

and between the Comptroller, through his duly authorized representative, and the Bank that:

Article I

JURISDICTION

(1) The Bank is a national banking association, chartered and examined by the Comptroller pursuant to the National Bank Act of 1864, as amended, 12 U.S.C. § 1 *et seq.* Accordingly, the Bank is an “insured depository institution” as that term is defined in 12 U.S.C. § 1813(c)(2) and is a “regulated lending institution” as that term is defined in 42 U.S.C. § 4003(a)(10).

(2) Pursuant to 42 U.S.C. §§ 4003(a)(5) and 4012a(f), the Comptroller is “the appropriate Federal entity for lending regulation” to maintain an enforcement proceeding against the Bank for Flood Act violations.

Article II

ORDER FOR CIVIL MONEY PENALTY

The Bank hereby consents, and the Comptroller Orders that:

(1) The Bank shall pay a civil money penalty in the amount of one thousand five hundred and Forty dollars (\$1,540.00) upon execution of this Order.

(2) The Bank shall make payment in full by check made payable to the National Flood Insurance Program and shall deliver the payment to: Kevin Montgomery, Federal Emergency Management Agency, Room 510, Arlington, Virginia 20598-3010.

The docket number of this action shall be entered on the check.

(3) The Bank shall submit a copy of the check to Coreen Arnold, District Counsel, Office of the Comptroller of the Currency, 440 South LaSalle, Chicago, Illinois 60605.

(4) This Order shall be enforceable to the same extent and in the same manner as an effective and outstanding order that has been issued and has become final pursuant to 12 U.S.C. §§ 1818(h) and (i) and 42 U.S.C. § 4012a.

Article III

WAIVERS

- (1) By executing this Order, the Bank waives:
 - (a) the right to the issuance of a Notice under 12 U.S.C. § 1818(i) and 42 U.S.C. § 4012a(f)(4) and recognizes that the letter dated November 5, 2008, from Thomas C. Munz, Assistant Deputy Comptroller, constitutes a valid substitute notice;
 - (b) all rights to a hearing and a final agency decision pursuant to 12 U.S.C. § 1818(i), 12 C.F.R. Part 19, and 42 U.S.C. § 4012a(f)(4);
 - (c) all rights to seek judicial review of this Order; and
 - (d) all rights in any way to contest the validity of this Order.

(2) The Bank declares that no separate promise or inducement of any kind has been made by the Comptroller, his agents or employees to cause or induce the Bank to agree to consent to the issuance of this Order and/or to execute this Order.

(3) It is hereby agreed that the provisions of this Order constitute a settlement of the civil money penalty proceeding contemplated by the Comptroller on the basis of

/s/ Roger L. Elver	5/7/09 Date
/s/ Jerome A. Huebner	5/8/09 Date
/s/ George R. Kieler	5/7/09 Date
/s/ Mac A. McKichan, Jr.	5/7/09 Date
/s/ Stanley A. Nodolf	5/8/09 Date
/s/ Emma L. Probst	5/7/09 Date
/s/ Charles J. Runde	4/27/09 Date
/s/ James T. Schneller, Jr.	5/6/09 Date
/s/ Diane M. VanDeest	5/7/09 Date