

UNITED STATES OF AMERICA  
Before The  
OFFICE OF THRIFT SUPERVISION

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In the Matter of: )  
 )  
SECURITY SAVINGS AND LOAN )  
ASSOCIATION OF GARDEN CITY )  
Garden City, Kansas )  
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Resolution No. DAL-91-27  
Dated: May 16, 1991

STIPULATION AND CONSENT TO ISSUANCE OF  
ORDER OF CIVIL MONEY PENALTY ASSESSMENT

The Office of Thrift Supervision ("OTS"), by and through its Regional Director for the Midwest Regional Office, and Security Savings and Loan Association of Garden City, Garden City, Kansas, its subsidiaries and service corporations ("Security Savings"), hereby stipulate and agree as follows:

1. Consideration. The OTS, based upon information reported to it, is of the opinion that grounds exist to initiate an administrative civil money penalty assessment proceeding against Security Savings pursuant to Section 8(i)(2) of the Federal Deposit Insurance Act ("FDIA"), as amended by the Financial Institutions Reform, Recovery and Enforcement Act of 1989 ("FIRREA"), Pub. L. No. 101-73, 103 Stat. 183, 12 U.S.C.S. §1818(i)(2) (Law. Co-op. Supp. 1990). Security Savings desires to cooperate with the OTS to avoid the time and expense of such administrative litigation, and without admitting or denying that grounds for such proceeding exist, hereby stipulates and agrees to the following terms in

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consideration of the forbearance by the OTS from initiating such administrative civil money penalty assessment proceeding against Security Savings with respect to its violations of 12 C.F.R. Section 563.37(c), 12 C.F.R. Section 563.43(c)(5), 12 C.F.R. Section 563.170(c), 12 C.F.R. Section 563.172(a), 12 C.F.R. Section 571.21, Section 23A(c)(1)(D) of the Federal Reserve Act, and Section 23B(a)(1)(A) of the Federal Reserve Act, respectively.

2. Jurisdiction.

(a) Security Savings and Loan Association of Garden City, Garden City, Kansas ("Security Savings"), is a "savings association" within the meaning of Section 3 of the FDIA and Section 2 of the Home Owners' Loan Act, as amended by FIRREA. Accordingly, it is an "insured depository institution" as that term is defined in Section 3(c) of the FDIA, as amended by FIRREA, 12 U.S.C.S. § 1813(c) (Law. Co-op. Supp. 1990).

(b) As an insured depository institution, Security Savings is subject to the authority of OTS to initiate and maintain the assessment of a civil money penalty pursuant to Section 8(i)(2) of the FDIA, as amended by FIRREA, 12 U.S.C.S. § 1818(i)(2) (Law. Co-op. Supp. 1990).

3. Consent. Security Savings consents to the issuance by OTS of the accompanying Order. It further agrees to comply with its terms upon issuance and stipulates that the Order complies with all requirements of law.

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4. Finality. The Order is issued under Section 8(i)(2) of the FDIA, as amended by FIRREA, 12 U.S.C.S. § 1818(i)(2) (Law. Co-op. Supp. 1990). Upon its issuance by the Regional Director for the Midwest Regional Office, OTS, it shall be a final order, effective and fully enforceable by the OTS under the provisions of Section 8(i)(1) and (2) of the FDIA, as amended by FIRREA, 12 U.S.C.S. § 1818(i)(1) and (2) (Law. Co-op. Supp. 1990).

5. Waivers. Security Savings waives its right to a Notice of Assessment of Civil Money Penalty provided by Section 8(i)(2) of the FDIA, as amended by FIRREA, 12 U.S.C.S. § 1818(i)(2) (Law. Co-op. Supp. 1990), and the administrative hearing provided by Section 8(i)(2)(H) of the FDIA, as amended by FIRREA, 12 U.S.C. § 1818(i)(2)(H) (Law. Co-op. Supp. 1990), and further waives its right to seek judicial review of the Order, including any such right provided by Section 8(h) of the FDIA, as amended by FIRREA, 12 U.S.C.S. § 1818(h) (Law. Co-op. Supp. 1990), or to otherwise challenge the validity of the Order.

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WHEREAS, Security Savings and Loan Association of Garden City, Garden City, Kansas ("Security Savings"), through its directors, has executed a Stipulation and Consent to Issuance of Order of Civil Money Penalty Assessment ("Stipulation"), which is incorporated herein by reference and is accepted and approved by the Office of Thrift Supervision ("OTS") acting through the Regional Director for the Midwest Regional Office; and,

WHEREAS, Security Savings, in the Stipulation, has consented and agreed to the issuance of this Order of Civil Money Penalty Assessment ("Order"), pursuant to Section 8(i)(2) of the Federal Deposit Insurance Act ("FDIA"), as amended by the Financial Institutions Reform, Recovery and Enforcement Act of 1989 ("FIRREA"), Pub. L. No. 101-73, 103 Stat. 183, 12 U.S.C.S. § 1818(i)(2) (Law. Co-op. Supp. 1990);

