

financial condition and capital adequacy, the performance of pre-inspection reviews, and the evaluation of expansion activities through mergers and acquisitions. The imposition of the reporting requirements is essential for the Board's supervision of bank holding companies under the Bank Holding Company Act.

Board of Governors of the Federal Reserve System, December 27, 1995.

Jennifer J. Johnson,

*Deputy Secretary of the Board.*

[FR Doc. 96-00030 Filed 1-2-96; 8:45AM]

Billing Code 6210-01-F

### **Arthur C. Johnson, et al.; Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies**

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. Once the notices have been accepted for processing, they will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than January 19, 1996.

A. Federal Reserve Bank of Chicago (James A. Bluemle, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Arthur C. Johnson*, Grand Rapids, Michigan; to acquire an additional 2.38 percent, for a total of 26.59 percent, of the voting shares of United Community Financial Corporation, Wayland, Michigan, and thereby indirectly acquire United Bank of Michigan, Grand Rapids, Michigan.

B. Federal Reserve Bank of Dallas (Genie D. Short, Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. *Fred and Jayne Esgar*, Wiley, Colorado; to acquire 21.8 percent; *Dave Esgar and Julie Phillips Esgar*, Wiley, Colorado, to acquire 9.8 percent; *Dave Esgar*, for the benefit of *Shea Esgar*, a minor, Wiley, Colorado, to acquire 4.4 percent; *Dave Esgar*, for the benefit of *Leah Esgar*, a minor, Wiley, Colorado, to acquire 4.4 percent; *Dave Esgar*, for the benefit of *Zach Esgar*, a minor, Wiley,

Colorado, to acquire 4.4 percent of the voting shares of *Panhandle Bancshares, Inc.*, Panhandle, Texas, and thereby indirectly acquire *The First National Bank of the Panhandle*, Panhandle, Texas.

Board of Governors of the Federal Reserve System, December 27, 1995.

Jennifer J. Johnson,

*Deputy Secretary of the Board.*

[FR Doc. 96-00008 Filed 1-2-96; 8:45 am]

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### **Fidelity Company, et al.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies**

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than January 29, 1996.

A. Federal Reserve Bank of Chicago (James A. Bluemle, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Fidelity Company*, Dyersville, Iowa; to become a bank holding company by acquiring 100 percent of the voting shares of *Valley State Bank*, Guttenberg, Iowa, in organization.

2. *Hamburg Financial, Inc.*, Hamburg, Iowa; to acquire 100 percent of the voting shares of *Thurman State Corporation*, Lincoln, Nebraska, and thereby indirectly acquire *United National Bank of Iowa*, Sidney, Iowa.

B. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *Marine Bancorp, Inc.*, Springfield, Illinois (formerly *Wayne City Bancorp, Inc.*, Springfield, Illinois); to acquire 100 percent of the voting shares of *Marine Bank Springfield*, Springfield, Illinois.

C. Federal Reserve Bank of Minneapolis (James M. Lyon, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480:

1. *Norwest Corporation*, Minneapolis, Minnesota; to acquire 100 percent of the voting shares of *Henrietta Bancshares, Inc.*, Henrietta, Texas, and thereby indirectly acquire *The First National Bank of Henrietta*, Henrietta, Texas, and *First State Bank of Hubbard*, Hubbard, Texas.

2. *Norwest Corporation*, Minneapolis, Minnesota; to acquire 100 percent of the voting shares of *Victoria Bankshares, Inc.*, Victoria, Texas, and thereby indirectly acquire *Victoria Bank & Trust Company*, Victoria, Texas.

Board of Governors of the Federal Reserve System, December 27, 1995.

Jennifer J. Johnson,

*Deputy Secretary of the Board.*

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### **J.G.D.B. y Cia. S. en C., et al.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies**

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications

must be received not later than January 31, 1996.

A. Federal Reserve Bank of Atlanta (Zane R. Kelley, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. *J.G.D.B. y Cia. S. en C. (formerly known as Jaime Gilinski y Cia. S. en C.), PBZ Ltda. y Cia. S. en C., and J.G.D.B. Limitada*, all of Santa Fe de Bogota, Colombia, and Bloice Enterprises Corp., Colonel County Inc., Caprice Maritime Limited, Aileen International Co., Inc., Early Haven Investments Corp., Feldome Worldwide Corp., Foye Investments Inc., Garbay Isle Investments Inc., Jacklyn Finance Co. Ltd., and Swain Finance Co. Inc., all of Tortola, British Virgin Islands (collectively, Companies), and Bancol y Cia. S. en C. (Bancol), Santa Fe de Bogota, Colombia, to become bank holding companies and to retain, indirectly, all the voting securities of Eagle National Holding Company, and thereby retain 99.2 percent of the voting securities of Eagle National Bank of Miami, N.A., both of Miami, Florida. Companies, in the aggregate, own, directly or indirectly, all the voting securities of Bancol, which controls the power to vote 74.9 percent of the voting securities of Banco de Colombia, S.A., Santa Fe de Bogota, Colombia. In addition, Banco de Colombia, S.A., which indirectly owns all the voting securities of Eagle National Holding Company, Inc., proposes to acquire and directly own such shares.

Board of Governors of the Federal Reserve System, December 27, 1995.

Jennifer J. Johnson,

*Deputy Secretary of the Board.*

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**Middlefork Financial Group, Inc., et al.; Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies; Correction**

This notice corrects a notice (FR Doc. 95-30722) published on page 65327 of the issue for Tuesday, December 19, 1995.

Under the Federal Reserve Bank of Kansas heading, the entry for First Bank Holding Company of Colorado, Lakewood, Colorado, is revised to read as follows:

1. *FirstBank Holding Company of Colorado Employee Stock Ownership Plan*, Lakewood, Colorado, and its subsidiary, FirstBank Holding Company of Colorado, Lakewood, Colorado; to acquire 100 percent of the voting shares of The Bank of Douglas County, Castle Rock, Colorado.

Comments on this application must be received by January 11, 1996.

Board of Governors of the Federal Reserve System, December 27, 1995.

Jennifer J. Johnson,

*Deputy Secretary of the Board.*

[FR Doc. 96-00007 Filed 1-2-96; 8:45 am]

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**National City Corporation; Request for an Exemption From Tying Provisions**

National City Corporation, Akron, Ohio (National City), has requested, pursuant to section 106(b) of the Bank Holding Company Act Amendments of 1970 (12 U.S.C. § 1971 *et seq.*) (section 106), that the Board grant an exemption to permit the subsidiary banks of National City to vary the consideration charged for a floorplan loan to an automobile dealership based on the dollar amount of retail paper financing originated by the dealership on behalf of National City. A "floorplan loan" is a loan or line of credit provided to an automobile dealership to finance the acquisition of the dealer's inventory for sale to the general public, and "retail paper financing" means financing provided to consumers seeking to purchase an automobile from the dealer's inventory.<sup>1</sup> National City indicates that floorplan loans and retail paper financing will remain separately available to customers at market prices. This request is similar to a request submitted by Huntington Bancshares, Incorporated. See 60 *Federal Register* 57,429 (November 15, 1995).

Section 106 generally prohibits a bank from varying the consideration charged for any product or service, including an extension of credit, on the condition or requirement that: (1) a customer obtain some additional credit, property, or service from such bank, other than a loan, discount, deposit, or trust service (so called, "traditional bank products") (See 12 U.S.C. § 1972(1)(A));<sup>2</sup> or (2) a customer provide some additional credit, property, or service to such bank, other than those related to and usually provided in connection with a loan, discount, deposit, or trust service. (See 12 U.S.C. § 1972(1)(C)). The Board may,

<sup>1</sup> For purposes of this proposal, retail paper financing may consist of either: (1) a retail installment contract or similar instrument between the purchaser and the dealer which is then assigned to National City; or (2) a direct obligation between the purchaser and National City originated on National City's behalf by the dealer.

<sup>2</sup> Section 106 also prohibits a bank from varying the consideration charged for any product or service on the condition or requirement that a customer "obtain" some additional credit, property or service from an "affiliate" of such bank. See 12 U.S.C. § 1972(1)(B).

by regulation or order, grant exceptions that are not contrary to the purposes of the section.

National City argues that the proposed tying arrangement should be permissible under the statutory exceptions discussed above as well as exceptions contained in the Board's anti-tying rules. 12 CFR 225.7. However, National City is seeking an exemption from section 106 to clarify whether retail paper financing may be characterized as either a traditional bank product so that the proposal is consistent with the exception contained in 12 U.S.C. § 1972(1)(A), or as a practice related to and usually provided in connection with a floorplan loan so that the proposal is consistent with the exception contained in 12 U.S.C. § 1972(1)(C).

Even if the proposal does not fall within the literal terms of exceptions to the prohibitions contained in section 106, National City believes that the proposed package arrangement is not anticompetitive and is generally offered by its nonbank competitors who are not subject to section 106. National City also argues that the market for floorplan loans and retail financing services is national in scope and highly competitive, and that National City does not possess sufficient market power in any relevant market to impair competition in that market. Furthermore, National City believes that the proposal is consistent with Congressional intent that section 106 not interfere with a customer's ability to negotiate the price of multiple banking services with a bank on the basis of the customer's entire relationship with the bank.<sup>3</sup> Finally, National City asserts that the proposal will promote competition because automobile dealerships may obtain floorplan lending and retail paper financing from other financial institutions, and there is no requirement that consumers finance their vehicle purchase through this arrangement.

Notice of National City's request is published in order to seek the views of interested persons on the issues presented by the request and does not represent a determination by the Board that the request meets or is likely to meet the standards of Section 106. The request may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Cleveland.

Any comments or requests for hearing should be submitted in writing and received by William W. Wiles, Secretary of the Board of Governors of the Federal

<sup>3</sup> S. Rep. No. 1084, 91st. Cong., 2d Sess., 16-17 (1970).