

Application: Dividend-In-Kind

Date

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

Re: Dividend-In-Kind, Bank Name, Charter Number

Dear Director:

The (*name of bank*) wishes to pay a dividend of the following property [describe property] valued at \$ (*amount*) based on [describe the valuation method]. (**If applicable**) A copy of the appraisal of the property is enclosed.

A (*gain or loss*) on the property of \$ (*amount*) will be recognized in conjunction with the dividend.

The effects of the change on the equity capital accounts and capital ratios are detailed in the enclosed Pro Forma Balance Sheet and Projected Regulatory Capital Schedule (for assistance, see the "Optional Worksheet to Assist in the Risk-Based Capital Ratio Computation" included in the Consolidated Reports of Condition and Income).

The bank (*is or is not*) currently subject to a capital plan filed with the Comptroller of the Currency. (**If applicable**) The proposed change conforms to the plan by (*provide explanation*). A copy of the plan is enclosed.

A filing fee of \$ (*amount*) is enclosed.

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

Certification

I certify that the bank's board of directors has authorized the filing of this application, and the information contained in this application has been examined carefully and is true, correct, complete, and 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.

I acknowledge that any misrepresentations or omissions of material facts with respect to this application, any enclosures to it, and any other documents or information provided in connection with this application may be grounds for denial or revocation of an approval, and may subject the undersigned to other legal sanctions, including the criminal sanctions provided for in 18 USC 1001, 1007, and 1014.

I acknowledge that approval of this application is in the discretion of the OCC. Actions or communications, whether oral, written, or electronic, by an agency or its employees in connection with this filing and in connection with any additions, modifications, or amendments to 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 any federal banking 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 and FAX number*) or by e-mail at (*address*).

Sincerely,

—Signature—

Name and Title

Enclosures: Filing Fee
Appraisal (*If applicable*)
Capital Plan (*If applicable*)
Capital Schedules