



**DECLARATION OF TRUST**

**§ 861.252(a), Texas Insurance Code - Book Entry Securities  
Formerly Article 8.05, paragraph 1**

STATE OF \_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF \_\_\_\_\_

THAT, WHEREAS, the \_\_\_\_\_

(Name of Company)

having its home office at \_\_\_\_\_

(Address)

is legally authorized under its charter to transact the business of casualty insurance as well as certain other lines of coverage.

AND, WHEREAS, for the purpose of complying with the law applicable to companies in connection with the writing of casualty insurance in Texas, it desires to deposit certain securities which are registered in the name of said company or duly designated trustee and which are described as follows: **(Describe in detail)**

AND, WHEREAS, the said securities have been pledged to the Commissioner of Insurance of the State of Texas and the safekeeping receipt placed with the Treasurer of the State of Texas.

NOW, THEREFORE, the said above-named company does hereby agree and bind itself that the said securities above described are deposited with the present Treasurer of the State of Texas and successors in office for the purpose of complying with the law requiring a deposit of at least FIFTY THOUSAND DOLLARS (\$50,000.00) in securities as provided in Section 861.252(a) of the Texas Insurance Code, and it does hereby bind itself and its legal successors that the said State Treasurer and successors in office may hold the said securities for the benefit and protection of all policyholders and creditors of this company wherever they may be, provided that the claims of such policyholders or creditors have been established by final judgment upon which execution may lawfully issue against this company in the State of Texas. Such securities are to be held by the said Treasurer so long as this company shall be authorized to write casualty insurance in the State of Texas and so long thereafter as it shall have outstanding any obligation to its policyholders or creditors or until other securities approved by the Commissioner of Insurance of the State of Texas shall be substituted by this company for those above described, in the manner provided by law, together with a declaration of trust or other written agreement acceptable to the Commissioner of Insurance and the Treasurer of the State of Texas, subjecting such substituted securities to the same obligations and liabilities as are herein imposed upon the securities herewith deposited.

The officials of the government or of the private or public corporation issuing the securities hereinabove described which are registered in the name of this company or duly designated trustee are hereby authorized to honor the requisition of the present State Treasurer of Texas, or successors in office, for the conversion of such registered securities to negotiable or bearer securities under such rules, regulations or statutes as are ordinarily applicable to the conversion of such securities when such requisition shall be made by the State Treasurer of Texas, or successors in office reciting that the contingency for which such securities were deposited has occurred and such requisition containing such statement shall be a full protection to the authorities converting said securities against any or all claims by this company or any person holding or claiming by, through, or under it.

§ 861.252(a) - Book Entry Securities

Executed this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the undersigned officer of said company and trustee for said company duly and legally authorized thereunto.

\_\_\_\_\_  
(Name of Company)

\_\_\_\_\_  
(Name of Trustee)

By \_\_\_\_\_

By \_\_\_\_\_

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Title)

**NOTARY'S ACKNOWLEDGMENT**  
(For the Company)

Before me, the undersigned authority, on this date personally appeared \_\_\_\_\_ the \_\_\_\_\_ of the said company know to me to be the person whose name is subscribed to the above and foregoing instrument which is held in accordance with the terms of the agreement.

Given under my hand and seal of office this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the County of

\_\_\_\_\_, State of \_\_\_\_\_

My Commission Expires

\_\_\_\_\_

**NOTARY'S ACKNOWLEDGMENT**  
(For the Trustee)

Before me, the undersigned authority, on this date personally appeared \_\_\_\_\_, the \_\_\_\_\_, of the \_\_\_\_\_ known to me to be the person whose name is subscribed to the above and foregoing instrument which is to be held in accordance with the terms of the agreement.

Given under my hand and seal of office this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the County of

\_\_\_\_\_, State of \_\_\_\_\_

My Commission Expires

\_\_\_\_\_