

NOTIFICATION FOR RELOCATION OF A BRANCH BANK
submitted to the
ARKANSAS STATE BANK DEPARTMENT

By

Corporate Title of Notificant

Street Address

Charter Number

City

County

State

Zip Code

(hereinafter referred to as "**Notificant**")

hereby provides notice to the State Bank Commissioner for written consent to relocate its branch bank facility operated at the following location:

Street Address

City

County

State

Zip Code

To the proposed location:

Street Address

City

County

State

Zip Code

Name, title, address, and telephone number of person(s) to whom inquiries concerning this application may be directed:

I hereby certify that the bank's board of directors has authorized the filing of this notification and that to the best of my knowledge, it contains no misrepresentations or omissions of material facts.

Signature of Authorized Officer

Date of Application

Typed Name

Title

Telephone Number

AUTHORITY

In accordance with A.C.A. § 23-48-702(d) and Arkansas State Bank Department Rule § 48-702.1, a state bank may file a notice with the Commissioner to relocate any existing full-service branch to another location then authorized by law. The relocation notice must be filed at least thirty (30) days prior to the proposed relocation.

PROCEDURES

A notification received by the State Bank Department (hereinafter "Department") will be reviewed for legality and receipt of all requested documentation prior to filing.

In accordance with Arkansas State Bank Department § 48-702.1:

Fee: Notificant shall submit to the Department a non-refundable filing fee of \$300 for a relocation notification.

Notice Published by Notificant: Notice of intent to file a full service branch relocation notification must appear in a newspaper of statewide circulation one (1) time prior to the actual filing of the notice of relocation of the existing full service branch with the Commissioner. The publication may be run no more than three (3) weeks before the filing of the notice. A proof of publication must accompany the notification to the Commissioner.

Federal publication requirements for a branch relocation application vary by agency. The application should be submitted to the appropriate federal agency within time frames established by the agency.

Approval by Commissioner: A notice of relocation of an existing full service branch is deemed approved if the Commissioner takes no action on the notice within thirty (30) days after the date of filing of the notice.

Protest: As provided by and in accordance with § 48-702.1(e), a formal written protest to the notice of relocation of an existing full service branch may be filed with the Commissioner. Furthermore, the State Banking Board requires all formal protests be specific to those principles set forth in A.C.A. § 23-48-703(a).

Letter of Opposition: Any aggrieved bank, corporation, or individual(s) may file a letter of opposition (not an official protest) to a notice of relocation of an existing full service branch without incurring any liability for the fee assessed to formal protesting parties.

Date of Filing: Written notice to the Commissioner to relocate an existing full service branch, formal protest(s), and letter(s) of opposition are considered "filed" the date stamped as filed by the Commissioner.

Public Hearing at the Commissioner's Discretion: The Commissioner at his/her discretion may hold a public hearing on a notice of relocation of an existing full service branch. If a hearing is to be held, the Commissioner shall give notice in a newspaper of statewide circulation once at least ten (10) days prior to the date of the hearing. Further, the Commissioner shall notify by mail the party sending notice of relocation and official protestant(s) at least ten (10) days prior to the hearing. The hearing will be held in accordance with Arkansas State Bank Department Rules and Regulations and the Administrative Procedure Act.

SUPPORTING INFORMATION/DOCUMENTATION

Notificant must submit the following information and/or documentation in support of the notice to relocate a full service branch bank. The Bank Department may also request, on a case-by-case basis, any additional information as needed to process a notification. Please number responses to correspond with the following:

- 1) State the purpose of the proposed branch relocation.
- 2) Arkansas Bank Department Rules require publication in a newspaper of statewide circulation. Notice of intent to file a full service branch relocation notification must appear in a newspaper of statewide circulation one (1) time prior to the actual filing of the notice of relocation of the existing full service branch with the Commissioner. Evidence of a proof of publication must accompany this application.

See Attachment - **Legal Notices**

- 3) The total anticipated costs associated with the relocation of the branch _____.

Will the relocation of the branch and the total of all outstanding projects approved by the Bank Commissioner and in process, cause Notificant to exceed one hundred and fifty percent (150%) of the bank's capital base as allowable in A.C.A. § 23-47-103(c)?

Yes No

If *yes*, please contact the Bank Department

Does the relocation of the branch require the purchase of real estate?

Yes No

If *yes*, please provide the date of prior approval obtained from the Bank Commissioner _____.

- 4) Does the establishment of the proposed branch concern any involvement, directly or indirectly, by an insider (executive officers, directors, or shareholders who directly or indirectly control five (5) percent or more of any class of outstanding voting stock) of the bank or bank holding company (if applicable) or their immediate family or related interests?

Yes No

If *yes*, please provide the following information regarding any financial arrangements relating to fees, the acquisition of property, leasing of property, and construction contracts:

- a) name of individual or related interest and relationship to Notificant; and
- b) Information to reflect that terms and conditions are not more favorable, for seller/lessor, than would be available in a comparable transaction with an unrelated party (information should include the fair market value or appraised value of any property, building, fixtures, equipment, etc., to be acquired and comparative sales information). The appraisal or evaluation submitted must be prepared by an independent party.

- 5) Provide the following:
- a) the date of the most recent Community Reinvestment Act (CRA) examination, and
 - b) identify the federal or state regulatory agency that performed the examination, and
 - c) the CRA rating assigned.
- 6) Comment on any changes in services to be offered, the community to be served, or any other effect the notification may have on compliance with the Community Reinvestment Act.
- 7) Discuss plans for disposition of any real property owned by Notificant to be vacated upon relocation.
- 8) Unless the proposed location is in an established commercial shopping center, Notificant must submit a statement to the FDIC to indicate whether or not the site is included or is eligible for inclusion in the National Register of Historic Places, including evidence that clearance has been obtained from the State Historic Preservation Officer (SHPO). For obtaining such clearance, the enclosed form "Request for Cultural Resource Assessment" must be completed, signed and forwarded directly to the SHPO. Please forward the completed form to the FDIC. Respond "Not Applicable" if Notificant is a Federal Reserve member bank.

See Attachment - **State Historic Preservation Information**

- 9) Discuss the impact of the relocated branch on the human environment, specifically, information on compliance with local zoning laws and regulations and the effect on traffic patterns.
- 10) State the anticipated date the relocated branch office would be open for business.

LEGAL NOTICE
(for the Arkansas State Bank Department)

Notice is hereby given that (*name and location of notificant*) has made notification to the Arkansas State Bank Department for its intent to relocate an existing branch office from (*current address, city, county, state*) to (*new address, city, county, and state*).

Any person desiring to comment on this notification to the Arkansas State Bank Department may do so by filing his or her comments in writing to the State Bank Commissioner at the office of the department, 1 Commerce Way, Suite 401, Little Rock, Arkansas 72202. Written comments, including any formal protests, concerning this application must be received in the Arkansas State Bank Department no later than 15 days following the date of the actual filing of the application.

This notice is published pursuant to The Arkansas Banking Code of 1997, as amended.

LEGAL NOTICE
(for non-member banks)

Notice is hereby given that (*name and location of notificant*) has made notification to the Federal Deposit Insurance Corporation and the Arkansas State Bank Department for permission to relocate an existing branch office from (*current address, city, county, state*) to (*new address, city, county, and state*).

Any person wishing to comment on this notification may file his or her comments in writing with the Regional Director (DSC) of the Federal Deposit Insurance Corporation at its Area Office at 6060 Primacy Parkway, Suite 300, Memphis, Tennessee 38119-5770, not later than (*insert the date 15 days after the publication date*). The non-confidential portions of the notification are on file in the Area Office and are available for public inspection during regular business hours. Photocopies of information in the non-confidential portion of the notification will be made available upon request.

Any person desiring to comment on this notification to the Arkansas State Bank Department may do so by filing his or her comments in writing to the State Bank Commissioner at the office of the department, 1 Commerce Way, Suite 401, Little Rock, Arkansas 72202. Written comments, including any formal protests, concerning this notification must be received in the Arkansas State Bank Department no later than 15 days following the date of actual filing of the application.

This notice is published pursuant to Part 303.7 of the Rules and Regulations of the Federal Deposit Insurance Corporation and The Arkansas Banking Code of 1997, as amended.

STATE HISTORIC PRESERVATION INFORMATION

For use by State Historic Preservation Officer

Mail completed form to:

Received: _____
CH#: _____
N/E: _____
Survey: _____

State Historic Preservation Officer
Arkansas Historic Preservation
1100 North Street
Little Rock, Arkansas 72201
501-324-9880

REQUEST FOR CULTURAL RESOURCE ASSESSMENT

I. Applicant _____ County of project _____
Applicant's address _____ City _____ Zip _____
Contact person _____ Telephone _____
Contact person's address, if different from applicant's
Street/P.O. Box _____ City _____ Zip _____

If applicant is not a federal agency, to which federal agency is applicant applying:

Federal Program: _____ Circle type of assistance sought:
Grant Loan Other

Signature of applicant or contact person requesting this assessment

Date

II. 1. Briefly describe this project:

If program involves more than one project/activity, complete separate assessment for each one.

2. Has the identical project been previously submitted for cultural resource assessment?
Yes No

3. Project Location

a. Attach a county, city, or USGS quadmap indicating the precise location of the project and the acreage involved. If program involves more than one project/activity, one map, indicating all projects, is sufficient.

- b. How many acres are in the project area? _____ acres
- c. If the project is outside city limits, give a quarter-by-quarter section, township, and range description (not necessary if the project map contains the information).
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4. To your knowledge has a cultural resources survey been conducted in the project area?
(If **Yes**, attach survey report.) Yes No

5. a. Will the project involve an addition to or destruction, alteration, or renovation of any structure? (If **No**, proceed to item 6) Yes No

b. Was affected structure built before World War II?
(If **No**, proceed to item 6) Yes No

c. Who owns the structure? _____

d. What was the approximate date of construction? _____

e. Attach snapshots of front and rear elevations; another snapshot should indicate the location of any proposed addition/alteration.

f. Have plans and specifications for the renovation, alteration, or addition been completed? Yes No

g. Attach plans. (Plans for a new structure to replace a demolished one should not be attached.)

6. a. Will construction take place adjacent to any structure which is approximately fifty years old or older? (If **No**, proceed to item 6)
Yes No

b. Give address of structure(s), and, if known, owner's name and telephone.

c. Give approximate construction date of structure(s). _____

d. Attach snapshot of structure(s) and on project map indicate its location in relation to the project.

7. Has the ground at the project location been previously developed, graded, or disturbed (Other than in connection with any structure described in item 5)? Yes No

(If **Yes**, describe disturbed/developed portion (graded, farmed, etc.) and indicate on project map.

- 8. a. Will this project necessitate the acquisition of fill material?
(If **No**, proceed to item 6) Yes No
- b. Approximately how many cubic yards of material will be acquired: _____ cu. yd.
- c. Has the site from which material will be acquired been selected:
Yes No (If **No**, proceed to item 9)
- d. Indicate borrow area(s) on project map and **GIVE APPROXIMATE ACREAGE** of each borrow site.

- e. Has material been taken from the borrow area(s) for other projects? Yes No
- 9. a. Does this project involve road/street construction? Yes No
(If **No**, proceed to item 10)
- b. Give special attention to item 6 **AND** indicate on project map each:
 - 1. New right-of-way
 - 2. New street/road construction
 - 3. Street/road to be overlaid
 - 4. Street/road to be widened

- 10. Will this project affect any property which is of apparent educational or scientific interest?
Yes No If **Yes**, describe the interest (geological, biological, etc.)

- 11. Describe the present use and condition of the property?

- 12. If necessary, elaborate on the above questions, and/or include any additional information which you think would be helpful in the review of this project.
