

**WEST VIRGINIA DIVISION OF BANKING  
PROCESS TO BE FOLLOWED BY PURCHASE AND ASSUMPTION  
BRANCH BANK APPLICANTS\***

1. File an application with West Virginia Division Of Banking -- file two (2) originally signed copies of The Interagency Bank Merger Act Application with West Virginia Division of Banking.
2. File Community Reinvestment Act Statement (which is prepared pursuant to the federal Community Reinvestment Act of 1977 and Federal Reserve Board Regulation BB).

File additional information required to access compliance with provisions of the West Virginia Community Reinvestment Act (West Virginia Code Section 31A-8B-1 et seq.) -- WEST VIRGINIA LEGISLATIVE RULES, General Rules Implementing the West Virginia Community Reinvestment Act. This includes filing proof of compliance with publication requirements of federal regulator which includes the paragraph required by Section 106-12-5 of the West Virginia Legislative Rules Implementing the West Virginia Community Reinvestment Act.

3. Filing of an application shall be accompanied by a \$500 examination and investigation fee.
4. Other documents which must accompany the application submitted to West Virginia Division Of Banking for initial filing purposes:
  - a) Executed and dated copy of Consolidation/Purchase Agreement with corporate seals, attestations, and acknowledgements attached or incorporated.
  - b) Certification from legal counsel in substantially the following form: "I hereby certify that I have examined the agreement between the participating institutions dated \_\_\_\_\_ and related documents. In my opinion the agreement is legally sufficient and all applicable laws and regulations have been complied with in connection with its adoption.
  - c) Approving resolutions of boards of directors of constituent banks with date(s) indicated.
  - d) Approving resolution of board of directors of holding company (if applicable) with date of action indicated.
  - e) Written notices to shareholders of constituent banks concerning shareholders' meetings called to consider the proposal, if applicable.
5. If the West Virginia Division Of Banking determines that there is any problem with the application, the applicant will be contacted and a conference will be scheduled.

6. Notification by West Virginia Division Of Banking of filed application to all banks and "Official List" when application is received. Parties which wish to intervene have ten (10) days from date of mailing to file a petition to intervene. If there are no intervenors, hearing is not required.
7. If intervenors have petitioned, a hearing will be scheduled and notice provided not less than 10 days nor more than 30 days prior to the hearing. If not intervenors exist, the West Virginia Board of Banking and Financial Institutions will schedule a meeting at which the application will be considered.
8. Approval of application for a branch bank will ordinarily be conditioned upon the branch bank's opening for business no later than six months after approval, unless the Commissioner of Banking determines that extraordinary circumstances exist which warrant an extension.
9. NOTE: It is the applicant's responsibility to indicate by marking "Confidential" any part of the application that is to be kept confidential. Such documents must be physically segregated from the application and clearly marked.
10. ALL APPLICATIONS MUST BE FILED APPROXIMATELY 45 DAYS PRIOR TO THE MEETING OF THE WEST VIRGINIA BOARD OF BANKING AND FINANCIAL INSTITUTIONS. PLEASE CONTACT THE DIVISION OF BANKING FOR THE EXACT DEADLINE FOR FILING.

\*State-chartered banks must file certain documents with the appropriate federal banking regulatory agency.