

# STATE OF NEBRASKA

## Department of Banking & Finance

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### INFORMATION AND INSTRUCTIONS FOR AN APPLICATION FOR A TRUST COMPANY CHARTER

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#### Regulatory Requirements

The Nebraska Trust Company Act (Neb. Rev. Stat. §§ 8-201 to 8-235) provides that every corporation organized for and desiring to transact a trust company business in Nebraska shall make under oath and transmit to the Nebraska Department of Banking and Finance (Department) a complete application including: (1) the name of the proposed trust company; (2) a certified copy of the Articles of Incorporation; (3) the names of the stockholders; (4) the name of the county, city or village in which said trust company is to be located; (5) the amount of paid-up capital stock; and (6) a statement, under the oath of the president and secretary, that the capital stock has been paid in.

This application is used by a corporation to request a charter from the Director of the Department to transact trust company business, pursuant to the Nebraska Trust Company Act. Activities constituting trust powers are governed by state statute, regulation, or policy. An application fee of \$1,000.00 must accompany the trust company charter application to the Department.

A public hearing shall be set after the application is substantially complete. The date of the hearing on the application shall be not more than ninety (90) days after the filing date nor less than thirty (30) days after the last publication notice. The hearing will be conducted pursuant to the Department's Rules of Procedure for Public Hearings, 49 NAC 1, 2, and 3 (see <http://www.ndbf.ne.gov/legal/title49.shtml> on the Department's website). All expenses incurred, including that of the court reporter, who will prepare a transcript of the hearing, will be assessed the applicant in addition to the one thousand dollar (\$1,000.00) application fee.

The Department will give notice of the application and the public hearing by publishing the notice for three consecutive weeks in a newspaper of general circulation in the county where the proposed trust company will be located. The applicant must pay the costs of publication and the newspaper will be instructed to bill the applicant accordingly. Proof that the costs of such publication have been paid by the applicant is to be sent to the Department by the applicant.

A corporate surety bond in the amount of five thousand dollars (\$5,000.00) may be required to accompany the application to guarantee that the applicant will pay the costs of the hearing. (Neb. Rev. Stat. § 8-602(8)).

#### Instructions

- 1. Application – Original and Copies.** Sign all papers in ink. An original application and two copies must be submitted to the Department. A complete copy should be retained by applicant.
- 2. Acceptance of Application** – The Department will accept the application for filing when substantially complete.
- 3. Trust Powers** – Clearly identify the trust powers to be exercised. Provide a copy of Articles of Incorporation dealing with trust powers. Care should be taken in selecting trust powers to insure that trust officer(s) and members of the trust committee have experience and qualifications required for the trust powers requested.
- 4. Need for Trust Services** - Provide supporting information/documentation that this application will promote the public necessity, convenience, and advantage, i.e. meet a need or demand for trust services in the community. Department Rules of Procedure, 49 NAC 3 on the Department's website, contains relevant guidance. Include sufficient detail for the Director to make a determination.
- 5. Additional Information and Forms** - Section II, page 5, of the application, "Shareholders, Directors, Management", requires the submission of biographical and financial information from principal shareholders (5% and greater), directors, and officers on forms provided by the Department. The Department requires use of the Interagency Biographical and Financial Report and the Department Supplement to the Interagency Biographical and Financial Report, enclosed, by the parties described in this paragraph.

# STATE OF NEBRASKA

## Department of Banking & Finance

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### INFORMATION AND INSTRUCTIONS FOR AN APPLICATION FOR A TRUST COMPANY CHARTER

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The applicant is responsible for presenting and documenting information sufficient to process the application. All questions must be answered with complete and accurate information that is subject to verification. If the answer is "none," "not applicable," or "unknown," so state. Answers of "unknown" and similar answers need to be explained.

Schedules or inserts may be attached to this application whenever the space provided is insufficient. Such attached schedules or inserts are considered a part of this application and are to be on 8.5" x 11" paper. The informational questions in the application are not intended to limit the applicant's presentation. The applicant may provide any additional information deemed appropriate to provide a complete understanding of the proposal. The Department may request additional necessary information.

**Note:** If "Full Trust Powers" is checked, all powers listed in the Schedule of Limited Trust Powers may be exercised if the application is approved. If "Limited Trust Powers" is checked, only the powers checked in the Schedule of Limited Trust Powers may be exercised if the application is approved.

Attached is the Resolution of the Board of Directors of Applicant Trust Company, which should be adopted at a duly called meeting. The resolution authorizes the appropriate officers to submit an application to the Department for consent to exercise trust powers, adopts the Statement of Principles of Trust Management, and documents the commitment to certain other expectations in the operations of a trust company. This Resolution is to be adopted, completed, and submitted with the application.

If any information initially furnished in the application changes materially during the processing of the application, such changes should be communicated promptly to the Department. It is the duty of applicant to advise the Department of any changes in the proposed management (Directors and Officers) or in the proposed shareholders prior to the opening of the trust company, and to receive the Department's prior approval of such proposed changes.

Requests for clarification as to what information is necessary to complete this application should be directed to the Department's Financial Institutions Division.

#### **Confidentiality**

Under Nebraska law, an application for a trust charter requires a public hearing. Any interested party who has filed a formal protest/objection may appear at the public hearing, make a statement, present evidence, examine exhibits, and examine witnesses in compliance with Department rules for hearing procedures. This application will be an exhibit introduced at the hearing and will be subject to examination in its entirety by all interested parties. Any person may review the application and appear at the hearing to make a statement on the record.

The Department considers an individual's financial statement filed as part of the application, as confidential information and not subject to public examination. The home address, social security number, and date of birth of an individual(s) who submit a Biographical Report and the Department's Supplement to the Interagency Biographical Report will be redacted in the event there is a request from the public for information about the application. A redacted copy of the exhibit will be an exhibit at the hearing. A non-redacted exhibit will presented as an in-camera exhibit at the hearing. The Financial Report and statement of borrowings are considered confidential by the Department and are offered for its use only and are not considered part of this application for public distribution. However, the information discussed/provided in this paragraph may be released pursuant to a court order or subpoena.

# STATE OF NEBRASKA

## Department of Banking & Finance

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### INFORMATION AND INSTRUCTIONS FOR AN APPLICATION FOR A TRUST COMPANY CHARTER

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The following is intended to assist you in meeting the Department's requirements prior to the issuance of trust powers/trust charter. This list is provided for your convenience and may not be all inclusive.

Legal Citation	Requirements of Statute/Rule - Description	Cost(s)
8-201	The Director of the Department is responsible for issuing charters for the operation of a trust business by a trust company.	
8-201	Requires an application to the Department for authority to exercise trust powers. An application is an original, signed in ink, and two copies.	
8-205	Requires a minimum paid-in capital stock of \$500,000.00.	
8-205.01	Requires a fidelity bond approved by the Department.	
8-602(1)	Requires collection of a \$100.00 fee for filing and examining articles of incorporation and bylaws.	\$100
8-602(8)	Requires an application fee of \$1,000.00.	\$1,000
8-602(8)	The Department may require a surety bond to insure collection of application fees.	
8-602(8)	Court reporter expense (transcript of hearing) is required. Amount varies.	
49 NAC 3 49 NAC 2	Requires publication of a notice for 3 weeks in a newspaper of general circulation in the county where trust charter will be located. The Department will arrange for publication of the notice which will include the date of the hearing. Applicant will be billed by the newspaper. Applicant must submit proof of payment of the publication costs.	
49 NAC 3	Requires the scheduling of a hearing. Hearing date is scheduled not more than ninety (90) days after the application is accepted for filing and not less than thirty (30) days after the last publication of notice, i.e., 51 <sup>st</sup> day.	
49 NAC 1,2,3	Hearing is held on the application. Hearing process is governed by the Department's Rules on Hearing Procedures (Title 49 of NAC).	
<b>POST APPROVAL PROCEDURES</b>		
8-602(3)	Requires collection of trust charter fee of \$1.50 per each \$1,000.00 of authorized capital. Example: \$1,600,000.00 capital /\$1,000.00 = \$1,600.00 x \$1.50 = \$2,400.00.	
8-209 & 8-210	Requires the pledge of securities to the Department based on the market value of the trust assets held by the Trust Company.	
8-602(10)	Requires collection of a safekeeping fee for the securities that are required to be pledged with the Department under Sections 8-209 and 8-210. The fee is \$1.50 per each \$1,000.00 of the par value of the securities pledged.	
8-202	Requires submission of certified copy of Articles of Incorporation as filed with the Nebraska Secretary of State.	
8-218	Department is authorized to examine the Trust Company as often as it deems necessary.	

**STATE OF NEBRASKA**  
**Department of Banking & Finance**

**RESOLUTION OF BOARD OF DIRECTORS OF APPLICANT TRUST COMPANY**

The Board of Directors of the Applicant Trust Company (Company) at a meeting duly called and held on \_\_\_\_\_  
\_\_\_\_\_ adopted the following Resolution:

“WHEREAS, it is the sense of this meeting that an application should be made on behalf of this Company and its directors to the Nebraska Department of Banking and Finance (Department) for authority to exercise trust powers in accordance with the provisions of State law.

NOW, THEREFORE, IT IS RESOLVED, That the President of this Company is hereby authorized and directed to make application on behalf of the Company to the Department and its Director to exercise trust powers and to submit in connection therewith information on the several factors enumerated in State statutes and the Department’s Rules for the purpose of inducing the Department and its Director to grant written consent to exercise trust powers as indicated in this Resolution;

FURTHER RESOLVED, That the Statement of Principles of Trust Management is hereby adopted and that the exercise of any fiduciary powers granted will be in conformance with such principles, except where they may conflict with any State law or regulation;

IT IS FURTHER RESOLVED, That the Company shall:

Provide such capital as the Director of the Department and/or the statutes require for the establishment of a Trust Company.

Provide in the operation of the Trust Company that the assets of each trust account shall be separated from the assets of every other trust account.

Maintain a separate set of books and records for the Trust Company in sufficient detail to show, without question, each Trust Company activity.

Submit with the Application a certified copy of the articles of incorporation and by-laws of the Trust Company.

The above Resolution has not been rescinded or modified and has been duly entered into the minutes book of the Applicant Trust Company. Application is made hereby.

Name and Location of Applicant Trust Company	
Signature of President	Date
Attest (Vice President or Secretary)	Date

**STATE OF NEBRASKA**  
**Department of Banking & Finance**

DATE

Name of proposed Trust Company

Complete address

Street and number

City

County

State

Zip Code

Contact person regarding this application \_\_\_\_\_

Name

Title

Street Address

City

State

Zip Code

Telephone

Email

Neb. Rev. Stat. § 8-201 provides for the establishment of a trust company subject to the approval of the Nebraska Department of Banking & Finance (Department) Director. The Director will consider whether the public necessity, convenience, and advantage will be promoted by permitting the establishment of the trust company.

NOTE: The Department requires that at the time of submitting this application all zoning or other requirements pertinent to the address and property description herein supplied (whether temporary or permanent) are such that no delay will be experienced should the Department approve the application.

Provide a copy of the Articles of Incorporation for the applicant (or an amendment thereto) showing as a business purpose, the offering of trust and fiduciary services as contemplated by this application. Provide the applicant's bylaws.

In support of this application, the following statements, representations, and information are submitted to the Director of the Department for the purpose of receiving approval of this application.

For Department use

## Type of Trust Powers to Be Exercised by Applicant

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Full Trust Powers                      or                       Limited Trust Powers *(Complete Schedule Below)*

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### Schedule of Limited Trust Powers Being Applied For *(Check all that apply)*

#### Personal Trust Powers

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- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Executor and Administrator | <input type="checkbox"/> Guardian                    | <input type="checkbox"/> Agent                   |
| <input type="checkbox"/> Trustee                    | <input type="checkbox"/> Investment Advisor Agent    | <input type="checkbox"/> Custodian               |
| <input type="checkbox"/> Committee or Conservator   | <input type="checkbox"/> Investment Management Agent | <input type="checkbox"/> Personal Representative |
| <input type="checkbox"/> Other <i>(Specify)</i>     | _____  |  |

#### Employee Benefit Trust Powers

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- |   |  |                                |
|---|--|--------------------------------|
| <input type="checkbox"/> Trustee                | <input type="checkbox"/> Investment Advisor Agent    | <input type="checkbox"/> Agent |
| <input type="checkbox"/> Custodian              | <input type="checkbox"/> Investment Management Agent |                                |
| <input type="checkbox"/> Other <i>(Specify)</i> | _____  |                                |

#### Corporate Trust Powers

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- |   |   |                                |
|---|---|--------------------------------|
| <input type="checkbox"/> Trustee                | <input type="checkbox"/> Paying Agent   | <input type="checkbox"/> Agent |
| <input type="checkbox"/> Custodian              | <input type="checkbox"/> Transfer Agent |                                |
| <input type="checkbox"/> Other <i>(Specify)</i> | _____                                   |                                |

## Section I

**WE, THE UNDERSIGNED, STOCKHOLDERS OF THIS CORPORATION, JOINTLY, AND SEVERALLY MAKE APPLICATION AND HEREBY CERTIFY**, that the statements contained herein are true to our best knowledge and belief, and that they are made for the purpose of inducing the Director of the Department of Banking and Finance to approve this application and grant a charter to this trust corporation to transact the business of a trust company in accordance with the laws of the State of Nebraska.

Signature	Typed Name and Place of Residence	Number of Shares Owned	Total Purchase Price

**COPY THIS PAGE AS NEEDED**

**Representations**

1. Are the incorporators acting as representative of or on behalf of any other person, partnership, association, or corporation?

Yes  No

If Yes, explain in Comments below.

2. Are the incorporators, directly or indirectly, party to any written or oral agreement or understanding providing for the sale of the assets of the proposed trust company to, or merging or consolidating the proposed Trust Company with, any other financial institution?

Yes  No

If Yes, explain in Comments Section below.

3. The applicant will give prompt written notification to the Department if changes in the directorate, active management, or in the ownership of stock are proposed prior to the opening of the Trust Company and the prior written approval of the Department must be obtained.

**Comments**



## Section II

### Directors, Officers, and Shareholders,

#### Directors, Officers, and Shareholders

List alphabetically by last name, all Directors, Non-Director Officers, and any others owning or subscribing to 5% or more of the proposed capital. Indicate the status of each individual listed by checking the appropriate box(s) at left: D – Director; O – Officer; and S – Shareholder.

Submit with this application biographical and financial information on all directors, officers, and principal shareholders (5% ownership and greater) using the Interagency Biographical and Financial Report and the Department Supplement to the Interagency Biographical and Financial Report. In addition, include a statement from each stockholder as to whether or not it will be necessary to borrow funds for the purchase of applicant’s stock. If it is the intention of the stockholder to borrow funds to purchase stock, indicate the amount to be borrowed, the lender and the terms of the repayment.

The home address, social security number, and date of birth of an individual(s) who submit a Biographical Report and the Department’s Supplement to the Interagency Biographical Report will be redacted for the hearing on the Trust Company application and in the event there is a request from the public for information about the application. The Financial Report and statement of borrowings are considered confidential by the Department and are offered for its use only and will not be available for public distribution. However, that information may be released pursuant to a court order or subpoena.

Status (CHECK)	Name and Address (INCLUDE ZIP CODE)	Occupation	Title
D			
O			
S			
D			
O			
S			
D			
O			
S			
D			
O			
S			
D			
O			
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S			

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**Changes contemplated in the proposed directorate or active management during the first year.  
(If none, so state)**

**Have any of the proposed directors, officers or employees of the proposed Trust Company ever been convicted of any criminal offense involving dishonesty or a breach of trust?  Yes  No**

**If yes, provide complete details.**

**Provide the name, age, title, salary, and elaborate fully on the duties, experience, and qualifications of Trust Company Officer(s) and Trust Company Legal Counsel.**

**Committees**

1. A Trust Committee must be designated. Will the Trust Committee act separately from the Board of Directors?

Yes  No If yes, provide the names of the members and duties.

(If a separate Trust Committee is named, the Statement of Principles of Trust Management requires a minimum of three directors on the committee.)

**Trust Committee**

<b>Name of Member</b>	<b>Title, Duties, Responsibilities, Principal Occupation, Qualifications in Fiduciary, Investment, Employee Benefit and Tax Areas, and Outside Commitments.</b>

2. Are any other formal committees anticipated?  Yes  No If Yes, provide committee names, members, and duties.

**Proposed Committee Name**

Name of Members	Title and Duties

**Proposed Committee Name**

Name of Members	Title and Duties

**COPY THIS PAGE AS NEEDED**

### Section III Adequacy of Capital Structure

**Minimum capital requirements of State law relative to organization of a Trust Company.**

Section 8-205 of the Nebraska Trust Company Act states that “No corporation, except a bank authorized by the Director of Banking and Finance to operate a trust department, shall be authorized to transact business as a trust company under the Nebraska Trust Company Act on or after August 1, 2000, unless it has capital stock of at least five hundred thousand dollars (\$500,000.00) all of which shall be fully paid up in cash before the corporation is authorized to commence business.”

**Proposed paid-in capital structure**

Description	Amount
Preferred Stock ( _____ no. of shares @ \$ _____ par value)	
Common Stock ( _____ no. of shares @ \$ _____ par value)	
Surplus	
Undivided Profits	
Other Capital Segregations	
<b>Total</b>	
Sale price per share	

**List amounts and recipients of any fees or commissions in connection with the sale of stock.**

The applicant states that at least twenty percent (20%) of the amounts comprising the total capital account (as set forth above) has been paid into the corporation by its shareholders.

**NOTE:** Attach a copy of the stock subscription form that will be or has been used in connection with the issuance of capital stock. A complete list of stock subscribers must be submitted before the application can be processed.

**IMPORTANT:** If the proposed Trust Company stock is to be offered to the public, it is recommended that an offering circular be prepared pursuant to the Securities Act of Nebraska (see Neb. Rev. Stat. §§ 8-1101 to 8-1123) disclosing all material facts relating to the sale. If an offering circular has been developed in connection with this proposal, attach a copy to the application. If proponents have no plans to develop an offering circular, explain the basis for the decision.

**IMPORTANT:** Upon organization, the proposed Trust Company will not refinance, directly or indirectly, any loan, advance, or credit extension originally made by any existing financial institution, or others, to any subscriber/shareholder for the purpose of obtaining funds to purchase stock in the proposed Trust Company.

**Section IV**  
**Pro-Forma Financial Condition and Performance**

<b>Corporate Statement of Condition</b>		<b>Date of Statement:</b>	
<b>Assets:</b>		<b>Liabilities and Capital:</b>	
<b>Description</b>	<b>Amount</b>	<b>Description</b>	<b>Amount</b>
Current Assets:		Current Liabilities:	
Cash & Due from Banks			
Accounts Receivable:		Accounts Payable:	
Trade		Trade	
Parent Company/Affiliates		Parent Company/Affiliates	
Total Accounts Receivable		Total Accounts Payable	
Interest Receivable		Accrued Expenses	
Dividends Receivable		Income Taxes Payable	
Prepaid Expenses		Preferred Dividends Payable	
Other Current Assets:		Common Dividends Payable	
<b>Total Current Assets</b>		Other Current Liabilities:	
Investments:			
Time Certificates of Deposit		Total Other Current Liabilities	
Securities – Held to Maturity			
Securities – Available for Sale		<b>Total Current Liabilities</b>	
Preferred Stock			
		Intermediate Liabilities:	
		Deferred Taxes	
<b>Total Investments</b>		Total Intermediate Liabilities	
Premises and Fixed Assets:			
Real Estate		Long Term Liabilities:	
Building			
Leasehold Improvements			
Furniture & Equipment		Total Long Term Liabilities	
		<b>Total Liabilities</b>	
Other Assets:			
Organizational Costs		Stockholders' Equity:	
Cash Surrender Value Life Ins.		Preferred Stock	
Advance Premium Deposit		Common Stock	
		Surplus	
		Retained Earnings	
Total Other Assets		Current Year's Earnings	
		<b>Total Equity</b>	
<b>Total Corporate Assets</b>		<b>Total Liabilities and Equity</b>	

<b>Estimated Trust Activity by Types of Trust Assets and Types of Accounts to be Offered</b>			
<b>Distribution of Discretionary Trust Assets (Stocks, bonds, mutual funds, real estate, etc.)</b>	<b>Estimated Dollar Volume By Type of Asset At End of</b>		
	<b>1<sup>st</sup> Year</b>	<b>2<sup>nd</sup> Year</b>	<b>3<sup>rd</sup> Year</b>
<b>Total Discretionary Assets</b>			

<b>Distribution of Trust Accounts (Personal trusts, employee benefit, etc.)</b>	<b>Estimated Dollar Volume By Type of Account At End of</b>		
	<b>1<sup>st</sup> Year</b>	<b>2<sup>nd</sup> Year</b>	<b>3<sup>rd</sup> Year</b>
<b>Total Discretionary Assets</b>			
<b>Total Number of Accounts Listed Above</b>			
<b>Total Non-Discretionary Assets</b>			
<b>Total Number of Non-Discretionary Accounts</b>			
<b>Total Assets</b>			
<b>Total Number of Accounts</b>			

## Estimated Income and Expenses

<b>Estimated operating income:</b>	<b>1<sup>st</sup> year</b>	<b>2<sup>nd</sup> year</b>	<b>3<sup>rd</sup> year</b>
Interest on securities			
Interest on loans			
Commissions and fees			
Dividends			
Other current operating income:			
<b>Gross operating income:</b>			
<b>Estimated operating expenses:</b>			
Salaries and benefits			
Interest on borrowings			
Net occupancy expense (details below)			
Furniture & Equipment: (depreciation, rental, maintenance, etc.)			
Professional Fees			
Computer			
Other operating expenses:			
Net organization expenses - 1 <sup>st</sup> year only. (Should agree with Organization Expenses Schedule)			
<b>Total estimated expenses.</b>			
<b>Estimated operating profit / (loss):</b>			
<b>Taxes</b>			
<b>Net Profit / (Loss)</b>			
<b>Occupancy expenses:</b>			
Rent			
Depreciation			
Repairs			
Maintenance (including building staff salaries)			
Insurance			
Taxes on real estate			
Utilities (water, gas, electricity, telephone, internet, etc.)			
<b>Total occupancy expenses:</b>			
Less:			
Rental Income			
Net occupancy cost (Should agree with occupancy expenses above)			



## Organization Expenses

List all expenses related to the organization of the Trust Company. Include all expenses paid, additional costs anticipated prior to the opening date, and include any expenses for work performed during the organization phase for which disbursement has been deferred beyond the opening date.

Name of Recipient	Association with Trust Company <i>(Mark box)</i>			Type of Relationship with Recipient <small>(Specify director, officer, 5% stockholder of the applicant, or their relatives or business interest.)</small>	Amount
	Direct	Indirect	None		
Attorney fees:					
<b>1. Total attorney fees</b>					
Consultant fees:					
<b>2. Total consultant fees</b>					
<b>3. Total pre-opening salaries</b>					
<b>4. Total pre-opening travel and entertainment</b>					
<b>5. Total application and investigation fees</b>					
Other expenses: (Describe in detail any item in excess of \$1,000.00)					
<b>6. Total other expenses</b>					
<b>7. Total organization expenses (Sum of lines 1 thru 6, above.)</b>					
<b>8. Pre-opening income</b>					
<b>9. Net Total</b>					
<b>Describe source of pre-opening income.</b>					
<b>Describe how organization expenses will be paid.</b>					

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### Premises to be Occupied by Trust Company

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Complete all appropriate sections below. Where not applicable, insert NONE.

Type of Occupancy:

Permanent quarters leased     Permanent quarters owned

Describe premises to be occupied by Trust Company.

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Estimates of capital expenditures – Permanent quarters owned	Amount
Land	\$
Remodeling or new construction	
Furniture and Equipment	
Other	
<b>Total</b>	<b>\$</b>

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Estimates of capital expenditures - Permanent quarters leased	Amount
Land	\$
Remodeling/Leasehold Improvements	
Furniture and Equipment	
Other	
<b>Total</b>	<b>\$</b>

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#### **Name of owner/lessor**

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Cost and description of furniture and equipment, including details on software, data processing hardware or information technology equipment:

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Cost and description of leasehold improvements:

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Terms of Lease (include renewal options):

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## Relationships and Associations with Affiliates or Insiders

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Are any of the sellers or lessors of land, buildings, or equipment listed herein directly or indirectly associated with the applicant?      Yes    No

(If “Yes”, complete the following table.)

Name of Seller or Lessor	Item Sold or Leased (Place “X” in appropriate Column.)			Relationship or Association of Seller or Lessor with Trust Company (Specify director, officer, 5% stockholder of the applicant, or their relatives or business interest.)
	Land	Building	Equipment	

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**IMPORTANT:** The reasonableness of payments to related parties must be fully supported.

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**Full disclosure of insider transactions.**

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1. Full disclosure must be made in writing to all directors and shareholders concerning all insider transactions including fixed assets, improvements, attorney fees, and consultant fees. If such disclosure has been made, attach a copy thereof, indicate to whom the disclosure was made, and the date of such disclosure. If disclosure has not been made, indicate plans in this regard.

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2. Describe any or all services that affiliates will provide the Trust Company on an ongoing basis. If any affiliate plans to occupy space in the Trust Company quarters, detail how the affiliate’s space will be segregated and how the Trust Company will be reimbursed by the affiliate for the use of the space.

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**Section V**  
**Public Necessity, Convenience, And Advantage Of The Community To Be Served**

The applicant is responsible for proving that public necessity, convenience, and advantage of the community will be promoted by issuing a charter to the applicant. Additional data and information relating to the trade area which you feel is relevant to the proposal may be submitted, including an economic survey or feasibility study and a consumer or business attitude survey. Such information submitted in support of the application should be referenced to the section of the application to which it applies and will be considered public information.

**1. Description of the area to be served**

Describe the trade area the proposed Trust Company will serve. (Include the geographic boundaries within which all or most of the proposed Trust Company's potential customers reside and a map of the primary service area and the general trade area to be served by the proposed Trust Company.)

**2. Economic and demographic data**

Describe the economic characteristics of the trade territory specified above, include agricultural, commercial, industrial, and residential data. Also, include information covering, but not limited to: population, income, construction activity, and retail and wholesale sales. This information, at a minimum, should cover the most recent five-year (5) period.

**Public necessity, convenience and advantage of the community to be served. (Continued)**

**2. Economic and demographic data (Continued)**

List all free-standing trust companies, trust company branch offices, and financial institutions and their branch offices that have trust powers now serving the trade territory to be served by the proposed trust company. If none, list the nearest financial institution in each direction within a twenty-five (25) mile radius from the proposed site. (Include a map of the primary service area and general trade area showing the location of each free-standing trust company, trust company branch offices, and financial institutions and their branch offices that have trust powers.)

<b>Name of Institution</b>	<b>Date Established</b>	<b>Address</b>	<b>Distance &amp; Direction from Applicant in Miles</b>

**Public necessity, convenience and advantage of the community to be served. (Continued)**

**2. Economic and demographic data (Continued)**

<b>Past five years (indicate year)</b>					
Population					
Average household or family income					
Number of housing starts					
Industrial and commercial building permits issued					
Retail sales					
Wholesale sales					
Agricultural sales					
Other					

**Estimated growth**

<b>Next five years (indicate year)</b>					
Population					
Average household or family income					
Number of housing starts					
Industrial and commercial building permits issued					
Retail sales					
Wholesale sales					
Agricultural sales					
Other					

**Public necessity, convenience and advantage of the community to be served. (Continued)**

**3. Services provided by existing financial institutions compared to needs of trade area.**

Explain the adequacy of the trust services provided by the existing financial institutions with trust powers compared to the needs of the residents of the trade area to be served. Include an explanation of the present trust needs of the residents of the trade area.

Explain how the proposed trust company will meet the present and future needs of the residents of the trade area. Include a detailed explanation of all the services to be offered by the applicant.

Explain why the applicant's services will be more convenient for the residents of the trade area than the services of existing financial institutions with trust powers.

Explain why the applicant's services will be more advantageous for the residents of the trade area than the services of existing financial institutions with trust powers.

**Public necessity, convenience and advantage of the community to be served. (Continued)**

Explain the effect the issuance of a charter to the applicant will have upon the financial institutions in the trade area.

Outline the proposed program for soliciting trust business.

Describe any other type of trust company related business the applicant intends to offer, including any additional expenses the applicant would expect to incur.

\_\_\_\_\_  
President's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name