



Comptroller of the Currency
Administrator of National Banks

Large Bank Licensing, MS 7-13
250 E Street, S.W.
Washington, DC 20219

**Conditional Approval #768
November 2006**

November 7, 2006

To: Nance J. Rothgeb
Bank of America Corporation

Re: Application by Bank of America, N.A. to establish a domestic branch at
1439 E. 53rd Street, Chicago, Illinois
Application Control Number: 2006-ML-05-0420

On October 25, 2006, the Office of the Comptroller of the Currency (OCC) approved Bank of America, N.A.'s application to establish a branch at 1439 E. 53rd Street, Chicago, Illinois. This approval is granted based on a thorough review of all information available, including the representations and commitments made in the application and by the bank's representatives. This letter also serves as authorization for the Bank to establish Branch Nr. 137293A to be known as Hydepark – 53rd & Blackstone, at the above-noted address.

This property is within the Hyde Park – Kenwood Historic District, which was listed on the National Register of Historic Places on February 14, 1979.

Based upon the work description and representations provided, the OCC and the Illinois Historic Preservation Agency (“IHPA”) agree that the bank's proposed work will have no adverse effect on the historic district provided that the following conditions are met:

- 1) The bank sign should be externally lit (not internally lit fluorescent). Gooseneck or other appropriate exterior light fixtures may be used.
- 2) The bank sign should be mounted fully above the storefront transom windows, not across them as the drawing proposes. The sign should be centered in the space between the rowlock course of light-red brick above the storefront transom windows and the limestone stringcourse at the level of the second floor window sills. The sign should be mounted to the mortar joints, not through the masonry units.
- 3) The existing historic multi-light door within the limestone entryway on Blackstone Avenue should be retained. The drawing shows it replaced with a single-light aluminum door.

These conditions are conditions “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 conditions are enforceable under 12 U.S.C. § 1818.

If changes to the proposed renovation or sign placement are needed, the bank shall consult with the OCC and IHPA to avoid an adverse effect on the historic property.

Within 10 days of opening, the bank must advise this office in writing of the branch’s opening date, so the OCC may complete its records. Please reference the OCC control number in your letter.

If the branch is not opened within 18 months from this approval date the approval automatically terminates unless the OCC grants an extension.

In the event you choose to close this branch, a 90-day advance notice of proposed branch closing must be submitted to the OCC pursuant to 12 U.S.C. 1831r-1. Following the closing of the branch office, a final closing notice should be submitted to this office.

This conditional approval, and the activities and communications by OCC employees in connection with the filing, do not constitute a contract, express or implied, or any other obligation binding upon the OCC, the U.S., any agency or entity of the U.S., or any officer or employee of the U.S., and do not affect the ability of the OCC to exercise its supervisory, regulatory and examination authorities under applicable law and regulations. The foregoing may not be waived or modified by any employee or agent of the OCC or the U.S.

Please direct all correspondence on this application or any other licensing matters to: Large Banks Lead Expert, OCC, Licensing, Mail Stop 7-13, 250 E Street, S.W., Washington, D.C. 20219. You may also contact us on E-mail at Largebanks@occ.treas.gov or call us at (202) 874-5060.

Sincerely,

/s/

Crystal Maddox
Senior Licensing Analyst

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