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[{{10-31-01 p.C-5186}}](#)

**[¶11,827] In the Matter of Fort Morgan State Bank, Fort Morgan, Colorado, Docket No. 01-063k (8-28-01)**

Respondent agrees to pay civil money penalty assessed by the FDIC in the amount of \$4,200.

**In the Matter of  
FORT MORGAN STATE BANK  
FORT MORGAN, COLORADO  
(Insured State Nonmember Bank)  
ORDER TO PAY  
CIVIL MONEY PENALTY**

FDIC-01-063k

Fort Morgan State Bank, Fort Morgan, Colorado ("Bank"), has been advised of the right to receive a NOTICE OF ASSESSMENT OF CIVIL MONEY PENALTY, FINDINGS OF FACT AND CONCLUSIONS OF LAW, AND NOTICE OF HEARING ("NOTICE") issued by the Federal Deposit Insurance Corporation ("FDIC") detailing the violations for which a civil money penalty may be assessed against the Bank pursuant to the Flood Disaster Protection Act ("Flood Act"), as amended, 42 U.S.C. § 4012a, section 8(i)(2) of the Federal Deposit Insurance Act ("FDI Act") 12 U.S.C. § 1818(i)(2), and Part 339 of the FDIC Rules and Regulations, 12 C.F.R. Part 339, [{{2-28-02 p.C-5187}}](#)

and has been further advised of the right to a hearing on the alleged charges under the Flood Act, 42 U.S.C. § 4012a(i), section 8(i) of the FDI Act, 12 U.S.C. § 1818(i), and the FDIC Rules of Practice and Procedure, 12 C.F.R. Part 308.

Having waived those rights, the Bank entered into a STIPULATION AND CONSENT TO ORDER TO PAY CIVIL MONEY PENALTY ("AGREEMENT") with a representative of the Legal Division of the FDIC, whereby solely for the purpose of this proceeding and without admitting or denying any violations, the Bank consented and agreed to pay a civil money penalty in the amount of \$4,200.00 related to the Bank's failure to secure flood insurance coverage on certain loans, its failure to notify certain borrowers of the availability of flood insurance coverage, its failure to maintain flood insurance coverage on certain loans, its failure to notify certain borrowers of a lapse in flood insurance coverage, and its failure to secure flood insurance coverage in the proper amount on certain loans. All of the foregoing loans were secured by improved real estate in areas determined by the Director of the Federal Emergency Management Agency to have special flood hazards.

The FDIC considered the matter and determined it had reason to believe that the Bank has engaged or participated in violations of law or regulations for which a civil money penalty of \$4,200.00 is appropriate to be assessed against the Bank, pursuant to the Flood Act, 42 U.S.C. § 4012a, section 8(i)(2) of the FDI Act, 12 U.S.C. § 1818(i)(2), and Part 339 of the FDIC Rules and Regulations, 12 C.F.R. Part 339.

*ORDER TO PAY*

IT IS HEREBY ORDERED that Fort Morgan State Bank, Fort Morgan, Colorado, be, and hereby is, assessed a civil money penalty of \$4,200.00, pursuant to the Flood Act, 42 U.S.C. § 4012a, section 8(i)(2) of the FDI Act, 12 U.S.C. § 1818(i)(2), and Part 339 of the FDIC Rules and Regulations, 12 C.F.R. Part 339, the receipt of which is acknowledged.

This Order to Pay shall be effective upon issuance.

Pursuant to delegated authority.

Dated at Washington, D.C., this 28th day of August, 2001.

Last Updated 6/6/2003

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