

Application to Move Main Office – Independent Trust Company

Nebraska Department of Banking and Finance

<https://ndbf.nebraska.gov>

1526 K Street, Suite 300
PO Box 95006
Lincoln, NE 68509-5006
402-471-2171

Applicant Information

Schedules or inserts may be attached to this application whenever the space provided is insufficient. Such attached schedules or inserts are a part of this application and should be formatted to fit an 8.5” x 11.0” sheet of paper.

You may provide any information in addition to that requested in this application which, in your opinion, might aid in the disposition of your proposal.

Complete responses to all questions in this application will expedite processing.

This application is made pursuant to the authority granted the Nebraska Department of Banking and Finance (“Department”) within Section 8-201 of the Nebraska Trust Company Act and is subject to the Department’s Rules of Procedure, Title 49, Chapters 1, 2, and 3. A notice of the application will be published by the Department and provided to financial institutions in the county for comment in accordance with the statute. If a hearing is scheduled, it is subject to the Department’s Rules of Procedure, Title 49, Chapters 1, 2, and 3. The filing fee for such an application with the Department is \$250.00 (see Neb. Rev. Stat. §8-602(11)) plus the cost of publication and cost of first-class mailing of notices to financial institutions located in the county where the current charter is located. If a hearing is scheduled, the applicant is responsible for the costs of the hearing.

Prepare the application in typewritten form. Sign the application in ink. Forward the original and two copies to the Department.

Section I - General Relocation Information

1. Present Main Office		2. Proposed Main Office	
Name:		New Name (if contemplated):	
Street and Number:		Street and Number:	
City and County:		City and County:	
State:	Zip Code:	State:	Zip Code:
		Distance and direction from present location:	

Section II – Fixed Asset Expenditures

1. Are temporary quarters anticipated? Yes No (If yes, provide the following information.)

Street Address:	Monthly Rental or Cost (specify):
Direction and Distance from Permanent Quarters:	Brief Physical Description:

2. Answer the following questions concerning the new permanent quarters.

Permanent Quarters are anticipated as follows:	Brief Physical Description:
Are permanent quarters at the new location to be owned or leased? Owned (complete A) Leased (complete B)	
A. Owned	
Item	Total Cost
Land	\$
Building	
Furniture and Equipment	
TOTAL FIXED ASSET EXPENDITURE	\$
B. Leased	
Item	Total Cost
Leasehold Improvement	\$
Furniture and Equipment	
TOTAL FIXED ASSET EXPENDITURE	\$
Give Basic Terms of Lease: (term, renewal or purchase options, etc.)	

3. List in detail any plans of the trust company to finance the construction of the building or other fixed assets in connection with the subject proposal (if none, so state).

Section III – Disposition of Quarters to be Vacated

1. Indicate whether the vacated property is owned or leased. If owned, indicate name(s) of prospective buyer(s) and estimated sale price. If leased, provide details regarding termination of such lease and abandonment costs which will have to be absorbed on any leasehold improvements.

2. If any members of the trust company's official family (shareholders, directors, officers, employees and immediate family of such persons) are involved, provide names, relationships, particulars of the transaction(s) and supporting documentation.

3. Discuss disposition of any other assets in connection with the proposal and resultant reduction in carrying value.

Section IV – Relationships and Associations with the Trust Company

1. Are any architect(s), real estate broker(s), the seller(s) or lessor(s) of land, building(s) or equipment members of the trust company’s official family (shareholders, directors, officers, employees and immediate family of such persons), or otherwise directly or indirectly associated with the applicant?

Yes No If yes, complete the following.

Name	Item (Mark Appropriate Column)			Relationship or Association with Trust Company (Specify Director, Officer, 5% Stockholder, or their relatives. Designate any business interests of the aforementioned.)
	Land	Building	Equipment	

2. If fixed assets are to be purchased from a related party, evidence of the reasonableness of the cost(s) must be provided. Attach copies of bids, independent appraisals and/or other supporting evidence.
3. If any member of the trust company’s official family (shareholders, directors, officers, employees and immediate family of such persons) is a party to any lease contract in connection with the application, explain the manner in which lease payments were determined and submit a copy or draft copy of the lease.

Section V – Fees Paid in Connection with the Proposal

1. Complete the following.

Name of Recipient	Type of Fees Paid (Mark Appropriate Column)			Relationship or Association with Trust Company (Specify Director, Officer, 5% Stockholder, or their relatives. Designate any business interests of the aforementioned.)	Amount
	Legal	Consulting	Other		

Section VI – Adequacy of the Capital Structure

1. Are there any plans to increase the capital structure other than through retained earnings?
Yes No If yes, give details.

Complete questions #2 through #4 of this section only if new capital stock is being issued in connection with the subject proposal.

2. Does the trust company propose to directly or indirectly finance the purchase of capital stock by a director, officer or 5% stockholder? Yes No If yes, give details.
3. If new capital stock is being issued, does the trust company's articles of incorporation need to be amended to reflect an increase in authorized shares? Yes No If yes, the Department must review and approved the amended articles of incorporation. Accordingly, provide a draft of the proposed amended articles of incorporation and the statutory review fee of \$50.00 (Neb. Rev. Stat. §8-602(2)).
4. Is each stockholder being offered new capital stock on a pro rata basis with his/her current holdings?
Yes No If no, fully describe the manner in which the new stock will be issued.

Section VII – Future Earnings Prospects

1. Complete the following.

Estimated Changes in Occupancy Expenses Resulting from the Proposed Move (Include only those changes which are applicable to the subject relocation)		
Type of Occupancy Expense	Present Cost	Proposed Cost
Rent	\$	\$
Depreciation		
Heat, light and power		
Maintenance (including janitor's salary)		
Insurance		
Taxes on Real Estate		
Other occupancy costs		
TOTAL OCCUPANCY EXPENSES	\$	\$
Less: Rental income anticipated		
NET OCCUPANCY EXPENSE	\$	\$

2. Detail any other significant changes in earnings anticipated as a result of this proposal. If none, so state.

Section VIII – Management, Change in Character of Business, Convenience and Needs

1. If there have been any changes in senior trust company management since the last examination, give full details. If none, so state.

2. Will there be any change in the type of business to be conducted at the relocated main office, such as changes requiring additional trust powers or charter authority?
 Yes No If yes, give details.

3. If the relocation of the trust company’s charter and main office is outside the corporate limits of the city in which the charter is located, answer Questions 3 and 4. If the relocation of the trust company’s charter and main office is within the corporate limits of the city in which the charter is located, proceed to Question 5.
 - a. How will the move promote the public necessity or need of the community where the applicant proposes to locate?
 - b. How will the move promote the convenience and advantage of the community where the applicant proposes to relocate?
 - c. Show that there is a substantial likelihood that there will be no adverse effect on the existing financial institutions and trust companies in the proposed primary service area, other than normal competition, if the application is approved.
 - d. Provide proof that the move will have a minimal effect on applicant’s existing customers in the community being vacated. Such proof may be shown by the existence of a branch trust office in that community. If applicant cannot provide such proof, it must submit a proposal to continue to serve such customers on a limited basis.

4. Describe the trade area that will be served.
 - a. List all banks with trust departments and branches and all trust companies and branches now serving the trade territory to be served. Include a map of the trade territory pinpointing the present location of the main office, existing branches, and the proposed site.

Name of Bank/Trust Company	Location (City and State)	Distance and Direction from Proposed Site

b. List the name and location of any financial institutions, other than banks with trust departments and trust companies and branches, now serving the trade area to be served (include Banks, Savings and Loan Associations, and Credit Unions).

5. If the relocation of the trust company's charter and main office is within the corporate limits of the city in which the charter is located:

- a. Provide an explanation of the reasons for the move.
- b. Provide an analysis of the financial feasibility of the move, including a discussion of the disposition of applicant's current premises.
- c. An explanation of the effect that closing the existing trust office will have on existing customers.

Section IX – Resolution of Board of Directors of Applicant Trust Company

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

“Whereas it is the sense of this meeting that application should be made on behalf of

 (TRUST COMPANY NAME)

to the Nebraska Department of Banking and Finance for written consent to move its main office now being operated at:

to

in accordance with the provisions of State law;

Now, therefore, it is resolved, that the President or Vice-President or Secretary of this Trust Company are hereby authorized and directed to make application on behalf of this Trust Company to the Nebraska Department of Banking and Finance to move its main office now being operated at:

to

and to submit in connection therewith information on the several factors enumerated in State statutes for the purpose of inducing the Nebraska Department of Banking and Finance to grant written consent to move the main office as indicated in this Resolution.”

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

 Signature of President or Vice President Date

 Attest (Secretary) Date

Trust Company Representative Responsible For Responding To Questions Relating To This Application:		
Name and Title:	Email Address:	Telephone Number: