

## ARTICLES OF CORRECTION INSTRUCTIONS FOR FILING

Articles of correction may be used for a Texas state trust company in the same fashion as a Texas business corporation. Articles of Correction may be used to correct an instrument filed with the Banking Commissioner of Texas which is an inaccurate record of the entity action referred to in the instrument, or which contains an inaccurate or erroneous statement, or which was defectively or erroneously executed, sealed, acknowledged, or verified. If the entity chooses to make a change in its articles of association it may not use a correction. Instead the entity must file articles of amendment.

Although the Banking Commissioner has not promulgated forms for Articles of Correction, the following formats are suggested as guides. Instructions are included in the formats within brackets “[ ]” and should be removed from the completed documents.

1. ARTICLE ONE of this form asks for the name and location of the home office of the entity. That name should be the name that appears in the records of The Texas Department of Banking. If the error to be corrected is in the name of the entity, the name typed in article one should be the current name as it appears on the records of the Texas Department of Banking.

2. ARTICLE TWO asks for identification of the document to be corrected. For example, if the error was contained in articles of association, then ARTICLE TWO of this form should state "articles of association." The date on which the document was filed or approved should be listed. This date is the date stamped on the upper right-hand corner of the acknowledgment copy.

3. ARTICLE THREE should identify the error to be corrected. For example, if the articles of association misspelled the entity name, then ARTICLE THREE of this form should state that it is correcting the misspelling of the entity name which appeared in article one of the articles of association.

4. ARTICLE FOUR should include only the corrected portion of the document. For example, if the error was a misspelling of the entity name which appeared in article one of the articles of association, set forth in ARTICLE FOUR of this form a reference to the corrected article and its text as corrected.

Signing. The articles of correction must be signed by an officer or director of the state trust company. The individual signing should indicate his or her title next to the signature. Prior to signing, please read the statements on this form carefully.

False Statement. A person commits an offense under the Texas Business Corporation Act, as incorporated into the Texas Finance Code, if the person signs a document the person knows is false in any material respect with the intent that the document be delivered to the Banking Commissioner for filing. The offense is a Class A misdemeanor.

Filing. Two (2) copies of the Articles of Correction should be submitted to the Banking Commissioner of Texas for filing. One (1) document will be filed in the state trust company's record and a file stamped copy will be returned. The delivery address is: Banking Commissioner of Texas c/o Texas Department of Banking, 2601 North Lamar Boulevard, Austin, Texas 78705-4294. The telephone number is (512) 475-1300, FAX: (512) 475-1707.

**ARTICLES OF CORRECTION**

This correction is submitted pursuant to Section 182.009 of the Texas Finance Code and article 1302-7.01, Texas Miscellaneous Corporation Laws Act, to correct a document which is an inaccurate record of the entity action, contains an inaccurate or erroneous statement, or was defectively or erroneously executed, sealed, acknowledged or verified.

**ARTICLE ONE**

The name of the entity is \_\_\_\_\_  
[INSERT: *Name* of Texas state trust company]  
and the location of the home office is \_\_\_\_\_.  
[INSERT: *Name of city* in which the home office of the Texas state trust company is located]

**ARTICLE TWO**

The document to be corrected is the \_\_\_\_\_  
[INSERT: *Title* of document]  
which was filed in the Banking Commissioner of the State of Texas on the  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**ARTICLE THREE**

The inaccuracy, error, or defect to be corrected is:  
[INSERT: *Brief description* of correction.]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ARTICLE FOUR**

As corrected, the inaccurate, erroneous, or defective portion of the document reads as follows:  
[INSERT: *Exact wording* as corrected.]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Its \_\_\_\_\_  
An Authorized Corporate Officer or Director