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UNITED STATES OF AMERICA
Before The
OFFICE OF THRIFT SUPERVISION

In the Matter of)
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)
Atascosa Savings)
Association, a Federal)
Savings Bank)
Jourdanton, Texas)

Re: Resolution No. DAL-90-21
Dated: October 19, 1990

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

The Office of Thrift Supervision ("OTS"), by and through the District Director for the Dallas District and Atascosa Savings Association, a Federal Savings Bank by and through its Board of Directors 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 Atascosa Savings Association, a Federal Savings Bank 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"), (to be codified at 12 U.S.C. § 1818(i)(2)), and 12 U.S.C. § 1832(c). Atascosa Savings Association, a Federal Savings Bank desires to cooperate with the OTS and to avoid the time and expense of such administrative litigation and, without admitting or denying that such grounds exist, hereby stipulates and agrees to the following terms in consideration of the forbearance by the OTS from initiating such administrative civil money penalty assessment proceeding against Atascosa

Savings Association, a Federal Savings Bank with respect to the following matters:

Thirteen out of 63 accounts were identified during the May 21, 1990, compliance Examination by the OTS as ineligible NOW accounts on which interest was paid in violation of 12 U.S.C. § 1832; and an additional 6 ineligible NOW accounts identified by Atascosa Savings Association in a June 26, 1990, letter to the OTS. The nineteen accounts identified are listed as follows:

<u>Account Number</u>	<u>Customer Name</u>
0000102	Jourdanton Finance Company
0004806	Jourdanton Finance Company
0005035	J & J Ranch Fund
0006329	Tender Care Inc.
0007236	Oilfield Associates
0009381	R B Printing
0014484	Oasis Tropicals
0020876	Don's Tire Service
0022837	Costal Bend Forest Resources Inc.
0023231	Fins, Feathers & Furs
2800323	D & M Plumbing
2800346	Moore Guns & Reloading
2800865	Riata Finance
002-0020084	Eagle Convenience Center, Inc.
001-0005149	Texas Charolais Sales Corp.
002-0010566	Dur-Built Trailers, Inc. (Acct. Closed 5/24/90)
002-0022450	Hwy 97 Driving Range
002-2800660	House Investments
001-0007391	Colinas Oil Co.

2. Jurisdiction.

(a) Atascosa Savings Association, a Federal Savings Bank, 1001 Oak Street, Jourdanton, Texas, is a "savings association" within the meaning of Section 3 of FDIA and Section 2 of the Home Owners' Loan Act of 1933, 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 (to be codified at 12 U.S.C. § 1813(g)).

(b) Pursuant to Section 3 of the FDIA, as amended by FIRREA, OTS is the "appropriate Federal banking agency" to maintain civil money penalty assessment proceedings against such a savings association. Therefore, Atascosa Savings Association, a Federal Savings Bank 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 (to be codified at 12 U.S.C. § 1818(i)(2)), and 12 U.S.C. §1832(c).

3. Consent.

Atascosa Savings Association, a Federal Savings Bank consents to the issuance by OTS of the accompanying Order and further agrees to comply with its terms upon issuance and stipulates that the Order complies with all requirements of law.

4. Finality.

The Order is issued under Section 8(i)(2) of the FDIA, as amended by FIRREA (to be codified at 12 U.S.C. § 1818(i)(2)), and 12 U.S.C. §1832(c). Upon its issuance by the District Director for the Dallas District, it shall be a final order, effective and fully enforceable by OTS under the provisions of Section 8(i)(2) of the FDIA, as amended by FIRREA (to be codified at 12 U.S.C. §1818(i)(2)).

5. Waivers

Atascosa Savings Association, a Federal Savings Bank waives the right to a Notice of Assessment of Civil Money Penalty provided by Section 8(i)(2) of the FDIA, as amended by FIRREA (to be codified at 12 U.S.C. § 1818(i)(2)) and the administrative hearing provided by Section 8(i)(2)(H)

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ORDER OF CIVIL MONEY PENALTY ASSESSMENT

WHEREAS, Atascosa Savings Association, a Federal Savings Bank, by and through its Board of Directors, has executed a Stipulation and Consent to Issuance of Order of Civil Money Penalty Assessment, which is incorporated herein by reference ("Stipulation") and is accepted and approved by the Office of Thrift Supervision ("OTS") acting through the District Director for the Dallas District; and,

WHEREAS, Atascosa Savings Association, a Federal Savings Bank, in the Stipulation, has consented to the issuance of this Order of Civil Money Penalty Assessment pursuant to Section 8(i)(2) of the Federal Deposit Insurance Act ("FDIA"), as amended by Section 907(a)(2)(A) of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 ("FIRREA"), Pub. L. No. 101-73, 103 Stat. 183 (to be codified at 12 U.S.C. § 1818(i)(2)), and 12 U.S.C. § 1832(c).

NOW THEREFORE, IT IS ORDERED that within 5 days of the effective date of this Order, Atascosa Savings Association, a Federal Savings Bank shall pay to OTS a sum of \$5,000 (five thousand dollars), by tendering a check to OTS in that amount made payable to the Treasurer of the United States.

OFFICE OF THRIFT SUPERVISION

By: 151
Billy C. Wood
District Director
Dallas District Office