

EXHIBIT K

R-03-160



RESOLUTION

PROVIDING, PURSUANT TO RSA 38:6, FOR DETERMINATION OF THE PLANT AND PROPERTY NECESSARY FOR MUNICIPAL WATER UTILITY SERVICE AND AUTHORIZING THE MAYOR TO GIVE REQUIRED WRITTEN NOTICE TO THE UTILITY

CITY OF NASHUA

In the Year Two Thousand and Three

RESOLVED by the Board of Aldermen of the City of Nashua that

WHEREAS, pursuant to RSA 38:3, on January 14, 2003 the voters of the City of Nashua confirmed by majority vote the vote of the Board of Aldermen to establish a water works system; and

WHEREAS, pursuant to RSA 38:6, within thirty (30) days of the confirming vote, the Board of Aldermen must:

- (i) provide written notice of the confirming vote to any utility engaged in distributing water for sale in Nashua;
- (ii) determine what portion of the utility's plant and property is necessary for municipal water service; and
- (iii) provide written inquiry to the utility as to whether the utility elects to sell the plant and property identified as necessary for municipal water service.

NOW THEREFORE BE IT RESOLVED by the Board of Aldermen of the City of Nashua as follows:

- (1) Pursuant to RSA 38:6, the Board of Aldermen hereby determines that:
 - (a) All of the plant and property of Pennichuck Water Works, Inc. located within and without Nashua is hereby determined to be necessary for municipal water utility service and in the public interest for the City to acquire;
 - (b) All of the plant and property of Pennichuck East Utility, Inc. is hereby determined to be necessary for municipal water utility service and in the public interest for the City to acquire; and
 - (c) All the plant and property of Patsfield Aqueduct Company, Inc. is hereby determined to be necessary for municipal water utility service and in the public interest for the City to acquire.
- (2) Pursuant to RSA 38:6, the Mayor is authorized to provide the written notice called for by RSA 38:6 including the determination made under this resolution.

RESOLUTION R-03-160

Providing, pursuant to RSA 38:6, for determination of the plant and property necessary for municipal water utility service and authorizing the Mayor to give required written notice to the utility

IN THE BOARD OF ALDERMEN

1ST READING JANUARY 28, 2003

Referred to: _____

2nd Reading JANUARY 28, 2003

3rd Reading _____

4th Reading _____

Other Action _____

Passed JANUARY 28, 2003

Indefinitely Postponed _____

Defeated _____

Attest: [Signature] City Clerk

[Signature] President

Approved 2/3/03 (Date)

[Signature] Mayor's Signature

Endorsed by

- [Signature] Mayor
- [Signature] Recorder
- [Signature] Engineer
- [Signature] Fire Chief
- [Signature] Treasurer
- [Signature] Police Chief
- [Signature] Health Officer
- [Signature] Director
- [Signature] Planning
- [Signature] Council
- [Signature] Boardman
- [Signature] Clerk
- [Signature] Comptroller

Vetoed: _____

Veto Sustained: _____

Veto Overridden: _____

Attest: _____ City Clerk

_____ President

LEGISLATIVE YEAR 2003

RESOLUTION: R-2003-160

PURPOSE: Providing, pursuant to RSA 38:6, for determination of the plant and property necessary for municipal water utility service and authorizing the mayor to give required written notice to the utility

SPONSOR(S): Mayor Bernard A. Streeter
David Rootovich, President, Board of Aldermen
Alderman-at-Large Frederick Britton
Alderman Brian S. McCarthy, Ward 5
Alderman-at-Large James R. Tollner
Alderman-at-Large David W. Deane
Alderman-at-Large Paula Johnson
Alderman Timothy Nickerson, Ward 2
Alderman Robert A. Dion, Ward 6
Alderman Marc W. Plamondon, Ward 4
Alderman Lori Cardin, Ward 7

**COMMITTEE
ASSIGNMENT:**

ANALYSIS

Pursuant to RSA 38:6, within 30 days of the January 14, 2003 confirming vote to acquire the water supply system, the Board of Aldermen must determine what plant and property is necessary and in the public interest to acquire and give written notice of this determination as well as the confirming vote.

This resolution provides for determination of the plant and property necessary for municipal water utility service and authorizes the Mayor to give required written notice to the utility.

Approved as to form: Office of Corporation Counsel

By:

David Hall

Date:

1-24-03