

ARBOR REALTY TRUST INC  
Form 305B2  
May 07, 2014

# SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

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## FORM T-1

STATEMENT OF ELIGIBILITY UNDER  
THE TRUST INDENTURE ACT OF 1939 OF A  
CORPORATION DESIGNATED TO ACT AS TRUSTEE

Check if an Application to Determine Eligibility of  
a Trustee Pursuant to Section 305(b)(2)

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## U.S. BANK NATIONAL ASSOCIATION

(Exact name of Trustee as specified in its charter)

31-0841368

I.R.S. Employer Identification No.

800 Nicollet Mall  
Minneapolis, Minnesota  
(Address of principal executive offices)

55402  
(Zip Code)

Richard Prokosch  
Vice President  
U.S. Bank National Association

**Global Corporate Trust Services**  
**Mailcode: EP-MN-WS3C**  
**60 Livingston Avenue**  
**St. Paul MN 55107-2292**  
**phone (651) 466-6619**

(Name, address and telephone number of agent for service)

## **Arbor Realty Trust, Inc.**

(Issuer with respect to the Securities)

**Maryland**

(State or other jurisdiction of incorporation or organization)

**20-0057959**

(I.R.S. Employer Identification No.)

**333 Earle Ovington Boulevard**  
**Suite 900**

**Uniondale, New York**  
(Address of Principal Executive Offices)

**11553**

(Zip Code)

**Senior Debt Securities**

(Title of the Indenture Securities)

**FORM T-1**

**Item 1. GENERAL INFORMATION.** Furnish the following information as to the Trustee.

a) *Name and address of each examining or supervising authority to which it is subject.*

Comptroller of the Currency

Washington, D.C.

b) *Whether it is authorized to exercise corporate trust powers.*

Yes

**Item 2. AFFILIATIONS WITH OBLIGOR.** *If the obligor is an affiliate of the Trustee, describe each such affiliation.*

None

**Items 3-15** *Items 3-15 are not applicable because to the best of the Trustee's knowledge, the obligor is not in default under any Indenture for which the Trustee acts as Trustee.*

**Item 16. LIST OF EXHIBITS:** *List below all exhibits filed as a part of this statement of eligibility and qualification.*

1. A copy of the Articles of Association of the Trustee.\*
2. A copy of the certificate of authority of the Trustee to commence business.\*\*
3. A copy of the certificate of authority of the Trustee to exercise corporate trust powers.\*\*

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4. A copy of the existing bylaws of the Trustee.\*\*
5. A copy of each Indenture referred to in Item 4. Not applicable.
6. The consent of the Trustee required by Section 321(b) of the Trust Indenture Act of 1939, attached as Exhibit 6.
7. Report of Condition of the Trustee as of December 31, 2013 published pursuant to law or the requirements of its supervising or examining authority, attached as Exhibit 7.

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\* Incorporated by reference to Exhibit 25.1 to Amendment No. 2 to registration statement on S-4, Registration Number 333-128217 filed on November 15, 2005.

\*\* Incorporated by reference to Exhibit 25.1 to registration statement on S-4, Registration Number 333-166527 filed on May 5, 2010.

**SIGNATURE**

Pursuant to the requirements of the Trust Indenture Act of 1939, as amended, the Trustee, U.S. BANK NATIONAL ASSOCIATION, a national banking association organized and existing under the laws of the United States of America, has duly caused this statement of eligibility and qualification to be signed on its behalf by the undersigned, thereunto duly authorized, all in the City of St. Paul, State of Minnesota on the 29th of April, 2014.

By: /s/ Richard Prokosch  
Richard Prokosch  
Vice President

**Exhibit 6**

**CONSENT**

In accordance with Section 321(b) of the Trust Indenture Act of 1939, the undersigned, U.S. BANK NATIONAL ASSOCIATION hereby consents that reports of examination of the undersigned by Federal, State, Territorial or District authorities may be furnished by such authorities to the Securities and Exchange Commission upon its request therefor.

Dated: April 29, 2014

By: /s/ Richard Prokosch  
Richard Prokosch  
Vice President

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**Exhibit 7****U.S. Bank National Association****Statement of Financial Condition**

As of 12/31/2013

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	12/31/2013
<b>Assets</b>	
Cash and Balances Due From	\$ 8,472,724
Depository Institutions	
Securities	79,357,671
Federal Funds	76,693
Loans & Lease Financing Receivables	232,699,923
Fixed Assets	4,466,915
Intangible Assets	13,365,332
Other Assets	22,039,020
<b>Total Assets</b>	<b>\$ 360,478,278</b>
<b>Liabilities</b>	
Deposits	\$ 271,150,926
Fed Funds	2,539,914
Treasury Demand Notes	0
Trading Liabilities	432,300
Other Borrowed Money	29,623,570
Acceptances	0
Subordinated Notes and Debentures	5,586,320
Other Liabilities	11,722,618
<b>Total Liabilities</b>	<b>\$ 321,055,648</b>
<b>Equity</b>	
Common and Preferred Stock	18,200
Surplus	14,231,212
Undivided Profits	24,312,465
Minority Interest in Subsidiaries	\$ 860,753
<b>Total Equity Capital</b>	<b>\$ 39,422,630</b>
<b>Total Liabilities and Equity Capital</b>	<b>\$ 360,478,278</b>