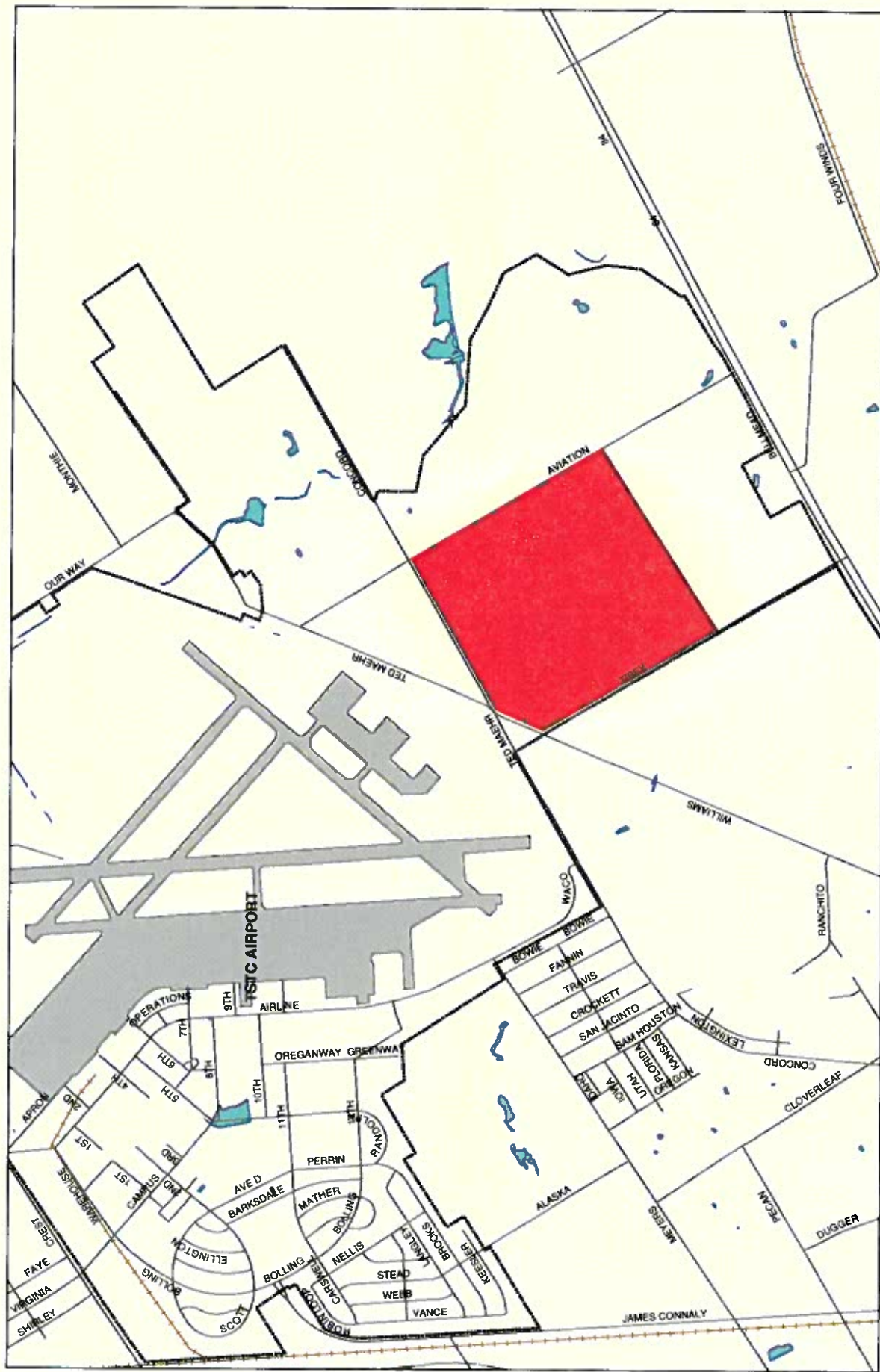
Beginning at the southwest corner of the intersection of Airport Drive and Zoo Park Drive on the west right-of-way line of Zoo Park Dr.,

Thence in a southerly direction with the west right-of-way line of Zoo park Drive approximately 2150 feet to a point;

Thence in a westerly direction approximately 800 feet to a point;

Thence in a northwesterly direction approximately 1650 feet to a point in the east right-of-way line of Skeet Eason Road;

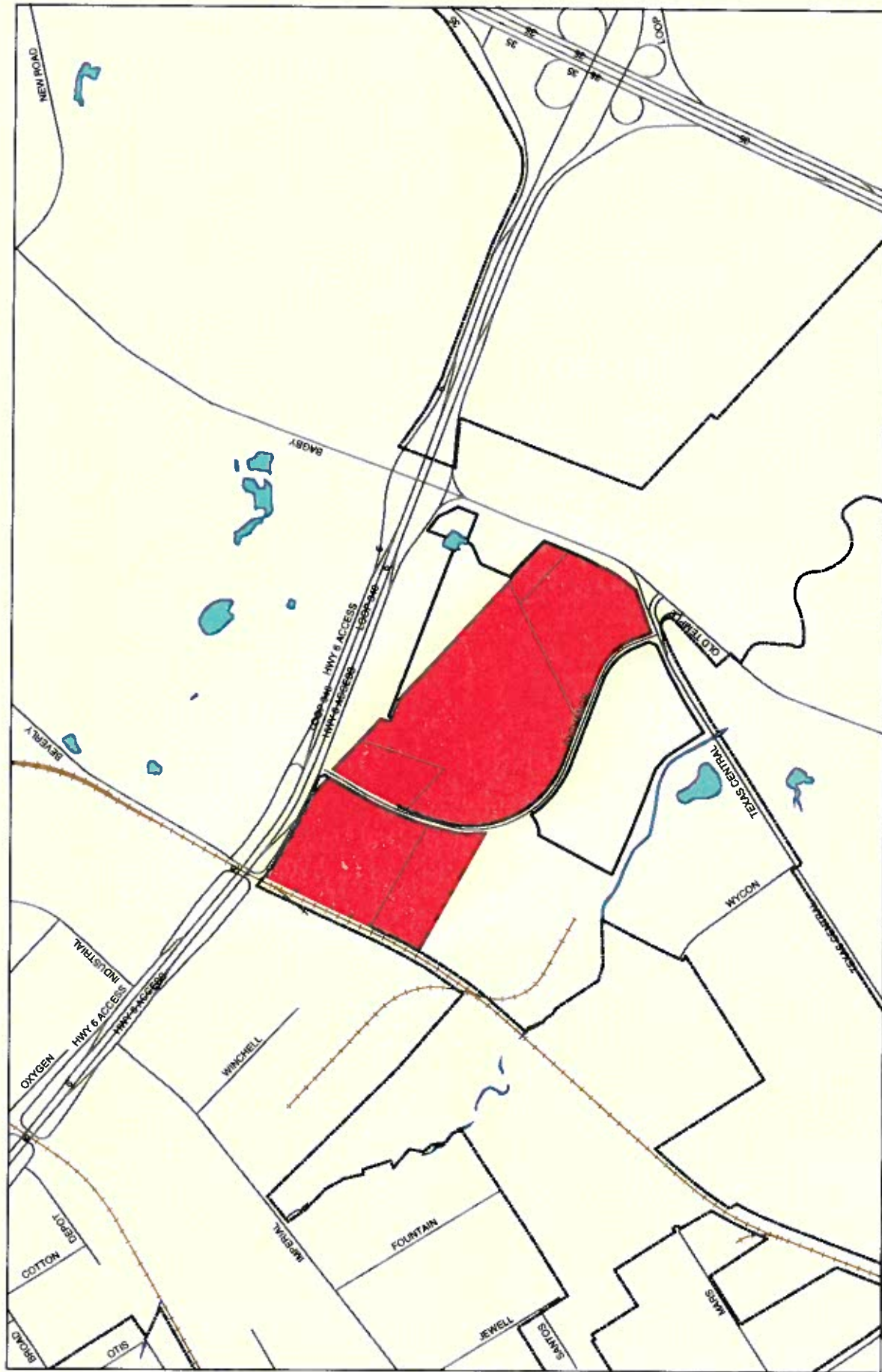
Thence in a northeasterly direction with the east right-of-way line of Skeet Eason Road approximately 2800 feet to the Point of Beginning and containing approximately 70.44 acres.



Foreign Trade Zone - FTZ

Foreign Trade Zone





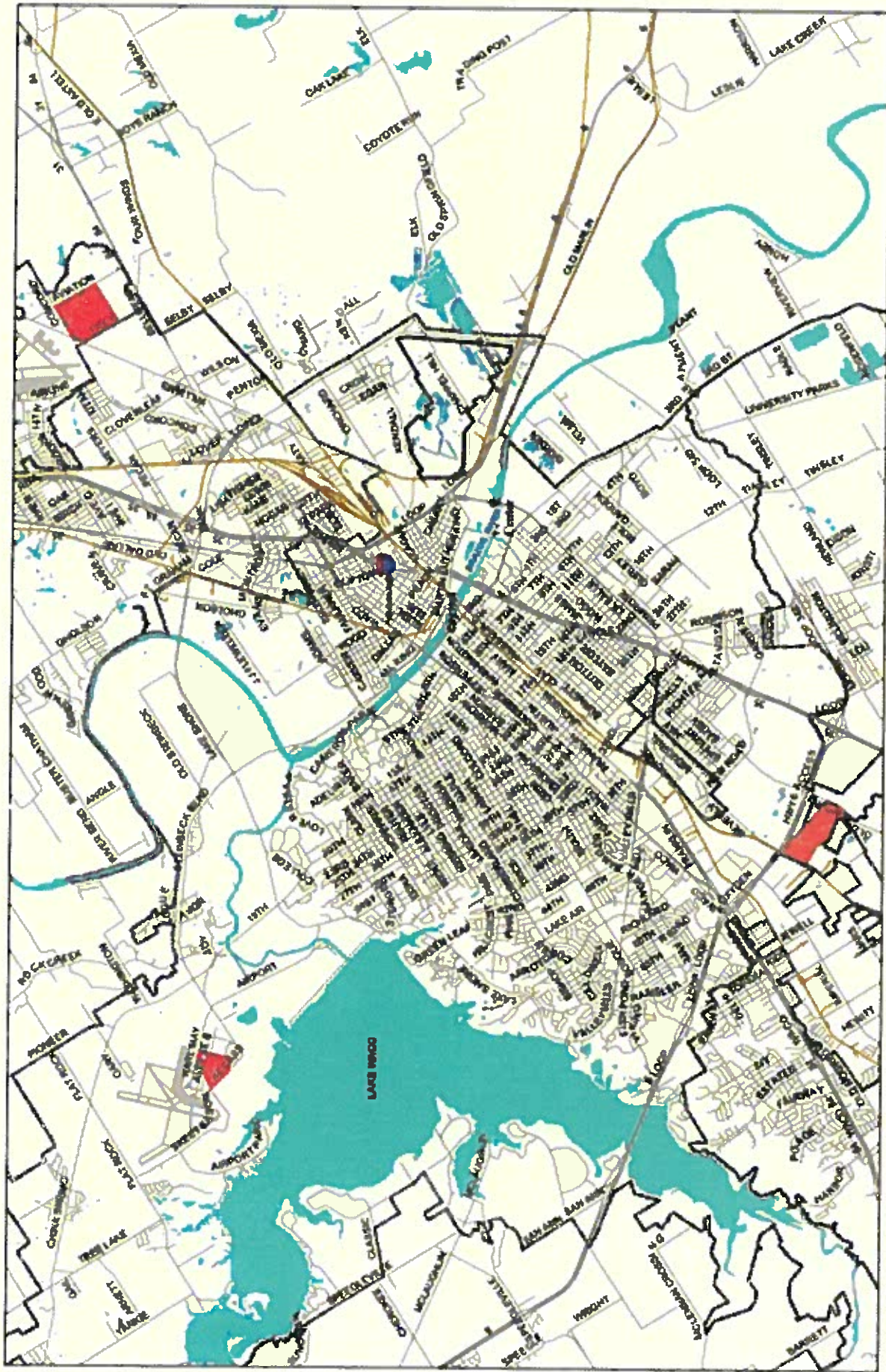
Foreign Trade Zone

Foreign Trade Zone - FTZ



APPENDIX 1.2
Area Maps Covering General Purpose Waco Foreign Trade Zone Number 246

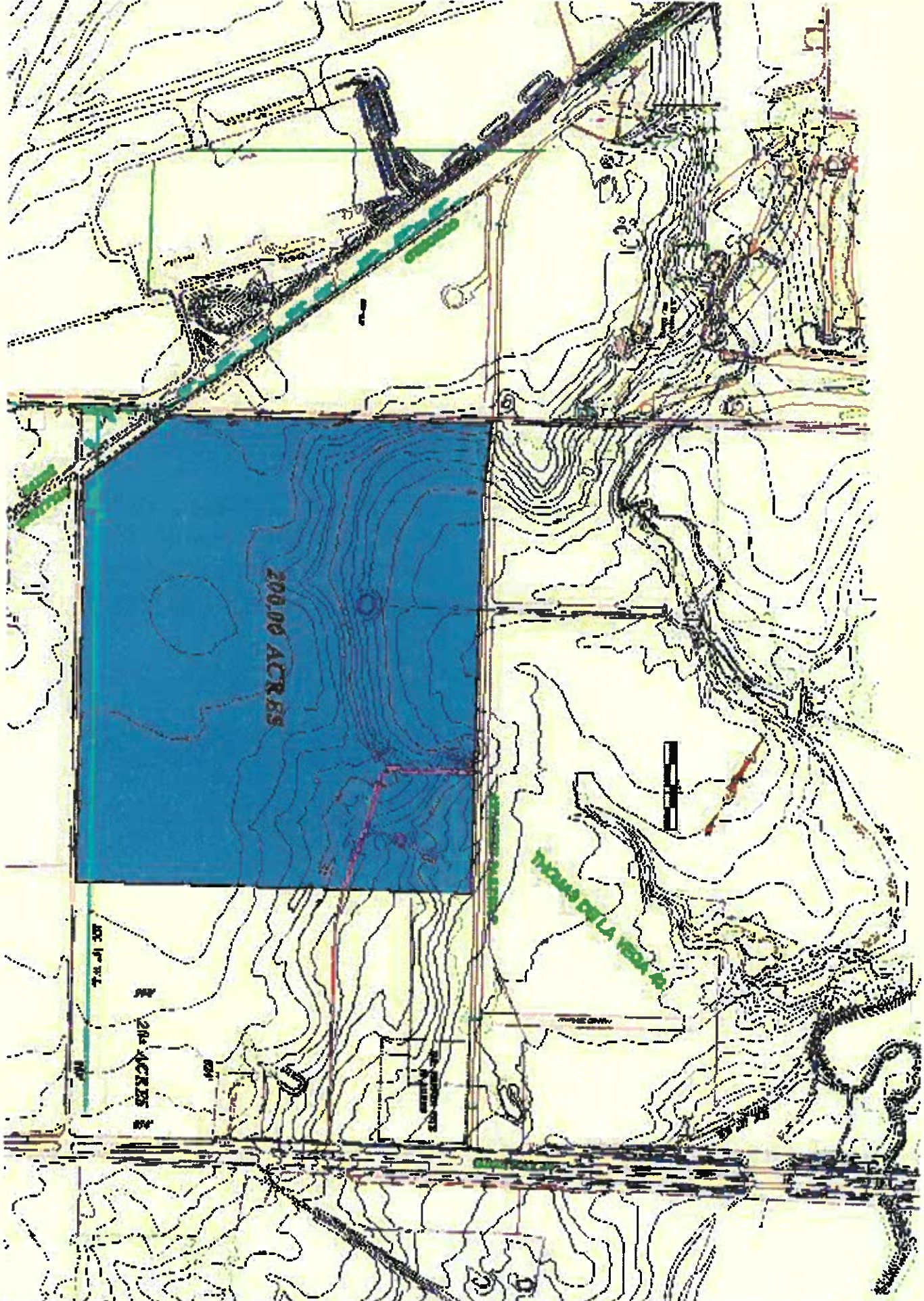
- I (a) Waco City Map
- I (b) Site Survey of Madison-Cooper Airport Site
- I (c) Site Survey of Aviation Parkway East Site
- I (d) Site Survey of Bagby Avenue and MK&T Railroad Site



Public Improvement District - PID

Foreign Trade Zone





PROJECT NO. 1001 SHEET NO. 1 OF 1 DATE: 10/15/03 DRAWN BY: J. GARCIA CHECKED BY: J. GARCIA APPROVED BY: J. GARCIA	WACO INDUSTRIAL FOUNDATION		 The Wilco Group, Inc. Professional Architecture, Planning & Surveying	PRELIMINARY SET <small>FOR PERMITS ONLY</small>	
	3:--5:30 P.M. 10/15/03			10/15/03	

