

WEST VIRGINIA DIVISION OF BANKING

NOTICE TO ESTABLISH A CREDIT UNION BRANCH OFFICE ***Pursuant to West Virginia State Code §31C-2-5***

Date Notice Submitted to the West Virginia Division of Banking: _____

Date Notice Submitted to NCUA: _____

NAME OF CREDIT UNION:

COMPLETE ADDRESS (MAIN OFFICE) OF APPLICANT:

STREET AND NUMBER, ALSO POST OFFICE BOX, IF APPLICABLE

CITY

COUNTY

STATE

ZIP

Representative Responsible For Responding to Questions Pertaining To This Notice:

NAME

TITLE

TELEPHONE

INFORMATION FOR THE APPLICANT

Schedules or exhibits may be attached to this notice whenever the space provided is insufficient. Attached schedules or exhibits are a part of this notice and should be on paper the same size as the notice form. Notices should be securely bound.

Copies of the completed notice with original signatures are to be forwarded simultaneously to the West Virginia Division of Banking. A complete copy of the notice form should be retained by the credit union. Please contact the National Credit Union Administration for information regarding their requirements in establishing a branch office.

Requests for clarification as to what information is necessary to complete this notice should be directed to the West Virginia Division of Banking.

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

Complete responses to all questions in this notice will expedite processing. Failure to complete all questions or to provide the requested information may result in a delay.

In preparing your notice, keep in mind that both Federal and State public policy warrants making all information submitted in connection with your notice available for public review unless it is confidential in nature and it qualifies for exemption under the provisions of the Freedom of Information Act (5 U.S.C. 552) or West Virginia Code §29B-1-1 et seq. Notice information is likely to be of such confidential nature, when meeting any of the three following exempt categories:

1. Trade secrets and commercial or financial information obtained from persons and privileged or confidential. [5 U.S.C. 552(b)(4)], [WV Code §29-B-1-4(1)]
2. Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. [5 U.S.C. 552(b)(6)], [WV Code §29B-1-4(2)]
3. Information contained in the notice form which is in the nature of examination report information [5 U.S.C. 552(b)(8)], [WV Code §29B-1-4(7)]

It is the responsibility of the applicant to clearly identify the information submitted with the proposal which it deems **CONFIDENTIAL** and to bind it separately. However, the determination of the question of confidentiality and the discretion to release information submitted resides with the West Virginia Division of Banking. Specific information for which you request confidential treatment may be made available for public review after consideration of the notice.

RESOLUTION OF THE BOARD OF DIRECTORS OF APPLICANT CREDIT UNION

The Board of Directors of the Applicant Credit Union at a meeting duly called and held on adopted the following Resolution:

"WHEREAS, it is the sense of this meeting that notice should be given on behalf of this Credit Union to the West Virginia Division of Banking for written consent to establish a branch at:

Street Address City State

in accordance with provisions of State law;

NOW, THEREFORE, IT IS RESOLVED, That the Chairman or Vice Chairman and the Treasurer or Secretary of this Credit Union are hereby authorized and directed to make notice on behalf of this Credit union to the West Virginia Division of Banking to establish a branch at:

Street Address City State

and to submit in connection therewith information on the several factors enumerated in State statutes and to provide such assurances as may be required for the purpose of inducing the West Virginia Division of Banking to grant written consent to the establishment of a branch 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 Credit Union. Notice is made, hereby.

NAME AND LOCATION OF APPLICANT CREDIT UNION:

SIGNATURE OF CHAIRMAN OF THE BOARD OR VICE CHAIRMAN

DATE

ATTEST (TREASURER OR SECRETARY)

DATE

SEAL

I. POLICY CONSIDERATIONS IN CONNECTION WITH THE PROPOSAL

If Not Applicable, please so indicate.

1. If the proposal includes a lease, a bankruptcy clause should be included in the lease(s). An example of such a clause follows:

"Notwithstanding any other provisions contained in this lease, in the event the Lessee is closed or taken over by the West Virginia Division of Banking, or other supervisory authority, the Lessor may terminate the lease only with the concurrence of West Virginia Division of Banking or other supervisory authority, and any such authority shall, in any event, have the election to either continue or to terminate the leases."

2. The credit union, in establishing this new office, will comply with all policy and procedure requirements established by the West Virginia Division of Banking. Additionally, the credit union will comply with all policy, practice and procedure requirements established with regard to the credit union's security as established by the West Virginia Division of Banking and the National Credit Union Administration.
3. Any payment or arrangement to/with any credit union-related party such as a director, officer or member or their relatives or business interests must be fully detailed and supported. **COMPETITIVE BIDS OR APPRAISALS MUST BE SUBMITTED WHERE INDICATED**, failure to submit these bids or appraisals will result in a delay in processing your notice.
4. Please complete the following questions regarding environmental factors:
 - a. Describe zoning restrictions in effect for the site of the proposed branch and any conflict between those restrictions and the credit union's plans.
 - b. How will the proposal affect traffic patterns in the area? Describe how plans for parking, drive-up windows and entrance to and exit from the branch will increase or decrease traffic hazards and/or congestion in the area.
5. Please provide a certified copy of the minutes in which the vote to establish a branch facility was approved by the Credit Union's board of directors. The results of the vote must be detailed.
6. Please provide a completed original branch notice form as executed by the Credit Union for the National Credit Union Administration.
7. A West Virginia state credit union may conduct business outside of this state, pursuant to §31C-2-5, upon the written approval of the commissioner. Prior to the establishment of any branch or service facility outside this state, a credit union shall provide notice to, and obtain written approval of, the commissioner. Are there any plans to locate this branch outside the State of West Virginia?
8. What type of records will be maintained at the proposed branch?
9. Provide an estimate regarding the number of members to be served at the new office on a weekly basis.

II.

FIXED ASSET EXPENDITURES

TEMPORARY QUARTERS

Are temporary quarters anticipated? Yes No

If yes, will temporary quarters have adequate security procedures and devices in place?

Yes No

Please describe security procedures and devices:

If temporary quarters will be utilized, complete the following:

Street Address

Direction and Distance from Permanent Quarters

Monthly Rental or Cost (Specify)

Brief Physical Description:

PERMANENT QUARTERS ANTICIPATED

Brief Physical Description:

Will permanent quarters be Owned Leased (Check One)

If Owned, please provide the following information:

Land \$ _____
Building _____
Furniture & Equipment _____
Total Fixed Asset Expenditure \$ _____

If Leased, please provide the following information:

Leasehold Improvements \$ _____
Furniture & Equipment _____
Total Fixed Asset Expenditure \$ _____

Give Basic Terms of Lease (Term, Renewal or Purchase Options, Etc.):

Provide description of security procedures and devices:

List in detail any plans of the credit union to finance the construction of the branch building or other fixed assets in connection with this notice. (If none, so state):

III. RELATIONSHIPS AND ASSOCIATIONS WITH THE CREDIT UNION

Are any architects, real estate brokers, the sellers or lessors of land, buildings or equipment listed herein otherwise directly or indirectly associated with the Credit Union?

_____ Yes _____ No

If yes, complete the following information:

Name	Item (Mark Appropriate Column)			Relationship or Association With Credit union (Specify Director, Officer, member, or their relatives. Designate any business interests of the aforementioned.)
	Land	Building	Equipment	

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 at least two competitive bids, independent appraisals and/or other supporting evidence.**

If an insider is a party to **any** lease contract in connection with the notice, explain the manner in which lease payments were determined and submit a copy or draft copy of the lease. **YOU MAY BE ASKED TO FURNISH ADDITIONAL SUPPORTING DOCUMENTATION FROM THIRD PARTIES TO SUPPORT REASONABLENESS.** If credit union is proposing to invest in any real estate in excess of \$250,000, then an appraisal of such real estate must be completed per federal appraisal regulations and a copy included with this notice. (You may request the appraisal to be held as **CONFIDENTIAL**.)

IV. FEES PAID IN CONNECTION WITH THE PROPOSAL

Name of Recipient	Type of Fees Paid (Mark Appropriate Column)			Relationship with Credit Union (Specify Director, Officer, member, or their relatives. Designate any business interests of the aforementioned.)	Amount
	Legal	Consulting	Other		

V. ESTIMATED SHARES/DEPOSITS FOR THE PROPOSED BRANCH

TYPE OF SHARES/DEPOSIT	ESTIMATED VOLUME AT END OF		
	FIRST YEAR	SECOND YEAR	THIRD YEAR
Shares/Deposits			
Loans			
Assets			
TOTAL SHARES/DEPOSITS			

The above estimates are based on the following data and assumptions:

Do estimated share/deposits for the proposed branch include any amount indicated in share/deposits to be transferred? (If Yes, please detail by type of share or deposit.)

VI. FUTURE EARNINGS PROSPECTS DATA

ESTIMATED AVERAGE SHARE/DEPOSITS FOR THE PROPOSED BRANCH

Instructions: Average branch shares and deposits for the second and third years are computed by adding figures at the end of the preceding year to the totals at the end of the subject year and dividing by two.

Description	AVERAGE DURING		
	FIRST YEAR	SECOND YEAR	THIRD YEAR
AVERAGE DEPOSIT VOLUME:			
A. Demand Share/Deposits			
B. Interest Bearing Share/Deposits			
Total Estimated Average Share/Deposit Volume			

COMMENTS:

VII. ESTIMATED INCOME AND EXPENSES FOR THE PROPOSED BRANCH

INSTRUCTIONS: PROVIDE THE INFORMATION REQUESTED FOR **ONLY** THE OFFICE TO BE ESTABLISHED. Gross income is calculated by multiplying the estimated average share/deposit volume by the credit union-wide rate of gross earnings to average assets for the latest available year. Any departure from this formula must be explained in the Comments section.

Description	AVERAGE DURING		
	FIRST YEAR	SECOND YEAR	THIRD YEAR
Gross Income (@ %)			
EXPENSES:			
Salaries and Benefits			
Interest on time and savings share/deposits (@ %)			
Dividends on Shares/Deposits of this Branch Only			
Net Occupancy Expense (details below)			
Furniture and Fixture (depreciation, rental, etc.)			
Provision for loan losses			
Other operating expenses:			
Advertising			
Stationary and supplies			
Telephone			
Legal			
Postage and express			
Computer services			
Fees paid to Regulatory Authorities			
Miscellaneous			
Total Estimated Expenses			
ESTIMATED NET PROFIT OR (LOSS)			
NET OCCUPANCY EXPENSE:			
Rent			
Depreciation			
Heat, Light, and Power			
Maintenance (including janitor's salary)			
Insurance			
Taxes on Real Estate			
Other Occupancy Expenses			
Total Occupancy Expenses			
LESS: Rental Income Anticipated			
Net Occupancy Cost			

COMMENTS:

VIII.

CAPITAL ADEQUACY

Provide a detailed analysis of the Credit Union's capital accounts for the most recent year-end as well as the most recent quarter.

IX.

MANAGEMENT

Outline Changes in Senior Management of the Credit Union Which Have Occurred Since the Last Examination.

Outline Plans for Management/Employees at the Proposed Location.

X.

CONVENIENCE AND NEEDS

The Credit Union is responsible for developing the convenience and needs of the membership in a way which clearly shows the support and justification for the proposed branch.

Provide the distance from the main credit union facility to the proposed branch location.

Describe the membership group which the proposed branch will serve.

List services to be offered at the branch (e.g. accept deposits, make loans, etc.)

List days and hours of operation at the main office and the proposed branch facility

XI.

OTHER MATTERS

Subject to approval of this notice by regulatory authorities, what is the anticipated date for opening the proposed branch facility?

Provide a detailed written description of the purpose for which this branch is being established.