

Texas



Western Surety Company

AT 11:45 FILED O'CLOCK A.

DEC 12 2024

ARTURO GUAJARDO, JR., COUNTY CLERK
HIDALGO CO., TEXAS

DEPUTY

OFFICIAL BOND AND OATH

THE STATE OF TEXAS }
County of Hidalgo Precinct 4 } ss

KNOW ALL PERSONS BY THESE PRESENTS:

BOND No. 65245042

That we, Atanacio Gaitan, Jr., as Principal, and WESTERN SURETY COMPANY, a corporation duly licensed to do business in the State of Texas, as Surety, are held and bound unto The Governor and the Governor's successors in office, his successors in office, in the sum of One Thousand Five Hundred and 00/100 DOLLARS (\$1,500.00), for the payment of which we hereby bind ourselves and our heirs, executors and administrators, jointly and severally, by these presents.

Dated this 21st day of August, 2024.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the above bounden Principal was on the 5th day of November, 2024, duly elected (Elected—Appointed) to the office of Constable in and for Hidalgo Precinct 4 County, State of Texas, for a term of four years commencing on the 1st day of January, 2025.

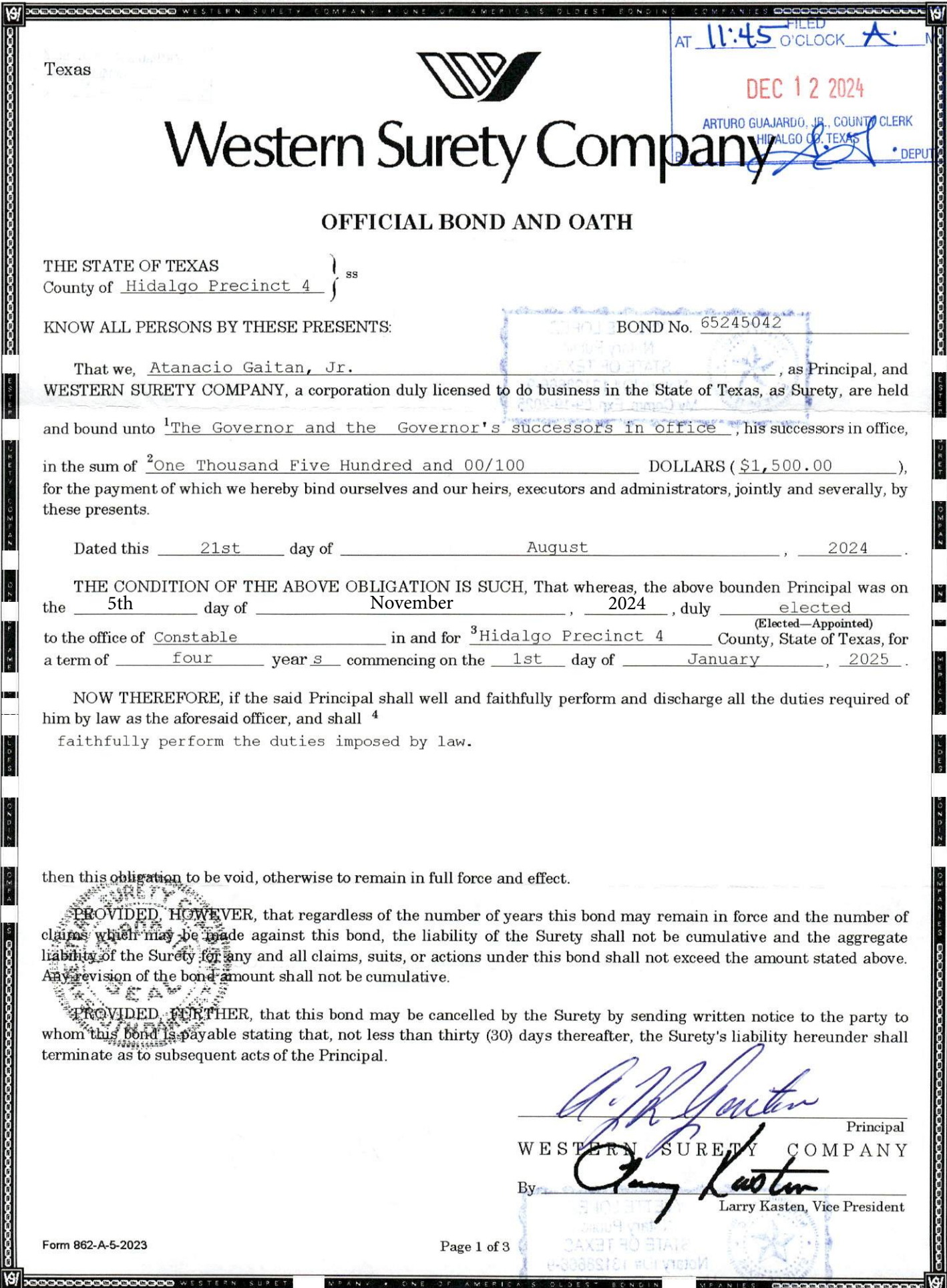
NOW THEREFORE, if the said Principal shall well and faithfully perform and discharge all the duties required of him by law as the aforesaid officer, and shall ⁴ faithfully perform the duties imposed by law.

then this obligation to be void, otherwise to remain in full force and effect.

PROVIDED, HOWEVER, that regardless of the number of years this bond may remain in force and the number of claims which may be made against this bond, the liability of the Surety shall not be cumulative and the aggregate liability of the Surety for any and all claims, suits, or actions under this bond shall not exceed the amount stated above. Any revision of the bond amount shall not be cumulative.

PROVIDED, FURTHER, that this bond may be cancelled by the Surety by sending written notice to the party to whom this bond is payable stating that, not less than thirty (30) days thereafter, the Surety's liability hereunder shall terminate as to subsequent acts of the Principal.

Atanacio Gaitan, Jr. Principal
WESTERN SURETY COMPANY
By Larry Kasten Larry Kasten, Vice President



AT 11:45 FILED O'CLOCK A.M.
DEC 12 2024
ARTURO GUAJARDO, JR. COUNTY CLERK
HIDALGO CO. TEXAS
BY [Signature] DEPUTY

ACKNOWLEDGMENT OF PRINCIPAL

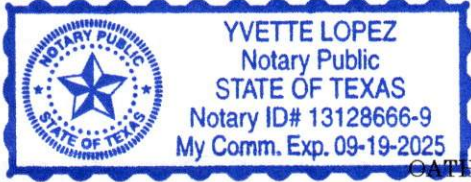
THE STATE OF TEXAS }
County of Hidalgo } ss

Before me, Yvette Lopez on this day, personally appeared Atanacio Gaitan Jr, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office at Edinburg, Texas, this 12th day of December, 2024.

Yvette Lopez
Hidalgo County, Texas

SEAL



OATH OF OFFICE
(COUNTY COMMISSIONERS and COUNTY JUDGE)

I, _____, do solemnly swear (or affirm) that I will faithfully execute the duties of the office of _____, of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm) that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected; and I furthermore solemnly swear (or affirm) that I will not be, directly or indirectly, interested in any contract with or claim against the County, except such contracts or claims as are expressly authorized by law and except such warrants as may issue to me as fees of office. So help me God.

Signed _____

Sworn to and subscribed before me at _____, Texas, this _____ day of _____.

SEAL

_____ County, Texas

OATH OF OFFICE
(General)

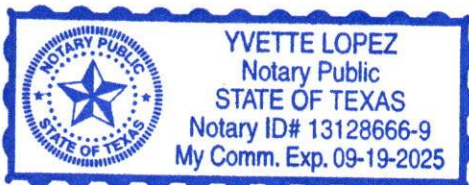
I, Atanacio Gaitan Jr, do solemnly swear (or affirm) that I will faithfully execute the duties of the office of Hidalgo County Constable Precinct 4, of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm) that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected. So help me God.

Signed Atanacio Gaitan Jr

Sworn to and subscribed before me at Edinburg, Texas, this 12th day of December, 2024.

Yvette Lopez
Hidalgo County, Texas

SEAL



AT 11:45 FILED O'CLOCK A. M
 DEC 12 2024
 ARTURO GUAJARDO, JR., COUNTY CLERK
 HIDALGO COUNTY TEXAS
 BY _____ DEPUTY

THE STATE OF TEXAS }
 County of _____ } ss

The foregoing bond of _____ as
 _____ in and for _____ County and State of Texas, this day
 approved in open Commissioner's Court.

ATTEST: Date _____, _____
 _____ Clerk _____ County Judge,
 County Court _____ County _____ County, Texas

THE STATE OF TEXAS }
 County of _____ } ss

I, _____, County Clerk, in and for said County, do hereby certify
 that the foregoing Bond dated the _____ day of _____, _____, with its certificates of
 authentication, was filed for record in my office the _____ day of _____, _____, at
 _____ o'clock ___ M., and duly recorded the _____ day of _____, _____, at
 _____ o'clock ___ M., in the Records of Official Bonds of said County in Volume _____, on page
 _____.

WITNESS my hand and the seal of the County Court of said County, at office in _____,
 Texas, the day and year last above written.

_____ Clerk
 By _____ Deputy County Court _____ County

ACKNOWLEDGMENT OF SURETY
 (Corporate Officer)

STATE OF SOUTH DAKOTA }
 County of Minnehaha } ss

Before me, a Notary Public, in and for said County and State on this 21st day of August,
2024, personally appeared Larry Kasten to me known to be the identical
 person who subscribed the name of WESTERN SURETY COMPANY, Surety, to the foregoing instrument as the
 aforesaid officer and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the
 free and voluntary act and deed of such corporation for the uses and purposes therein set forth.



S. Petrik
 Notary Public

My Commission Expires August 11, 2028

AT 11:45 FILED O'CLOCK A.M.
DEC 12 2024
ARJURO GUAJARDO, JR., COUNTY CLERK
HIDALGO CO. TEXAS
BY [Signature] DEPUTY

Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Larry Kasten of Sioux Falls,
State of South Dakota, its regularly elected Vice President,
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One Constable

bond with bond number 65245042

for Atanacio Gaitan, Jr.

as Principal in the penalty amount not to exceed: \$ 1,500.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

This Power of Attorney may be signed by digital signature and sealed by a digital or otherwise electronic-formatted corporate seal under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 27th day of April, 2022:

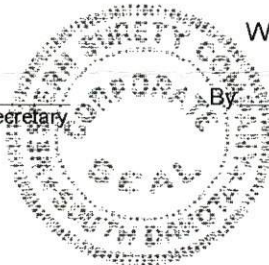
"RESOLVED: That it is in the best interest of the Company to periodically ratify and confirm any corporate documents signed by digital signatures and to ratify and confirm the use of a digital or otherwise electronic-formatted corporate seal, each to be considered the act and deed of the Company."

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Vice President with the corporate seal affixed this 21st day of August, 2024.

ATTEST

[Signature of L. Bauder]

L. Bauder, Assistant Secretary



WESTERN SURETY COMPANY

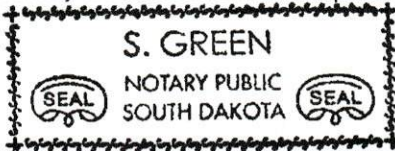
[Signature of Larry Kasten]

Larry Kasten, Vice President

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

On this 21st day of August, 2024, before me, a Notary Public, personally appeared Larry Kasten and L. Bauder

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.



My Commission Expires February 12, 2027

[Signature of S. Green]

Notary Public

To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage.



Figure: 28 TAC § 1.601(a)(2)(B)

Have a complaint or need help?

If you have a problem with a claim or your premium, call your insurance company or HMO first. If you can't work out the issue, the Texas Department of Insurance may be able to help.

Even if you file a complaint with the Texas Department of Insurance, you should also file a complaint or appeal through your insurance company or HMO. If you don't, you may lose your right to appeal.

Western Surety Company, Surety Bonding Company of America or Universal Surety of America

To get information or file a complaint with your insurance company or HMO:

Call: Customer Service at **1-605-336-0850**

Toll-free: **1-800-331-6053**

Email: uwservices@cnsurety.com

Mail: P.O. Box 5077, Sioux Falls, SD 57117-5077

The Texas Department of Insurance

To get help with an insurance question or file a complaint with the state:

Call with a question: 1-800-252-3439

File a complaint: www.tdi.texas.gov

Email: ConsumerProtection@tdi.texas.gov

Mail: Consumer Protection, MC: CO-CP, Texas Department of Insurance, P.O. Box 12030, Austin, TX 78711-2030

Tiene una queja o necesita ayuda?

Si tiene un problema con una reclamacion o con su prima de seguro, llame primero a su compania de seguros o HMO. Si no puede resolver el problema, es posible que el Departamento de Seguros de Texas (Texas Department of Insurance, por su nombre en ingles) pueda ayudar.

Aun si usted presenta una queja ante el Departamento de Seguros de Texas, tambien debe presentar una queja a traves del proceso de quejas o de apelaciones de su compania de seguros o HMO. Si no lo hace, podria perder su derecho para apelar.

Western Surety Company, Surety Bonding Company of America or Universal Surety of America

Para obtener informacion o para presentar una queja ante su compania de seguros o HMO:

Llame a: Servicio al Cliente al **1-605-336-0850**

Telefono gratuito: **1-800-331-6053**

Correo electronico: uwservices@cnsurety.com

Direccion postal: P.O. Box 5077, Sioux Falls, SD 57117-5077

El Departamento de Seguros de Texas

Para obtener ayuda con una pregunta relacionada con los seguros o para presentar una queja ante el estado:

Llame con sus preguntas al: 1-800-252-3439

Presente una queja en: www.tdi.texas.gov

Correo electronico: ConsumerProtection@tdi.texas.gov

Direccion postal: Consumer Protection, MC: CO-CP, Texas Department of Insurance, P.O. Box 12030, Austin, TX 78711-2030



PO Box 957289
St Louis, MO 63195-7289

Principal Information:
ATANACIO GAITAN, JR.
1100 SAN JACINTO
AUSTIN, TX 78701

Transaction Report & Invoice

ID: 018643657

Agency Code: 42-01330

MARBURGER-HOLT INS AGENCY
P O BOX 1198
EDINBURG TX 78540-1198

AUG 26 2024

YOU CAN PAY ONLINE BY VISITING ONLINEPAY.CNASURETY.COM

Transaction Description: RENEWAL

Transaction Effective Date: 01/01/2025

Bond/Policy #: 65245042

FILE LOCATION: SIOUX FALLS

Written By: WESTERN SURETY COMPANY
Description: CONSTABLE

PHONE: 800-331-6053

Obligee: OBLIGEE ADDRESS UNKNOWN

PREMIUM	\$177.50	30.000%
Gross Premium Charge:	\$177.50	
Commission Amount:	\$53.25	
Net Amount Due:	\$124.25	

Effective Date: 01-01-2025
Expiration Date: 01-01-2029
Current Penalty: \$1,500.00
Renewal Method:

Change Detail:

Agent: You may remove stub below to use as a billing/ credit invoice

CNA Surety

INVOICE

CO #	BOND/POLICY#	EFFECTIVE DATE	ANNIVERSARY DATE	PROCESS DATE	PENALTY
0601	65245042	01-01-25	01-01-29	08-21-24	\$1,500.00
PRINCIPAL	ATANACIO GAITAN, JR. 1100 SAN JACINTO AUSTIN, TX 78701				SF
RISK STATE	TX	WRITTEN BY	WESTERN SURETY COMPANY		
DESCRIPTION	CONSTABLE				
OBLIGEE	STATE OF TEXAS				
AGENCY CODE	AMOUNT DUE	\$177.50			
42-01330					

Your agent is:

MARBURGER-HOLT INS AGENCY
P O BOX 1198
EDINBURG TX 78540-1198

0003001 04201330000001012025 00601006524504200 00000001242504

Vernon's Texas Statutes and Codes Annotated
Local Government Code (Refs & Annos)
Title 3. Organization of County Government
Subtitle B. Commissioners Court and County Officers
Chapter 86. Constable
Subchapter A. General Provisions

V.T.C.A., Local Government Code § 86.002

§ 86.002. Oath; Bond

Effective: September 1, 2005

Currentness

(a) Before entering on the duties of office, a person who is elected to the office of constable must execute a bond with two or more good and sufficient sureties or with a solvent surety company authorized to do business in this state. The bond must be payable to the governor and the governor's successors in office and conditioned that the constable will faithfully perform the duties imposed by law. The bond must be approved by the commissioners court of the county. The commissioners court shall set the bond in an amount of not less than \$500 or more than \$1,500.

(b) A person who is elected constable must also take and sign the constitutional oath of office. The oath shall be endorsed on the bond, together with the certificate of the officer who administers the oath. The bond and oath must be deposited and recorded in the office of the clerk of the county court.

(c) The bond is not void on the first recovery but may be sued on from time to time in the name of an injured party until the whole amount of the bond is recovered.

(d) A person who is elected or appointed to the office of constable and who has given the necessary bond and taken the oath of office may immediately perform the duties of the office. The acts of the constable are as valid in law as if the constable were commissioned.

(e) Repealed by Acts 1995, 74th Leg., ch. 683, § 1.

Credits

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987. Amended by Acts 1995, 74th Leg., ch. 683, § 1, eff. Aug. 28, 1995; Acts 2005, 79th Leg., ch. 1094, § 18, eff. Sept. 1, 2005.

V. T. C. A., Local Government Code § 86.002, TX LOCAL GOVT § 86.002

Current through the end of the 2023 Regular, Second, Third and Fourth Called Sessions of the 88th Legislature, and the Nov. 7, 2023 general election.

End of Document

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Vernon's Texas Statutes and Codes Annotated
Constitution of the State of Texas 1876 (Refs & Annos)
Article XVI. General Provisions

Vernon's Ann. Texas Const. Art. 16, § 1

§ 1. Official Oath

Effective: November 26, 2001

Currentness

Sec. 1. (a) All elected and appointed officers, before they enter upon the duties of their offices, shall take the following Oath or Affirmation:

“I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.”

(b) All elected or appointed officers, before taking the Oath or Affirmation of office prescribed by this section and entering upon the duties of office, shall subscribe to the following statement:

“I, _____, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.”

(c) Members of the Legislature, the Secretary of State, and all other elected and appointed state officers shall file the signed statement required by Subsection (b) of this section with the Secretary of State before taking the Oath or Affirmation of office prescribed by Subsection (a) of this section. All other officers shall retain the signed statement required by Subsection (b) of this section with the official records of the office.

Credits

Amended Nov. 8, 1938; Nov. 6, 1956; Nov. 7, 1989; Nov. 6, 2001, eff. Nov. 26, 2001.

Editors' Notes

INTERPRETIVE COMMENTARY

2018 Main Volume

This section provides that members of the legislature and all state officials before taking office must subscribe to an oath of office exacting their support of the state and federal constitutions. It also provides that these officials must further swear that in their election they abstained from bribery of voters either directly or indirectly by offering or promising money or any valuable consideration for votes.

The oath of office first appeared in the [Constitution of 1845 \(Art. 7, § 1\)](#), and contained a statement that the official had never participated in a duel. Dueling had been considered in need of some legislative curbing which it was thought that the oath supplied. While dueling was generally accepted, it was felt that holders of public office should be above dueling for the practice of challenging to a duel tended to interfere with candor of speech in legislative gatherings. In all succeeding constitutions, including the present constitution, this declaration on dueling appeared. The impossibility for a duelist to hold office in the state did much to render the “code of honor” an extinct custom, and this portion of the oath of office became outworn and useless and was thus abandoned in 1938 when the present oath of office was adopted.

The clause requiring a denial of bribery first appeared in the present constitution and was the direct outcome of the official corruption which had reached alarming proportions during the reconstruction period. It has been seriously questioned whether such a provision in an oath of office is of much effect, for it has been pointed out that men who bribe will have little hesitancy about falsification.

There was a time when oaths embarrassed falsehood. They may still be of some use in courts, when the judge can caution witnesses, and the perils of perjury can be emphasized. But taken upon entering office, oaths now accomplish little else than to lend dignity to the entrance upon public service and to honorable men bring home the seriousness of their responsibilities.

Notes of Decisions (66)

Vernon's Ann. Texas Const. Art. 16, § 1, TX CONST Art. 16, § 1

Current through the end of the 2021 Regular and Called Sessions of the 87th Legislature.

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