

~~(3)~~ (2) A charge, OR PREPAYMENT PENALTY, FOR A LOAN SECURED BY A HOME OR COMBINATION OF HOME AND BUSINESS PROPERTY, AGRICULTURAL PROPERTY AND COMMERCIAL LOANS UNDER \$5,000, only where provided for in the original loan contract, upon prepayment of the principal amount of the loan provided the charge shall not be more than ~~six~~ ~~(6)~~ TWO (2) months advance interest on the aggregate amount of all prepayments made on the loan in any twelve (12) month period; THAT ARE IN EXCESS OF 33 $\frac{1}{3}$ % OF THE AMOUNT OF THE ORIGINAL MORTGAGE; no such charge may be imposed after the expiration of ~~five~~ ~~(5)~~ THREE (3) years from the date the loan was made, except that these limitations on such charges shall not apply to (1) loans repayable over a period of eight (8) years or less, (2) loans secured by real or leasehold property used for other than residential purposes or secured by residential property containing more than four (4) dwelling units, or (3) loans for other than personal, family, or household purposes.

~~(4)~~ A fee or charge (3) FEES OR CHARGES collected at the direction of a government or governmental agency not to be retained by the lender. AND ACTUALLY PAID THERETO.

~~(5)~~ (4) A service charge, where provided for by contract, on a commercial lending transaction if money is advanced on the security of inventory or accounts receivable, for investigation and continuing supervision of the collateral.

~~(6)~~ (5) A service charge, where provided for by contract, made by a securities broker or a dealer in securities on a transaction if money is advanced on the security of pledged securities and if services are rendered in the collection of income thereon, the crediting and disbursement thereof, and the furnishing of income tax and other information in connection therewith.

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Actual expenses collected from a borrower by a lender or its attorney for payment for services rendered in connection with the preparation, closing, or disbursing of a loan, or for the payment of property expenses, taxes, and governmental charges, or premiums for insuring or indemnifying the lender against loss or liability on or in connection with the loan, or for insuring any interest in the property which is the security for the loan against loss from any hazard, or for insuring the life or health of the borrower, shall not be interest or be deemed usurious under any other provision of this Article.

(6)

ACTUAL EXPENSES COLLECTED BY THE LENDER ARE SPECIFICALLY ENUMERATED IN THIS SECTION. ALL OTHER CHARGES, OTHER THAN THOSE ENUMERATED BELOW, WILL BE DEEMED INTEREST:

(A) BY ITS ATTORNEYS FOR SERVICES RENDERED IN CONNECTION WITH THE PREPARATION, CLOSING OR DISBURSING OF A LOAN.

(B) FOR THE PAYMENT OF PROPERTY EXPENSES, TAXES AND GOVERNMENTAL CHARGES.