

**Form 709—General Information
(Cancellation of Appointment of Statutory Agent)**

The attached form is drafted to meet minimal statutory filing requirements pursuant to the relevant code provisions. This form and the information provided are not substitutes for the advice and services of an attorney and tax specialist.

Commentary

This form has been promulgated to comply with the provisions of the Texas Business Organizations Code (BOC) as well as other applicable law regarding the cancellation of the appointment of a statutory agent authorized to receive service of process on behalf of a Texas financial institution under section 201.103 of the Texas Finance Code, an unincorporated nonprofit association under section 252.011 of the Texas Business Organizations Code, and a defense base development authority under section 379B.004(b) of the Texas Local Government Code.

Instructions for Form

- **Items 1–5—Entity Information:** The cancellation must state the name of the entity, the file number assigned by the secretary of state to the entity, the federal employer identification number of the entity, the type of entity, the statute under which the appointment was made, and the current address of the entity.
- **Item 6—Cancellation of Appointment:** The resignation must state the date the appointment of agent was filed with the secretary of state. This section also states that the entity is canceling the authority of the appointed agent to receive or accept service of process on behalf of the entity.
- **Execution:** The cancellation of appointment of statutory agent filed by a *Texas financial institution or defense base development authority* must be signed by an authorized officer of the financial institution or defense base development authority. The cancellation of appointment of statutory agent filed by an *unincorporated nonprofit association* must be signed by a person authorized to manage the affairs of the nonprofit association.

The cancellation need not be notarized. However, before signing, please read the statements on this form carefully. *A person commits an offense under section 4.008 of the BOC if the person signs or directs the filing of a filing instrument the person knows is materially false with the intent that the instrument be delivered to the secretary of state for filing. The offense is a Class A misdemeanor unless the person's intent is to harm or defraud another, in which case the offense is a state jail felony.*

- **Payment and Delivery Instructions:** The filing fee for a cancellation is **\$15** for a Texas financial institution and **\$5** for an unincorporated nonprofit association. There is no fee for the cancellation of an appointment by a defense base development authority. Fees may be paid by personal checks, money orders, LegalEase debit cards, or American Express, Discover, MasterCard, and Visa credit cards. Checks or money orders must be payable through a U.S. bank or financial institution and made payable to the secretary of state. Fees paid by credit card are subject to a statutorily authorized convenience fee of 2.7 percent of the total fees.

Submit the completed form in duplicate along with the filing fee. The form may be mailed to P.O. Box 13697, Austin, Texas 78711-3697; faxed to (512) 463-5709; or delivered to the James Earl Rudder Office Building, 1019 Brazos, Austin, Texas 78701. If a document is transmitted by fax, credit card information must accompany the transmission (Form 807). On filing the document, the secretary of state will return the appropriate evidence of filing to the submitter together with a file-stamped copy of the document, if a duplicate copy was provided as instructed.

Form 709
(Revised 05/11)

Submit in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512/463-5709
Filing Fee: See instructions



This space reserved for office use.

**Cancellation of Appointment
of Statutory Agent**

Entity Information

The entity named below desires to cancel the previously filed appointment of agent authorized to receive service of process.

1. The name of the entity is:

2. The file number assigned by the secretary of state to the entity is: _____

3. The federal employer identification number of the entity is: _____

The entity does not have a federal employer identification number at this time.

4. The entity is: (Choose only one.)

A. A Texas financial institution filing pursuant to section 201.103, Texas Finance Code.

B. An unincorporated nonprofit association filing pursuant to section 252.011, Texas Business Organizations Code.

C. A defense base development authority filing pursuant to section 379B.004(b), Texas Local Government Code.

5. The address of the entity is:

Address

City

State Country Zip Code

Cancellation of Appointment

6. The appointment of agent was filed with the secretary of state on: _____

The entity submits this cancellation of appointment and cancels the authority of the appointed agent to receive or accept service of process on behalf of the entity.

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: _____

Signature of authorized person

Printed or typed name of authorized person (see instructions)