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Comptroller of the Currency  
Administrator of National Banks

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Southeastern District  
Marquis One Tower, Suite 600  
245 Peachtree Center Avenue, N.E.  
Atlanta, Georgia 30303-1223

February 12, 2001

**Conditional Approval #449**  
**March 2001**

Mr. William M. Butler  
Spokesperson  
Futurus Bank, N.A. (In Organization)  
281 South Main Street  
Suite 105A  
Alpharetta, Georgia 30004

Re: Charter Application, Futurus Bank, N.A. (In Organization)  
Control No. 1999-SE-01-0028

Dear Mr. Butler:

In response to your letter dated December 18, 2000, The Office of the Comptroller of the Currency (OCC) hereby approves the following changes to your charter proposal and our February 14, 2000 preliminary approval letter:

- The period to raise capital funds is hereby extended to March 16, 2001. No further extensions will be granted. You are reminded that the preliminary approval expires on August 14, 2001, if the bank has not opened for business.
- The bank holding company must downstream a minimum of \$7.5 million in capital into the bank, prior to commencing bank operations.

The OCC is also amending its February 14, 2000 preliminary approval by adding the following condition. To adjust for the decrease in beginning capital funds, the bank must maintain a ratio of tier 1 capital to adjusted total assets (as defined under 12 C.F.R. 3.2) of at least 8% for a period of five years. This condition of the preliminary approval is a condition “imposed in writing by the agency in connection with the granting of any application or other request” within

the meaning of 12 U.S.C. 1818. As such, the condition is enforceable under 12 U.S.C. 1818.  
Mr. William M. Butler  
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The organizers and the bank remain subject to all of the other standard conditions that are stated in the original February 14, 2000 approval letter.

Should you have any questions regarding this letter or the charter process, please contact Licensing Analyst Dennis Oswald at (404) 588-4525.

Sincerely,

**-signed-**

John O. Stein  
Licensing Manager