

# Application for Fiduciary Powers

Date

Director for District Licensing  
Comptroller of the Currency  
Street Address  
City, State, ZIP Code

Re: Fiduciary Powers, Bank Charter Number (*insert number*)

Dear Director:

The bank requests approval to exercise (*all permissible fiduciary powers or the following limited fiduciary powers*): (*If appropriate, list fiduciary powers requested.*)

The bank's capital and surplus are not less than that required by state law of state banks, trust companies, and other corporations exercising comparable fiduciary powers.

The fiduciary powers that the bank proposes to exercise are not in contravention of applicable laws (*see enclosed opinion of counsel and list of applicable laws*) and will be conducted at the following location(s): (*insert site(s)*).

Biographical information on the proposed trust management personnel, including educational and professional credentials and five-year employment history, is enclosed.

**[For banks chartered less than two years]** I also have enclosed a business plan for the trust department (fiduciary operation) for your review and comment.

I have enclosed a check payable to the Comptroller of the Currency for the filing fee in accordance with the current annual "Notice of the Comptroller of the Currency Fees."

I request OCC action on this application no later than (*date*).

I certify that the information contained in this filing has been examined carefully by me and is true, correct, and complete and is current as of the date of this submission. Additionally, I agree to notify the OCC if the facts described in the filing materially change prior to receiving a decision or at any time prior to commencement of the activity.

I certify that our board of directors, by resolution, has authorized the filing of this application, and that to the best of my knowledge, it contains no misrepresentations or omissions of material facts. In addition, I agree to notify the agency if the facts described in the filing materially change prior to receiving a decision or prior to consummation. Any misrepresentation or omission of a material fact constitutes fraud in the inducement and may subject me to legal sanctions provided by 18 U.S.C. 1001 and 1007.

I acknowledge that approval of this application is in the discretion of the Comptroller of the Currency. Actions or communications, whether oral, written, or electronic, by an agency or its employees in connection with this filing, including approval of the application if granted, do not constitute a contract, either express or implied, or any other obligation binding upon the agency, other federal banking agencies, the United States, any other agency or entity of the United States, or any officer or employee of the United

States. Such actions or communications will not affect the ability of the agency to exercise its supervisory, regulatory, or examination powers under applicable law and regulations. I further acknowledge that the foregoing may not be waived or modified by any employee or agent of a federal banking agency or of the United States.

If you have questions, contact *(name, address, city, state, ZIP Code)* at *(telephone number) (FAX number) or at (e-mail address)*.

Sincerely,

—Signature—

Name and Title

Enclosures