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{{01-31-06 p.12500.1}

[¶12,500] In the Matter of Town and Country Bank, Salem, Missouri, Docket No. 05-144k (11-18-05).

Respondent agrees to pay civil money penalty assessed by the FDIC in the amount of $4,400.

In the Matter of
TOWN AND COUNTRY BANK
SALEM, MISSOURI
(Insured State Nonmember Bank)
ORDER TO PAY CIVIL MONEY PENALTY

FDIC-05-144k

Town and Country Bank, Salem, Missouri ("Bank"), has been advised of its 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 OF ASSESSMENT") issued by the Federal Deposit Insurance {{01-31-06 p.12501.1}

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, and Part 339 of the FDIC Rules and Regulations, 12 C.F.R. Part 339 ("Part 339"), and has been further advised of its right to a hearing on the alleged charges under the Flood Act, 42 U.S.C. §4012a(f)(4), and Part 308 of 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 ("CONSENT 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 $4,400 related to the violations of the Flood Act and Part 339. The FDIC has reason to believe that the Bank has violated the Flood Act and Part 339 in that:

> (a) 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.
>
> (b) 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 for the term of the loan;
>
> (c) 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 sufficient flood insurance.
>
> (d) It has made, increased, extended or renewed a loan secured by a building or mobile home located or to be located in a special flood hazard area without notifying the borrower and/or the servicer whether flood insurance is available for the collateral;

which violations were cited at the FDIC's December 6, 2004, examination.

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 $4,400 is appropriate to be assessed against the Bank, pursuant to the Flood Act and Part 339.

The FDIC, therefore, accepts the CONSENT AGREEMENT and issues the following:

ORDER TO PAY

IT IS HEREBY ORDERED that the Bank be, and hereby is, assessed a civil money penalty of $4,400 pursuant to the Flood Act and Part 339 the receipt of which is acknowledged.

This Order to Pay Civil Money Penalty shall be effective upon its issuance.

Pursuant to delegated authority.

Dated at Washington, D.C., this 18th day of November, 2005.