



Comptroller of the Currency
Administrator of National Banks

Washington, DC 20219

Corporate Decision #97-21
April 1997

April 1, 1997

David H. Baris, Esq.
KENNEDY & BARIS, L.L.P.
Attorneys at Law
4719 Hampden Lane, Suite 300
Bethesda, Maryland 20814

Re: Application of National Capital Bank of Washington, Washington, District of Columbia to establish a messenger service branch in the District of Columbia, Maryland, and Virginia
Application Control Number: 97-NE-05-0021

Dear Mr. Baris:

This is to inform you that on March 31, 1997, the Office of the Comptroller of the Currency ("OCC") granted approval, pursuant to 12 U.S.C. § 36(g), to the proposal to establish a messenger service branch.

Under 12 U.S.C. § 36(g), an out-of-state national bank may establish an initial de novo branch in a host state if the host state has a law that meets the provisions of section 36(g)(1)(A) and the bank meets the conditions of section 36(g)(2). The host states here, Maryland and Virginia, each has a law that meets the provisions of 12 U.S.C. § 36(g)(1)(A). National Capital Bank of Washington meets the conditions in 12 U.S.C. § 36(g)(2) and the activities of the messenger service in Washington, District of Columbia, are legally authorized under 12 U.S.C. § 36(c).

Approval is granted based on a thorough review of all the information available, including representations made by you and your representatives in the application, subsequent correspondence and telephone conversations.

Please be advised that, if the branch is not opened within 18 months from the approval date, the approval will automatically terminate unless the OCC grants an extension. Also, you must notify the Northeastern District Office, in writing, in advance of the desired effective date for opening the messenger service so that the OCC can issue the final letter of authorization.

Additionally, you are reminded that the following is required before the effective date of the messenger service:

1. The operation of the messenger service is limited to those locations where the bank could legally establish a permanent branch under applicable federal and state laws and within the geographic areas where notice of the proposed mobile service was published.
2. After the messenger service begins operating, the bank must maintain a log of operations, indicating the date, specific location, and description of each stop (e.g., "office, store, residence").
3. At all times, the messenger service must be maintained and operated in compliance with the relevant provisions of 12 CFR 21 and the Bank Protection Act of 1968.

If you desire to operate the messenger service outside the geographic area where the notice was published, please file a new branch application and publish notice, indicating that the application is to extend the previous messenger service branch approval to a larger geographic area.

If you have any questions, please contact Analysis Specialist Nina Lipscomb in our Northeastern District Office at (212) 790-4055 or me at (202) 874-5060.

Sincerely,

/s/

Robert B. Norris
Bank Organization & Structure