

**RHS, RBS, RUS, FSA, USDA**

**§ 1941.54**

The following FmHA or its successor agency under Public Law 103-354 forms will be completed and utilized as necessary in preparing the loan docket for approval:

Form No.	Name	
400-4 .....	Assurance Agreement .....	(*)
1927-8 .....	Agreement with Prior Lienholder .....	(*)
1940-1 .....	Request for Obligation of Funds .....	(*)
440-4 .....	Security Agreement (Chattels and Crops).	(*)
440-9 .....	Supplementary Payment Agreement	(*)
1940-20 .....	Request For Environmental Information.	(*)
440-25/ 440A25.	Financing Statement .....	(*)
440-26 .....	Consent and Subordination Agreement.	(*)
1940-21, 1940-22, or Exhibit H, Subpart G of Part 1940.	Environmental Review .....	(*)
441-5 .....	Subordination Agreement .....	(*)
441-8 .....	Assignment of Proceeds from the Sale of Products.	(*)
441-10 .....	Nondisturbance Agreement .....	(*)
441-12 .....	Agreement for Disposition of Jointly Owned Property.	(*)
441-13 .....	Division of Income and Nondisturbance Agreement.	(*)
441-17 .....	Certification of Obligation to Landlord	(*)
441-18 .....	Consent to Payment of Proceeds from Sale of Farm Products.	(*)
441-25 .....	Assignment of Proceeds from the Sale of Dairy Products and Release of Security Interest.	(*)

**LOAN APPROVAL AND CLOSING**

**A. LOAN APPROVAL**

File financing statement or chattel mortgage, and obtain a lien search.

Request preliminary title opinion when appropriate.

Record loan closing conditions in the running record.

Execute and distribute all forms necessary for loan approval.

**B. LOAN CLOSING**

Request needed legal services.

Arrange for loan closing by county office, escrow agent, designated attorney, or other authorized loan closing agent; furnish loan closing agent with appropriate instructions, forms, and other needed information for loan closing.

The following FmHA or its successor agency under Public Law 103-354 forms will be used by the County Office in addition to those forms listed under docket preparation which must be executed by the borrower or other party:

Form No.	Name	
400-6 .....	Compliance Statement .....	(*)
402-1 .....	Deposit Agreement .....	(*)

Form No.	Name	
402-2 .....	Statement of Deposits and Withdrawals.	(*)
427-1 (State)	Real Estate Mortgage or Deed of Trust for .....	(*)
1927-9 .....	Preliminary Title Opinion .....	(*)
1940-17 .....	Promissory Note .....	(x)

(7 U.S.C. 1989; 42 U.S.C. 1480; 5 U.S.C. 301; sec. 10, Pub. L. 93-357, 88 Stat. 392; 7 CFR 2.23; 7 CFR 2.70)

[43 FR 55883, Nov. 29, 1978]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting exhibit A to subpart A of part 1941, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

**EXHIBIT B TO SUBPART A OF PART 1941 [RESERVED]**

**EXHIBIT C TO SUBPART A OF PART 1941—CONTROLLED SUBSTANCE**

(NOTE: Exhibit C referenced in this subpart is available in any FmHA or its successor agency under Public Law 103-354 office.)

[53 FR 35684, Sept. 14, 1988]

**Subpart B—Closing Loans Secured by Chattels**

**§ 1941.51 Purpose.**

This subpart prescribes Farmers Home Administration (FmHA) or its successor agency under Public Law 103-354 policies, procedures, and authorizations for closing direct loans secured by chattels. These loans are considered closed on the date the promissory note is executed.

[43 FR 55883, Nov. 29, 1978, as amended at 58 FR 48282, Sept. 15, 1993]

**§§ 1941.52-1941.53 [Reserved]**

**§ 1941.54 Promissory note.**

(a) *Executing the note.* Form FmHA or its successor agency under Public Law 103-354 1940-17, "Promissory Note," will be executed and dated following receipt of the loan check in the county office and prior to the first withdrawal of loan funds from the supervised bank account or delivery of the loan check to the borrower.

(b) *Signatures—(1) Individuals.* Only the applicant is required to sign the promissory note. Any other signatures