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October 16, 2018

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2018 OCT 23 11:10:21
COMMUNICATIONS SECTION

U.S. Department of Labor
Top Hat Plan Exemption
Employee Benefits Security Administration
Room N-1515
200 Constitution Avenue, N.W.
Washington, DC 20210

RE: Fidelity Bank Post-Retirement Consultation and Non-
Competition Agreements
Our File 710609-00009

Dear Sir or Madam:

Pursuant to Department of Labor Regulations, 29 C.F.R. § 2520.104-23, promulgated pursuant to section 110 of the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), The Fidelity Bank (the "Company") provides the information set forth below with respect to a nonqualified deferred compensation arrangement that may constitute, in part, an employee pension benefit plan within the meaning of section 3(2) of ERISA.

(1) Name and address of plan sponsor:

The Fidelity Bank
100 South Main Street
Fuquay Varina, NC 27526.

(2) Employer identification number: 56-0132040.

(3) The Company maintains arrangements primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees ("Agreements").

The Company believes that each of the three (3) Agreements may constitute an employee pension benefit plan for purposes of ERISA. However, the Company


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further believes that each Agreement constitutes a pension plan for a select group of management or highly compensated employees within the meaning of 29 C.F.R. §2520.104-23. As a result, the Company is making this filing pursuant to 29 C.F.R. §2520.104-23 in order to satisfy the reporting and disclosure requirements of Part 1 of Title 1 of ERISA with respect to the Agreement.

- (4) This filing pertains to three (3) Agreements, each of which covers only one (1) employee of the Company.

Upon request by the Secretary of the Department of Labor, the Company will provide documents for the above-listed plans, as required under Section 104(a)(6) of the Employee Retirement Income Security Act of 1974, as amended. Please contact the undersigned if you require further information regarding this notice.

Yours truly,



Steven B. Long

SBL:swm

cc: Ms. Laurel L. LaBonte
Jeremy R. Sayre, Esq.

WS WARD AND SMITH, P.A.

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