Prepared by: James J. Cummings, III, Esq. Return to: James J. Cummings, III, Esq. Nixon, Hargrave, Devans & Doyle Lincoln First Tower P.O. Box 1051 Rochester, New York 14603

CERTIFICATION

STATE OF NEW YORK: SS,

COUNTY OF NEW YORK:

Paulette Lemay Peters, being duly sworn, deposes and states that I am the Closing Attorney for the Federal Deposit Insurance Corporation as Receiver of Monroe Savings Bank, FSB and am admitted to the practice of law in the State of New York and hereby certify that I have compared the attached copies of the documents set forth below with the original documents and have found said copies to be true and complete:

- Letter from Federal Deposit Insurance Corporation as Receiver of Monroe Savings Bank, FSB to Office Of This Et Supervision dated January 26, 1990 accepting appointment as Receiver for Monroe Savings Bank, FSB.
- This Document is the interesty of vision dated brahudry County Reconderde Savings Bank, FSB with reference to appointment of receiver.
- Order No. 90-179 of Office of Thrift 3 Supervision entitled "Appointment of Receiver Monroe Savings Bank, FSB, Rochester, New York" dated January 25, 1990 signed by M. Danny Wall, Director.
- Order No. 90-178 of Director, M. Danny Wall entitled "Authorization To Act For Office of 4. Thrift Supervision" dated January 25, 1990.
- Notice from Designee, Office of Thrift 5. Supervision dated January 26, 1990.

March 2, 1990 Dated:

> Paulette Lemay Peters Federal Deposit Insurance Corp. 452 Fifth Avenue, 21st Floor New York, New York 10018

Subscribed and sworn to this 9th day of , 1990 before me, a Notary Public, who hereby certifies under my official seal that I am duly authorized by the laws of the State of New York to administer oaths in said state.

> rangelest <u>دهم ر</u> Notary Public

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torary from New York د. الارانان Qrjendige. Commission Language Cuptember 25, 1991.

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TO:

Office of Thrift Supervision

The Federal Deposit Insurance Corporation hereby

accepts appointment as Receiver Ctor Monroe Savings bank, FSB,

Rochester, New York. NOTOFFICIAL!

This Document is the property of the Lake County Recorder!

FEDERAL DEPOSIT INSURANCE

CORPORATION



Office of Thrift Sup rvision

Department of the Treasury 1700 G Street, N.W., Washington, D.C. 20552

January 26, 1990

HAND DELIVERED

Monroe Savings Bank, FSB 300 East Main Street Rochester, New York 14604

Re: Appointment of Receiver

Ladies and Gentlemen:

This is to notify you that the Director, Office of Thrift Supervision, by Office Nosingont/79 tandropery Oboth dated January 2, 1990, appointed the Federal Pereste Insurance Corporation as receiver ("Receiver") for Monroe Savings Bank, FSB, Rochester, New York ("Association") and authorized the undersigned to deliver notice of such appointment.

The Receiver is now taking possession of the Association pursuant to the terms of its appointment as set forth in Order No. 90-177, a copy of which is attached. In connection with the appointment of the Receiver, we respectfully call your attention to section 5(d)(4) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Receivery, and Enforcement Act of 1989, which establishes criminal penalties for refusal to comply with the Receiver's demand for possession of the property, business and assets of an association in receivership.

Please countersign a copy of this letter and indicate the time and date of your receipt of the letter in the space provided below, and return such copy to me.

Sincerely,

Desance V, 075

Attachment

Received by Soulu.

at 1:00 m., EST, on January 6, 1990.

OFFICE OF THRIFT SUPERVISION

Appointment of Receiver Monroe Savings Bank, PSB Rochester, New York

RECITALS

Order No. 90-179 January 25, 1990

- A. Monroe Savings Bank, FSB, Rochester, New York ("Association"), is a federally-chartered savings association, the accounts of which ere insured by the Federal Deposit Insurance Corporation.
- B. Pursuant to \$5(d)(2)(H)(ii) of the Home Owners' Loan Act of 1933 THOLA' Quaseamended pyop 30 y of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Director of the Office of Thrift Supervision ("Director") shall appoint only the Federal Deposit Insurance Corporation or the Resolution Trust Corporation, as appropriate, as receiver for a savings association for the purpose of liquidation or winding up the affairs of such savings association.

ORDER

- 1. The Director, upon consideration of the administrative record, and for the rationale set forth in the Legal Memorandum dated January 24, 1990, and the Executive Summary dated January 24, 1990, hereby finds and determines that the Association is is in an unsafe or unsound condition to transact business, due to having substantially insufficient capital in that the Association has negative tangible capital and that, therefore, a ground for the appointment of a receiver for the Association exists under \$ 5(d)(2)(A)(iii) of HOLA, as amended.
- 2. The Director hereby appoints the Federal Deposit Insurance Corporation as receiver for the Association for the purpose of liquidation, pursuant to subdivisions (A), (E), and (H)(ii) of § 5(d)(2) of HOLA, as amended.

M. Danny Wall

Director

AUTHORIZATION TO ACT FOR OFFICE OF THRIFT SUPERVISION

Monroe Savings Bank, FSB Rochester, New York

Order No. 90-178

Date: January 25, 1990

Pursuant to the powers and authority vested in or exercisable by otherwise, respecting personnel matters, bawtence W. Hayes, Ronald A. Brown, Joanne Yancey Ritchcock, Evelyne Bonhomme, Vicki Leslie J. Wolowitz, Christine Countant Cartify and R. Young and James, Knack are each hereby authorized to: (1) certify orders; (2) sign, authorized this date concerning the appointment of a receiver for deliver or accept delivery of any notice from or to the OTS with respect to the Association; and (4) perform other functions of the implementation of such Orders.

M. Danny Wall
Director

NOTICE

In accordance with Section 5(d)(2)(A) of the Home Owners' Loan Act of 1933 ("HOLA") as amended by Section 301 of the Financial Reform, Recovery and Enforcement Act of 1989 ("FIRREA"), The Office of Thrift Supervision, by Order Number 90-179, dated January 25, 1990, has appointed the Federal Deposit Insurance Corporation sole Receiver for Monroe Savings Bank and took possession of the association on January 26, 1990 and succeeded to all rights, titles, powers, and privileges of the association.

