

{{1-31-02 p.C-5277}}

[¶11,866] **In the Matter of First Midwest Bank of Dexter, Dexter, Missouri**, Docket No. 01-149k (11-19-01).

Respondent agrees to pay civil money penalty assessed by the FDIC in the amount of \$4,300.

**In the Matter of
FIRST MIDWEST BANK OF DEXTER,
DEXTER, MISSOURI
(Insured State Non-member Bank)
ORDER TO PAY CIVIL MONEY PENALTY**

FDIC-01-149k

First Midwest Bank of Dexter, Dexter, Missouri ("Bank") has been advised of the right to receive a NOTICE OF ASSESSMENT OF CIVIL MONEY PENALTY, FINDINGS OF FACT AND CONCLUSIONS OF LAW, ORDER TO PAY, 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 of 1973 ("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, and has been further advised of the right to a hearing on the alleged charges under the Flood Act, 42 U.S.C. §4012a(f), 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 THE ISSUANCE OF AN ORDER TO PAY CIVIL MONEY PENALTY 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 \$4,300 related to the violations of the Flood Act, 42 U.S.C. §4012a, and Part 339 of the FDIC Rules and Regulations, 12 C.F.R. Part 339, cited at the FDIC's August 28, 2000, examination, in that it has made, increased, extended or renewed loans secured by a building or mobile home located or to be located in a special flood hazard area without requiring that the collateral be covered by flood insurance; it has made such loans without sufficient flood insurance coverage; and it has failed to provide the required notice to borrowers regarding the availability of flood insurance.

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 \$4,300 is appropriate to be assessed against the Bank, pursuant to the Flood Act, 43 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
CIVIL MONEY PENALTY*

IT IS HEREBY ORDERED that the Bank be, and hereby is, assessed a civil money penalty of \$4,300, 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 Civil Money Penalty shall be effective upon issuance.

Pursuant to delegated authority.

Dated at Washington, D.C., this 19th day of November, 2001.

