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{{5-31-02 p.C-3527}}

**[**¶10,909A**] In the Matter of Riverbend Bank, National Association, Fort Worth, Texas**, Docket No. 93-234kk (11-30-93).

FDIC issues order conditionally granting approval for exemption of liability.

**[.1] Exemption from Liability—Conditional on Control of Bank—Time Frame**

**[.2] Exemption from Liability—Injection of Capital Required**

**[.3] Exemption from Liability—Revocation for Non-Compliance**

**[.4] Exemption from Liability—Reasonable Losses**

**In the Matter of**
**RIVERBEND BANK, NATIONAL ASSOCIATION**
**FORT WORTH, TEXAS**
**(Insured Depository Institution)**
**related to**
**AMERICAN BANK OF HALTOM CITY**
**HALTOM CITY, TEXAS**
**(Commonly Controlled Insured Depository Institution)**
**ORDER CONDITIONALLY GRANTING APPROVAL FOR EXEMPTION FROM LIABILITY**

FDIC-93-234kk

WHEREAS, Ameritex Bancshares Corporation, Fort Worth, Texas ("Ameritex"), is a bank holding company whose subsidiary banks included American Bank of Haltom City, Haltom City, Texas ("Haltom"), Riverbend Bank, National Association, Fort Worth, Texas ("Riverbend"), and American Bank of Commerce, Grapevine, Texas ("Grapevine"); and

WHEREAS, on or about February 5, 1993, the Banking Commissioner for the State of Texas deemed Haltom to be insolvent and appointed the Federal Deposit Insurance Corporation ("FDIC") as receiver of Haltom, and thereafter Haltom was closed; and

WHEREAS, Bonnet Resources, Inc. ("Bonnet"), the FDIC's collection agent for a loan collateralized by the stock of Riverbend, has been attempting to market Riverbend; and

WHEREAS, in order to facilitate the marketing of Riverbend, Ameritex and Bonnet requested that the FDIC grant to Riverbend an appropriate exemption with respect to liability for losses incurred or reasonably anticipated to be incurred by the FDIC from the default of or FDIC assistance to Haltom; and

WHEREAS, on March 2, 1993, in Docket No. FDIC-93-45kk, the Board of Directors ("Board") of the FDIC denied the request for exemption regarding Riverbend; and

WHEREAS, a group of local investors ("investor group"), all of whom are unrelated to the owners of the parent Ameritex, have now entered into a Stock Purchase Agreement whereby they have agreed to purchase a controlling percentage of Riverbend's common stock for a total purchase price of $200,000 and to also make an additional capital contribution of not less than $110,000 to Riverbend; and

WHEREAS, the proposed stock purchase and capital contribution is conditional upon the FDIC exempting, pursuant to section 5(e)(5)(A) of the Federal Deposit Insurance Act ("Act"), 12 U.S.C. §1815(e)(5)(A), Riverbend from liability for any losses incurred or reasonably anticipated to be incurred by the FDIC from the default of or FDIC assistance to Haltom; and

WHEREAS, Riverbend has requested that the FDIC grant to Riverbend an appropriate exemption with respect to liability for any losses incurred or reasonably anticipated to be incurred by the FDIC from the default of or FDIC assistance to Haltom; and

WHEREAS, the Board, having fully considered the facts and information relating to the foregoing request for exemption from liability, and having considered the recommendation of the Division of Supervision of the FDIC, has concluded that an exemption would now be in the best interest of the Bank Insurance Fund, and that an appropriate exemption should be, and hereby is, granted, subject to the conditions and restrictions set forth below.

IT IS THEREFORE ORDERED:

**[**.1**][**.2**][**.3**]**1. This ORDER CONDITIONALLY GRANTING APPROVAL FOR EXEMPTION FROM LIABILITY ("ORDER") will become effective upon the acquisition of control of Riverbend by the investor group and the injection of not less than $110,000 of additional equity capital into Riverbend within six months from the date of issuance of this ORDER, and, absent such acquisition and injection within that time period, this ORDER will become null and void, unless, upon the written request of the investor group or Riverbend, the FDIC grants an extension of that time period.

**[**.4**]**2. IT IS FURTHER ORDERED, that the exemption granted by this ORDER will apply to losses incurred or reasonably anticipated to be incurred from the default of or FDIC assistance to Haltom.

By direction of the Board of Directors.

Dated at Washington, D.C., this 30th day of November, 1993.