

## **Discretionary Overdraft Privilege Policy**

***Because of new regulatory requirements, the Overdraft Privilege service you currently have for ATM and everyday debit card transactions will only continue until August 15, 2010, unless you notify us that you wish to continue to receive the service for those transactions after that date.***

If you want Overdraft Privilege to continue to apply to your ATM transactions and everyday debit card transactions please call Customer Service at (678) 406-4000 or complete and mail the enclosed form to Citizens Trust Bank – Opt-In 2010 75 Piedmont Avenue; Atlanta, GA 30303 You may also complete the OPT-In Disclosure by visiting our website at [www.ctbconnect.com/odpoptin2010](http://www.ctbconnect.com/odpoptin2010) or dropping it off at one of our convenient financial center locations.

Overdraft Privilege will continue to be available for checks, ACH, and automatic bill payments unless you elect to opt out of the Overdraft Privilege service in its entirety by contacting Customer Service at (678) 406-4000.

## **Citizens Trust Bank Discretionary Overdraft Privilege Policy**

It is the policy of Citizens Trust Bank to comply with all applicable laws and regulations and to conduct business in accordance with applicable safety and soundness standards.

The Deposit Account Agreement and Disclosure provided to you at the time you opened your account with us controls the duties, obligations and rights of the Depositor, the Authorized Signatories and Citizens Trust Bank with regard to your checking account. The Deposit Account Agreement (and all amendments thereto) and its terms shall control any possible conflict, if any, between any provision of this Discretionary Overdraft Privilege Policy and the Deposit Account Agreement and Disclosure. A copy of the Deposit Account Agreement and Disclosure is available to you on request from your Citizens Trust Bank officer.

Overdraft privilege is not a line of credit. However, if you inadvertently overdraw your account, we will have the discretion to pay the overdraft, subject to the limit of your overdraft privilege and the amount of the overdraft fee. Citizens Trust Bank is not obligated to pay any item presented for payment if your account does not contain sufficient available funds. Any discretionary payment by Citizens Trust Bank of an overdraft check (or items, such as ATM withdrawals) does not obligate Citizens Trust Bank to pay any other overdraft check (or item), or to provide prior notice of its decision to refuse to pay such check (or item).

Pursuant to Citizens Trust Bank's commitment to always provide you with the best level of service, now and in the future, if your consumer account (primarily used for personal and household purposes) has been open for at least sixty (60) days, or if your commercial account has been open for at least sixty (60) days, and thereafter you maintain your account in good standing, which includes at least:

- A) Bringing your account to a positive balance within every thirty (30) day period for a minimum period of 24 hours;
- B) Not being in default on any loan or other obligation to Citizens Trust Bank and
- C) Not being subject to any legal or administrative order or levy,

Citizens Trust Bank will have the discretion to pay overdrafts within the overdraft privilege limits, but payment by Citizens Trust Bank is a discretionary courtesy and not a right of the account holder or an obligation of Citizens Trust Bank. This privilege for consumer checking or savings accounts will generally be limited to a maximum of \$500 overdraft (negative) balance. This privilege for commercial accounts will generally be limited to a maximum of \$750 overdraft (negative) balance. Of course, any

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and all fees and charges, including without limitation the non-sufficient funds fees (as set forth in our fee schedules and deposit account agreement and disclosure), will be included as part of this maximum amount. It may be possible that your account will become overdrawn in excess of the overdraft privilege amount as a result of the assessment of a fee.

The total of the discretionary Overdraft Privilege (negative) balance, which includes any and all fees and charges, including all non-sufficient funds/overdraft fees is due and payable upon demand, and Depositor and each Authorized Signatory will continue to be liable, jointly and severally, for all such amounts, as described in the Deposit Account Agreement and Disclosure. Our standard Overdraft fee of \$32 will be imposed for overdrafts created by checks, ACH, ATM withdrawals, everyday debit card transactions, in-person withdrawals, or by other electronic means. Transactions may not be processed in the order in which they occurred, and the order in which transactions are received and processed may impact the total amount of fees incurred.

While Citizens Trust Bank will have the discretion to pay overdrafts on accounts in good standing (as described above), any such payment is a discretionary courtesy, and not a right of the account holder or an obligation of Citizens Trust Bank and Citizens Trust Bank in its sole and absolute discretion, can cease paying overdrafts at any time without prior notice of reason or cause.

For our consumer account holders Citizens Trust Bank will not pay overdrafts for ATM or everyday debit card transactions after August 15, 2010 unless Citizens Trust Bank has provided you with the notice required by section 205.17(b) of Regulation E and you have opted in to the payment of these overdrafts. In order to avoid overdrafts due to ATM and everyday debit card transactions, Citizens Trust Bank will place a hold on your account for any ATM or everyday debit card transaction authorized until the transaction settles. ATM and everyday debit card transactions usually settle within two business days after the transaction is authorized. The amount of the hold will be for the amount authorized, or as permitted under applicable payment network rules. Holds on authorized ATM and everyday debit card transactions will be removed prior to settlement where required by applicable payment network rules. In addition, for both consumer and commercial accounts, you may opt out of the Overdraft Privilege services for check, ACH and debit card bill payment transactions at any time by contacting one of our Account Services Representatives.

March, 2010