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Office of Thrift Supervision
Department of the Treasury

Southeast Region

1475 Peachtree Street, N.E., Atlanta, GA 30309 • Telephone: (404) 888-0771
P.O. Box 105217, Atlanta, GA 30348-5217 • Fax: (404) 892-8128

(367)

Birmingham Federal Savings Bank
550 Montgomery Highway
Birmingham, Alabama 35216

Inst # 1993-38906

12/07/1993-38906
10:39 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 16.00

Appointment of Receiver

Ladies and Gentlemen:

This is to notify you that the Regional Director, Office of Thrift Supervision, by Order No. ATL-93- 32 dated August 6, 1993, appointed the Resolution Trust Corporation as receiver ("Receiver") for Birmingham Federal Savings Bank, Birmingham, Alabama ("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. ATL-93- 32, 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 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,

Lee Ann Donelson
Designee, OTS

Attachment

Received by:

Walter L. Amund Jr., Field Site Manager
(title)
at 5:55 P.m., E.D.T. on August 6, 1993.

Elizabeth Braden

OFFICE OF THRIFT SUPERVISION

Replacement of Conservator
With a Receiver
Pursuant to Delegated Authority

Date: August 6, 1993Order No.: ATL-93-32

The Regional Director of the Southeast Regional Office ("REGIONAL DIRECTOR") of the Office of Thrift Supervision ("OTS"), or his designee, pursuant to authority delegated by OTS Order No. 91-368 dated June 18, 1991, and, to the extent applicable, OTS Order No. 91-284, dated May 21, 1991, and in cooperation with the Federal Deposit Insurance Corporation ("FDIC") and the Resolution Trust Corporation ("RTC"), has determined to replace the RTC as Conservator for the savings association specified below ("ASSOCIATION") with the RTC as Receiver for the ASSOCIATION for the purpose of liquidation, pursuant to subdivision (F) of section 5(d)(2) of the Home Owners' Loan Act ("HOLA"), effective upon the surrender of possession of the ASSOCIATION by the Conservator to the Receiver.

"ASSOCIATION" refers to:

<u>Name</u>	<u>Location</u>	<u>OTS No.</u>
Birmingham Federal Savings Bank	Birmingham, Alabama	10212

I. AUTHORITY FOR ACTIONS TAKEN IN THIS ORDER:

RECEIVERSHIP

AUTHORITY FOR REPLACEMENT OF RTC AS
CONSERVATOR WITH RTC AS RECEIVER FOR THE ASSOCIATION

The REGIONAL DIRECTOR, or his designee, finds and determines that authority for the replacement of the RTC as conservator with the RTC as receiver for the ASSOCIATION exists in that the Director of the OTS is authorized to replace a conservator with a receiver for any savings association without any prior notice, hearing, or any other action pursuant to section 5(d)(2)(F) of the HOLA.

Order No.: ATL-93-32

II. ACTIONS ORDERED OR APPROVED**REPLACEMENT OF CONSERVATOR**

The REGIONAL DIRECTOR, or his designee, hereby replaces the RTC as conservator with the RTC as Receiver for the ASSOCIATION, for the purpose of liquidation, pursuant to section 5(d)(2)(F) of HOLA and section 11(c)(6)(B) of the Federal Deposit Insurance Act.

DELEGATION OF AUTHORITY TO ACT FOR THE OTS

The REGIONAL DIRECTOR, or his designee, hereby delegates to the Regional Counsel of the Southeast Region ("Regional Counsel"), or her designee, the authority to: (1) certify orders; (2) sign, execute, attest or certify other documents of the OTS issued or authorized by this Order; (3) deliver or accept delivery of any notice from or to the OTS regarding the ASSOCIATION and (4) perform other functions of the OTS necessary or appropriate for the implementation of such Orders. All documents to be issued under the authority of this Order must be first approved, in form and content, by the Regional Counsel. In addition, the REGIONAL DIRECTOR, or his designee, hereby authorizes the Regional Counsel to make any subsequent technical corrections that might be necessary to this Order or any documents issued under the authority of this Order.

By Order of the REGIONAL DIRECTOR of the OTS, or his designee, effective August 6, 1993.

Richard M. Dierbro
Regional Deputy Director

REAL 987 PAGE 777

DEPARTMENT OF THE TREASURY

Office of Thrift Supervision

Birmingham Federal Savings Bank
Birmingham, Alabama

Notice of Replacement of Conservator with a Receiver

Notice is hereby given that, pursuant to the authority contained in subdivision (F) of § 5 (d)(2) of the Home Owners' Loan Act, the Office of Thrift Supervision duly replaced the Resolution Trust Corporation as Conservator for Birmingham Federal Savings Bank, Birmingham, Alabama ("Association"), with the Resolution Trust Corporation as sole Receiver for the Association on August 6, 1993.

Dated: August 6, 1993

By the Office of Thrift Supervision

STATE OF ALA. JEFFERSON CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON

1993 NOV -9 PM 4:07

RECORDED & INDEXED
DEED TAX HAS BEEN PAID ON THIS INSTRUMENT

George R. Reynolds
JUDGE OF PROBATE

STATE OF ALA. JEFFERSON CO.
BESSEMER DIV. I CERTIFY
THIS INSTRUMENT FILED ON

1993 NOV 16 PM 12:01

RECORDED & INDEXED
DEED TAX HAS BEEN PAID ON THIS STATEMENT

George R. Reynolds
JUDGE OF PROBATE

Inst # 1993-38906

12/07/1993-38906
10:39 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 16.00

24.00