PUTNAM PUBLIC SERVICE DISTRICT

Acquisition of Town of Poca Sewer System

TRANSCRIPT

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847280.00024

2013-3

AN ORDINANCE AUTHORIZING THE SALE OF THE PUBLIC SEWERAGE SYSTEM OF THE TOWN OF POCA, WEST VIRGINIA, TO PUTNAM PUBLIC SERVICE DISTRICT; APPROVING THE TERMS OF SAID SALE; AND CALLING FOR A SPECIAL ELECTION TO BE HELD IN THE TOWN ON FEBRUARY 2, 2014, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE TOWN THE QUESTION OF WHETHER THE PUBLIC SEWERAGE SYSTEM OF THE TOWN SHALL BE SOLD TO THE DISTRICT; AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION WITH THE TRANSACTION, AND SETTING FORTH OTHER MATTERS RELATED THERETO.

WHEREAS, The Town of Poca, West Virginia, (the "Town") is a municipal corporation created pursuant to the provisions of Chapter 8, Article 2 of the West Virginia Code, 1931, as amended (the "Code"), and currently provides sewer service to approximately 672 customers within the corporate limits of the Town and its environs in Putnam County, West Virginia, pursuant to Chapter 16, Article 13 of the Code, and a certificate of convenience and necessity issued by the Public Service Commission of West Virginia (the "Public Service Commission"); and

WHEREAS, the Town has had difficulty operating and maintaining its public sewerage treatment and collection facilities ("System") at reasonable usage rates; and

WHEREAS, Putnam Public Service District (the "District") is engaged generally in the business of operating wastewater systems as a public utility in Putnam County, pursuant to Certificates of Public Convenience and Necessity issued to the District from time to time by the Public Service Commission; and

WHEREAS, the District has adequate experience in the operation of wastewater systems to operate and maintain the System; and

WHEREAS, the District is particularly well situated to serve the Town's customers; and

WHEREAS, the District is willing to acquire and operate the System; and

WHEREAS, the Town has received no other proposals from other municipalities or public utilities to undertake the operation and maintenance of the System; and

WHEREAS, the Town has determined that it is in the best interests of the Town to sell the System to the District on the terms, conditions and limitations set forth in a proposed Agreement of Purchase (the "Purchase Agreement") by and between the Town and the District, a copy of which was submitted to Town Council at this meeting; and

WHEREAS, pursuant to Chapter 8, Article 12, Section 17 of the Code, the Town is required to submit to the qualified voters of the Town at a regular or special municipal election, the question of whether the System shall be sold to the District; and

WHEREAS, the Town hereby finds and determines it is necessary and desirable and in the best interests of the Town to enter into the Purchase Agreement to sell the System to the District and to hold an election submitting to the qualified voters of the Town the question of whether the System shall be sold to the District.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE TOWN COUNCIL OF THE

TOWN OF POCA, WEST VIRGINIA, AS FOLLOWS:

Section 1. The Town Council finds and determines that it will promote the health, safety and welfare of the customers of the Town and is therefore in the best interests of the Town to enter into the Purchase Agreement and to sell the System to the District under the following terms and conditions:

(a) For a cash consideration in the amount of $1.00 payable at Closing and for other good and valuable consideration hereinafter described, the District shall purchase from the Town, and the Town shall sell and convey to the District, the System, as described in Addendum No. 1 hereto, including all extensions, additions, betterments or improvements made to the System prior to the date of Closing as contemplated in the Purchase Agreement, together with all real estate and rights of way more particularly defined and described in the Purchase Agreement incorporated herein by reference, and all easements and other interests in real estate, including all improvements thereon and all appurtenances thereunto belonging, and all permits, rights, franchises, certificates of convenience and necessity and all other tangible and intangible assets or property owned or held by the Town which are necessary or incidental to the operation of the System.

(b) In addition to the cash consideration, the District shall assume all current outstanding liabilities of the Town related to the System.

Section 2. From and after the date of Closing, the customers will be charged the District's rates and charges on file with the Public Service Commission.

(a) The Town will, after satisfaction of all routine customary expenses of the Town through the date of Closing, return all deposits due to customers of the System.

Section 3. The Purchase Agreement must be approved by the Public Service Commission prior to the date of Closing. A copy of the executed Purchase Agreement shall be maintained by the Recorder of the Town and will be available for inspection by any of the residents of the Town during regular business hours (8:00 a.m. to 4:00 p.m.) at the Town Offices, Poca, West Virginia.

Section 4. The Council of the Town has found and determined that it is in the best interest of the Town that the System be sold to the District pursuant to the terms set forth in Section 1 of this Ordinance, and hereby approves the Purchase Agreement and authorizes the sale of the System to the District under the terms and conditions set forth in this Ordinance and in the Purchase Agreement, subject to the approval of such sale by the qualified voters of the Town at the special election to be held in the Town on February 2, 2014.

Section 5. Accordingly, it is hereby ordered that a special municipal election be held in the Town on the 2nd day of February, 2014, for the purpose of submitting to the qualified voters of the Town the question of whether the System shall be sold to the District under the terms set forth in this Ordinance and in the Purchase Agreement.

Section 6. The election called for in Section 5 hereof shall be conducted and held in all respects in

compliance with the provisions of Chapter 3 of the Code, so far as the same are applicable and not inconsistent with Chapter 8, Article 12, Section 17 of the Code, and the provisions of Chapter 8, Article 5 of the Code.

Section 7. The form of ballot for the municipal election shall be as set forth on Addendum No. 2 to this Ordinance.

Section 8. If a majority of the legal votes cast at such election upon such question are in favor of the proposed sale of the System to the District, the Town, by and through its Mayor, shall have full power and authority to proceed to effect such sale in accordance with the terms and conditions prescribed in this Ordinance and in the Agreement and shall have power to do any and all things necessary or incident thereto: Provided, That if at any time after such election and before the date of Closing, any person should present to the Council an offer to buy the System at a price which exceeds by at least five percent the sale price which was voted upon and approved by the voters of the Town, upon terms which the Town Council, in its discretion, shall consider more advantageous to the Town than the terms of the sale to the District which was authorized by the voters, the Town Council shall have the power to accept such subsequent offer, and to make such sale to the person making the offer, without resubmitting the question to a vote; but, if the sale of the System to the District is authorized by vote as aforesaid, and such subsequent proposition is for a lease of the System, the Council shall have no power to accept the same without submitting the question thereof to a vote of the people as provided in Chapter 8, Article 12, Section 17 of the Code. Before any such second or subsequent proposition may be submitted to a vote, the person making such proposition must furnish bond, with security to be approved by the Council, in a penalty of not less than twenty-five percent of such proposed bid, conditioned to carry such proposition into execution, if the same shall be approved at the election to be called thereon.

Section 9. Notice of the special municipal election shall be given by publishing a copy of this Ordinance as a Class II-0 legal advertisement pursuant to the provisions of West Virginia Code §59-3-1, et seq. and the publication area for such publication shall be the Town of Poca.

Section 10. The Mayor is hereby authorized and directed to execute and deliver the Purchase Agreement, in the form submitted to the Council at this meeting, with such additions, deletions and modifications as the Mayor in his discretion shall require prior to execution. The Mayor's signature on the Purchase Agreement shall signify the Town Council's approval of any additions, deletions or modifications made thereto that are not inconsistent with the terms of this Ordinance. The Mayor is further authorized and directed to execute and deliver any other agreements, filings, receipts, approvals or other documents required to consummate the transaction approved in this Ordinance, including but not limited to all documents required to be filed with the Public Service Commission in order to secure its consent to and approval of the transaction described in this Ordinance.

Section 11. This Ordinance shall take effect immediately upon enactment.

First Reading: Oct. 14th 2013

Second Reading
and Public Hearing: Nov 5th 2013

TOWN OF POCA, WEST VIRGINIA

James H Caruthers

[SEAL] Honorable James H. Caruthers, Mayor

Carroll Whitefield
Recorder

Addendum No. 1 to Ordinance 2013-3

GENERAL DESCRIPTION OF SYSTEM

Except as otherwise provided below, the System consists of all of the sewer collection and treatment facilities owned by Town, including all real property, rights-of-way, easements, and all other interests in said real property, together with all improvements thereon and appurtenances thereunto belonging and all lines and mains of every kind and description, lift stations, valves, meters, services and connections used or useful in serving the approximately 672 customers of the Town served by the System, as well as any and all other assets of Town (more fully described in Exhibit 2) that are necessary or incidental to the operation of the System or are otherwise used or useful for providing sewer service to the Town's customers.

Addendum No. 2 to Ordinance 2013-3

OFFICIAL BALLOT

Shall the Town of Poca, West Virginia sell its public sewerage treatment and collection facilities (the "System") to Putnam Public Service District for a cash consideration of $1.00 and in further consideration of the assumption of all current outstanding liabilities of the Town related to the System by the District , all as more fully set forth in the Ordinance enacted by the Town on the _____ day of _____, 2013.

☐ YES

☐ NO

NOTICE TO VOTERS: To vote **FOR** the sale of the Town's public sewerage treatment and collection facilities (the "System") to Putnam Public Service District, place an 'X' in the box after the word "Yes".

To vote **AGAINST** the sale of the Town's public sewerage treatment and collection facilities (the "System") to Putnam Public Service District, place an 'X' in the box after the word "No".

Board of Canvassers' Certificate of Votes Cast For Candidates at Special Municipal Election

Office of County Commission, February 3rd, 2014

Town of Poca, Putnam County County, West Virginia

To Recorder, Carroll Westfall
Secretary of State, Clerk, or Chairman

The Board of Canvassers of the County of Town of Poca, Putnam County, State of West Virginia, having carefully and impartially examined the returns of the Election held in said county,

in each district thereof, on the 1st day of February, 2014,

do hereby certify that in said County for the office of Sell of public sewerage treatment and collection facilities

YES	Received	Eighty one	(81) Votes
NO	Received	Nine	(9) Votes
	Received		( ) Votes
	Received		( ) Votes
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Given under our hands this 3rd day of February, 2014

William Jones

Peronica Dale Parkins

Board of Canvassers.

CANVASSING BOARD'S
CERTIFICATE OF VOTES CAST
AT THE Special Municipal ELECTION

For the office of

Sell of public sewerage treatment
and collection facilities

Held in Town of Poca, Putnam County

on the 3rd day of February, 20 14

Filed _____, 20 __

_____ Clerk

1969 PG

THE PUTNAM STANDARD
A CITIZEN NEWSPAPER

AFFIDAVIT OF PUBLICATION Cost of Publication 130.01

State of West Virginia, County of Putnam, to wit:

I, Chris Stadelman, being first sworn upon my oath, do depose and say that I am Publisher of the newspaper entitled THE PUTNAM STANDARD, a Democrat newspaper; that I have been duly authorized to execute all affidavits of publication; that such newspaper has been published for more than one year prior to publication of the annexed notice described below; that such newspaper is regularly published weekly on Thursday, for at least fifty weeks during the calendar year, in WINFIELD, PUTNAM County West Virginia; that such newspaper is a newspaper of "general circulation," as that term is defined in article three, chapter fifty-nine of the Code of West Virginia, 1931, as amended, within the publication area or areas of the aforesaid municipality and county; that such newspaper averages in length four or more pages, exclusive of any cover, per issue; that such newspaper is circulated to the general public at a definite price or consideration; that such newspaper is a newspaper to which the general public resorts for passing events of a political, religious, commercial and social nature, and for current happenings, announcements, miscellaneous reading matters, that the annexed notice of

Notice of Special Election

Was duly published in said newspaper once a week for 2 (successive) week(s), commencing with the issue of the 16 day of Jan 20 14, and ending with issue of the 23 day of Jan 20 14 (and was posted, if required, at the _____ on the _____ day of _____, 20 _____).

/s/ Chris Stadelman
Chris Stadelman, Publisher
THE PUTNAM STANDARD

Taken, subscribed and sworn to before me in my said county this 23 day of Jan, 20 14.

My commission expires March 8 2015

Trudy Black

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
TRUDY BLACK
324 SUMMERS ADDITION
MILTON, WV 25541
My commission expires March 8, 2015

P.O. Box 179, Winfield, WV, 25213

TOWN OF POCA
NOTICE OF SPECIAL ELECTION

The Town of Poca hereby gives notice of a Special Election to be held on February 1, 2014, at Poca Town Hall, Main Street, Poca, West Virginia, during the hours of 6:30 a.m. to 7:30 p.m.

Early voting will be held on the following days:

Saturday, January 18, 2014	From 9:00 a.m. until 5:00 p.m.
Monday through Friday January 20 - January 24, 2014	From 8:00 a.m. until 4:00 p.m.
Saturday, January 25, 2014	From 9:00 a.m. until 5:00 p.m.
Monday, January 27, 2014	From 8:00 a.m. until 4:00 p.m.
Tuesday, January 28, 2014	From 8:00 a.m. until 4:00 p.m.
Wednesday, January 29, 2014	From 8:00 a.m. until 4:00 p.m.

The purpose of said election is to determine if the Town of Poca should sell its public sewerage treatment and collection facilities ("the System") to Putnam Public Service District for a cash consideration of $1.00 and in further consideration of the assumption of all current outstanding liabilities of the Town related to the System by Putnam Public Service District.

A sample Official Ballot is published simultaneously herewith.

THE PUTNAM STANDARD

A CITIZEN NEWSPAPER

AFFIDAVIT OF PUBLICATION Cost of Publication 177.91

State of West Virginia, County of Putnam, to wit:

I, Chris Stadelman, being first sworn upon my oath, do depose and say that I am Publisher of the newspaper entitled THE PUTNAM STANDARD, a Democrat newspaper; that I have been duly authorized to execute all affidavits of publication; that such newspaper has been published for more than one year prior to publication of the annexed notice described below; that such newspaper is regularly published weekly on Thursday, for at least fifty weeks during the calendar year, in WINFIELD, PUTNAM County West Virginia; that such newspaper is a newspaper of "general circulation," as that term is defined in article three, chapter fifty-nine of the Code of West Virginia, 1931, as amended, within the publication area or areas of the aforesaid municipality and county; that such newspaper averages in length four or more pages, exclusive of any cover, per issue; that such newspaper is circulated to the general public at a definite price or consideration; that such newspaper is a newspaper to which the general public resorts for passing events of a political, religious, commercial and social nature, and for current happenings, announcements, miscellaneous reading matters, that the annexed notice of

Ballot

Was duly published in said newspaper once a week for 2 (successive) week(s), commencing with the issue of the 16 day of Jan, 20 14, and ending with issue of the 23 day of Jan 20 14, (and was posted, if required, at the _____ on the _____ day of _____, 20 _____).

/s/ Chris Stadelman
Chris Stadelman, Publisher
THE PUTNAM STANDARD

Taken, subscribed and sworn to before me in my said county this 23 day of Jan, 20 14.

My commission expires March 8 2015

Trudy Black

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
TRUDY BLACK
324 SUMMERS ADDITION
MILTON, WV 25541
My commission expires March 8, 2015

P.O. Box 179, Winfield, WV, 25213

OFFICIAL BALLOT
SPECIAL ELECTION
Town of Poca, West Virginia
February 1, 2014

Shall the Town of Poca, West Virginia sell its public sewerage treatment and collection facilities (the "System") to Putnam Public Service District for a cash consideration of $1.00 and in further consideration of the assumption of all current outstanding liabilities of the Town related to the System by the District, all as more fully set forth in the Ordinance enacted by the Town on the 5th day of November, 2013.

☐ YES

☐ NO

NOTICE TO VOTERS:

To vote FOR the sale of the Town's public sewerage treatment and collection Facilities (the "System") to Putnam Public Service District, place an "X" in the box before the word "YES".

To vote AGAINST the sale of the Town's public sewerage treatment and collection Facilities (the "System") to Putnam Public Service District, place an "X" in the box before the word "NO".

SAMPLE BALLOT

MAYOR
James Caruthers

RECORDER
Carroll Westfall

COUNCIL
Veronica Parkins
Brian Hutchison
Jolita Raine
Lawrence Echols
William Jones

Town of Poca

100 Main Street
Box 586
Poca, West Virginia 25159
304-755-5482

"Friendliness Our Motto, Progress Our Goal"

Town Clerk
Jolita Raine

Municipal Judge Herb Richardson
Court Clerk Kathy S. Fisher

POLICE DEPARTMENT
William O Seanze
CHIEF

SANITARY BOARD
James Caruthers
Donna Massey
C B Hackett
Ed Withrow

55-0479345
FEIN ID #

From: The Town of Poca
To: All Citizens of Poca and all Sewer System Customers

Reference: **The Sale of the Town Sewer Treatment and Collection Facilities to Putnam Public Service District**

The Town has scheduled a Special Election for Saturday, February 1st, 2014 from 6:30 am to 7:30 pm.

Early voting will begin on Saturday, January 18th, 2014 at 9 am until 5 pm, continuing Monday 20th through Friday 24th, 8 am until 4 pm. Saturday, January 25th voting will be from 9 am until 5 pm and continue on Monday, January 27th and Tuesday, January 28th, 8 am until 4pm. The last early voting day will be Wednesday, January 29th, 2014, 8 am to 4 pm.

The Polling Location will be the Poca Town Hall Council Chambers, 100 Main Street, Poca (Next to the Fire Station).

Eligible voters on this Election to allow the sale of the Sewer System are those **registered voters who are registered in the Town of Poca Corporate Limits, also known as Precinct 16 as defined by the Putnam County Clerks Records.**

SAMPLE BALLOT

OFFICIAL BALLOT
SPECIAL ELECTION
Town of Poca, West Virginia
February 1, 2014

Shall the Town of Poca, West Virginia sell its public sewerage treatment and collection facilities (the "System") to Putnam Public Service District for a cash consideration of $1.00 and in further consideration of the assumption of all current outstanding liabilities of the Town related to the System by the District, all as more fully set forth in the Ordinance enacted by the Town on the 5th day of November, 2013.

☐ YES
☐ NO

NOTICE TO VOTERS:

To vote FOR the sale of the Town's public sewerage treatment and collection Facilities (the "System") to Putnam Public Service District, place an "X" in the box before the word "YES".

To vote AGAINST the sale of the Town's public sewerage treatment and collection Facilities (the "System") to Putnam Public Service District, place an "X" in the box before the word "NO".

SAMPLE BALLOT

Jim Caruthers
Mayor

Putnam Public Service District

Post Office Box 860 • Scott Depot, West Virginia 25560-0860
Phone: (304) 757-6551 • Fax: (304) 757-6558
PutnamPSD.com
Facebook.com/PutnamPSD
twitter: @PutnamPSD

- **Personnel:** Rather than just having three or four people upon whom to rely, working with Putnam PSD would give Poca access to approximately 50 skilled professionals who possess specialized knowledge in numerous aspects of running a wastewater collection and treatment system. Treating wastewater, approving a tap, public relations, or assisting a customer with their bill: we've got an expert on each of these (and many other) tasks.
- **Equipment:** Putnam PSD's larger budget means that Poca's sanitary sewer system would have access to top-flight equipment such as trucks, tools, and heavy equipment for repairs, inspection, and system upgrades.
- **Technology:** Putnam PSD has some of the latest technology in the industry. Our billing system features online bill payment and autopayment options that add convenience for our customers, along with paperless "e-billing" that allows customers the option to receive their bill via email instead of via the post office. We have GPS and GIS equipment and software that would allow for building and maintaining a cutting-edge mapping database of the Poca system. Our sewer camera robot would make system lines simple to inspect from within.
- **Experience:** We are great at managing a wastewater system. By letting Putnam PSD take care of Poca's sewerage needs, the leaders of Poca could focus on the countless other aspects of running a city with the peace of mind that wastewater collection and treatment are under control. We also assist the Town of Eleanor and the Town of Buffalo with management and operation of their sewer systems.
- **Legacy costs:** Many municipalities are currently being hamstrung by costs relating to the pension and healthcare of retired workers. With PPSD employees managing the system, these costs would no longer be a burden on Poca's long-term budget.

ESTABLISHED 1900

COOKIE ALLEN
PUBLISHER

PHONE 304-562-9881

THE HURRICANE BREEZE

THE WEEKLY NEWSPAPER FOR ALL OF PUTNAM COUNTY
488 HURRICANE CREEK ROAD
P.O. BOX 310
HURRICANE, WEST VIRGINIA 25526

LEGAL ADVERTISEMENT

PUBLIC NOTICE OF PROPOSED ORDINANCE

Notice is hereby given, that the TOWN OF POCA will hold a public hearing before the second reading and final vote on a proposed ordinance authorizing the sale of its sewerage system to Putnam Public Service District. The proposed ordinance is titled:

AN ORDINANCE AUTHORIZING THE SALE OF THE PUBLIC SEWERAGE SYSTEM OF THE TOWN OF POCA, WEST VIRGINIA, TO PUTNAM PUBLIC SERVICE DISTRICT; APPROVING THE TERMS OF SAID SALE; AND CALLING FOR A SPECIAL ELECTION TO BE HELD IN THE TOWN ON FEBRUARY 1, 2014, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE TOWN THE QUESTION OF WHETHER THE PUBLIC SEWERAGE SYSTEM OF THE TOWN SHALL BE SOLD TO THE DISTRICT; AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION WITH THE TRANSACTION, AND SETTING FORTH OTHER MATTERS RELATED THERETO.

The public hearing on the proposed ordinance shall be held at Poca Town Hall, Main Street, Poca, West Virginia, on November 5, 2013, at 7:00 p.m. Following said public hearing, a second reading of the Ordinance will occur and a final vote on adoption of said proposed ordinance shall be held.

Copies of the proposed ordinance are available for public inspection at the offices of the Town of Poca, Main Street, Poca, West Virginia.

TOWN OF POCA

10-24-2t

CERTIFICATE OF PUBLICATION

STATE OF WEST VIRGINIA,
COUNTY OF PUTNAM, To wit:

This day personally appeared before me, a Notary Public of said County of Putnam,.....Ron.Allen.....of The Hurricane Breeze, and after being duly sworn deposes and says that the attached legal publication was published in The Hurricane Breeze for.....Two..(2)... consecutive issues, in its issues dated .... October 24 & 31, 2013..

Ron Allen
.....
The Hurricane Breeze

Subscribed and sworn to before me this...1st.....day of.....November....., 2013...

Mary Huff
.....
Notary Public

Official Seal
Notary Public, State of West Virginia
Mary Huff
131 Dawn Heights
Scott Depot WV 25560
My Commission Expires October 10, 2022

pd 11-7-13

THE PUTNAM STANDARD
A CITIZEN NEWSPAPER

AFFIDAVIT OF PUBLICATION Cost of Publication 71.86 pd 11-7-13

Virginia, County of Putnam, to wit:

man, being first sworn upon my oath, do depose and say that I of the newspaper entitled THE PUTNAM STANDARD, a Demo- per; that I have been duly authorized to execute all affidavits of hat such newspaper has been published for more than one year cation of the annexed notice described below; that such news- arly published weekly on Tuesday, for at least fifty weeks during ear, in WINFIELD, PUTNAM County West Virginia; that such a newspaper of "general circulation," as that term is defined in article three, chapter fifty-nine of the Code of West Virginia, 1931, as amended, within the publication area or areas of the aforesaid municipality and county; that such newspaper averages in length four or more pages, exclusive of any cover, per issue; that such newspaper is circulated to the general public at a definite price or consideration; that such newspaper is a newspaper to which the general public resorts for passing events of a political, religious, commercial and social nature, and for current happenings, announcements, miscellaneous reading matters, that the annexed notice of

Town of Poca Public Hearing

Was duly published in said newspaper once a week for 2 (successive) week(s), commencing with the issue of the 29 day of Oct, 20 13, and ending with issue of the 5 day of Nov, 20 13, (and was posted, if required, at the _____ on the _____ day of _____, 20 _____)

/s/ Chris Stadelman
Chris Stadelman, Publisher
THE PUTNAM STANDARD

Taken, subscribed and sworn to before me in my said county this 5 day of Nov, 20 13.

My commission expires March 8 2015

Trudy Black

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
TRUDY BLACK
324 SUMMERS ADDITION
MILTON, WV 25541
My commission expires March 8, 2015

P.O. Box 186, Culloden, WV, 25510

PUBLIC NOTICE OF PROPOSED ORDINANCE

Notice is hereby given, that the TOWN OF POCA will hold a public hearing before the second reading and final vote on a proposed ordinance authorizing the sale of its sewerage system to Putnam Public Service District. The proposed ordinance is titled:

AN ORDINANCE AUTHORIZING THE SALE OF THE PUBLIC SEWERAGE SYSTEM OF THE TOWN OF POCA, WEST VIRGINIA, TO PUTNAM PUBLIC SERVICE DISTRICT; APPROVING THE TERMS OF SAID SALE; AND CALLING FOR A SPECIAL ELECTION TO BE HELD IN THE TOWN ON FEBRUARY 1, 2014, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE TOWN THE QUESTION OF WHETHER THE PUBLIC SEWERAGE SYSTEM OF THE TOWN SHALL BE SOLD TO THE DISTRICT; AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION WITH THE TRANSACTION, AND SETTING FORTH OTHER MATTERS RELATED THERETO.

The public hearing on the proposed ordinance shall be held at Poca Town Hall, Main Street, Poca, West Virginia, on November 5, 2013, at 7:00 p.m. Following said public hearing, a second reading of the Ordinance will occur and a final vote on adoption of said proposed ordinance shall be held.

Copies of the proposed ordinance are available for public inspection at the offices of the Town of Poca, Main Street, Poca West Virginia.
TOWN OF POCA

2t 10-29, 11-5 ps

PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON

At a session of the PUBLIC SERVICE COMMISSION OF WEST VIRGINIA in the City of Charleston on the 22nd day of April 2016.

CASE NO. 14-0293-S-PSD-PC

TOWN OF POCA AND PUTNAM PUBLIC SERVICE DISTRICT, public utilities,
Petition for consent and approval of the sale of the Town's sewer utility assets to the District.

COMMISSION ORDER

By Recommended Decision that became a final Order of the Commission on June 10, 2014, the Commission granted a petition filed on February 20, 2014, by the Town of Poca (Poca) and the Putnam Public Service District (District) that requested approval for the District to acquire Poca's sewer facilities. The Order also approved a revised purchase agreement filed by the parties on May 14, 2014 (Purchase Agreement), without approving the specific terms and conditions of the agreement.

On February 25, 2016, Poca and the District filed a joint petition requesting that the Commission reopen this matter for the limited purpose of entry of an Order acknowledging that due to the passage of legislative changes during the 2015 Legislative Session, the Commission no longer has jurisdiction to approve the rates of the District and the Applicants have satisfied all other closing requirements of the Purchase Agreement approved by the Commission in its Order final on June 10, 2014 in this matter.

The joint petition stated that prior to issuance of the Order that was final on June 10, 2014, the parties revised the Purchase Agreement to read:

> VIII. CLOSING. The closing of the transaction contemplated by this Agreement ("Closing") shall take place within sixty (60) days after the latest of (i) the issuance by the Public Service Commission of a final, nonappealable Order, acceptable to District, approving this Agreement and the proposed sale of the System to District on the terms set forth herein; (ii) the receipt by Town of either all required waivers or consents to the sale and transfer of the System to District; (iii) the favorable vote of the citizens in a general or special election under the provisions of W. Va. Code §8-12-17; or, (iv) **approval of the Public Service Commission for a unified rate**

for the current Town customers and the District's customers; (emphasis added)

Poca and the District also stated that during the 2015 Legislative Session, the Legislature enacted Senate Bill 234 (SB 234) which amended W. Va. Code §24-2-4a and removed Commission ratemaking jurisdiction over the rates of "water and/or sewer utilities that are political subdivisions of the state providing separate or combined services and having at least four thousand five hundred customers and annual gross revenue of $3 million or more from its separate or combined services." Senate Bill 234 further amended W. Va. Code §16-13A-9(a)(2) to provide that public service districts with "at least four thousand five hundred customers and annual gross revenue of $3 million or more from its separate or combined services" are now required to obtain the approval of County Commissions for rate changes.

The joint petition further stated that the District has more than four thousand five hundred sewer customers and annual gross revenues in excess of $3 million from its sewer operations. Accordingly, the District is no longer subject to Commission rate making jurisdiction. With the passage of SB 234 the parties cannot satisfy the fourth requirement of paragraph VIII of the Purchase Agreement. The joint petition stated that by obtaining the Putnam County Commission approval for unified rates by vote on February 23, 2016, following notice and hearings, the parties to the Purchase Agreement substantially complied with the terms of the Purchase Agreement.

On March 31, 2016, Commission Staff filed a memorandum recommending that the Commission reopen this proceeding and determine that the parties have satisfied the provision of paragraph VIII of the Purchase Agreement through the action of the Putnam County Commission taken on February 23, 2016.

On April 1, 2016, Poca and the District filed a letter stating agreement with the March 31, 2016 Staff memorandum. The joint petitioners requested an expedited Order to allow the parties to proceed to closing.

DISCUSSION

The filings reflect that the parties have substantially complied with the term of the Purchase Agreement and have satisfied the conditions precedent to closing in accordance with current law after the passage of SB 234 during the 2015 Legislative Session. It is appropriate, therefore, to grant the relief requested in the joint petition to reopen.

FINDINGS OF FACT

1. By Order final on June 10, 2014, the Commission approved the acquisition of the Poca sewer facilities by the District and approved a Purchase Agreement without approving the specific terms and conditions.

2. The Purchase Agreement stated that one of the alternative conditions precedent to closing was approval of the Public Service Commission of a unified rate for the Poca and District customers.

3. During the 2015 Legislative Session, the Legislature enacted SB 234.

4. The District has more than four thousand five hundred sewer customers and annual gross revenues in excess of $3 million from its sewer operations.

CONCLUSIONS OF LAW

1. Due to the passage of legislative changes during the 2015 Legislative Session, the Commission no longer has jurisdiction to approve the rates of the District.

2. The District and Poca satisfied all the closing requirements listed in the Purchase Agreement except the alternative condition that the Commission approve a unified rate for Poca and District customers. The District and Poca have substantially complied with the Purchase Agreement.

ORDER

IT IS THEREFORE ORDERED that this proceeding is reopened for purposes of issuing this Order.

IT IS FURTHER ORDERED that through the action of the Putnam County Commission taken on February 23, 2016, the joint petitioners have satisfied the provision of paragraph VIII(iv) of the Purchase Agreement.

IT IS FURTHER ORDERED that on entry hereof this matter is closed and removed from the Commission open docket.

IT IS FURTHER ORDERED that the Executive Secretary of the Commission serve a copy of this Order by electronic service on all parties of record who have filed an e-service agreement, by United States First Class Mail on all parties of record who have not filed an e-service agreement, and on Staff by hand delivery.

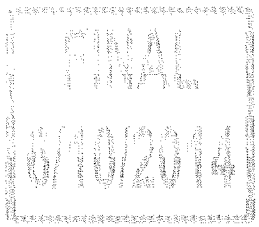
A True Copy, Teste,

Ingrid Ferrell

Ingrid Ferrell
Executive Secretary

JML
140293ca

PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON



Entered: May 21, 2014

CASE NO. 14-0293-S-PSD-PC

TOWN OF POCA AND PUTNAM PUBLIC
SERVICE DISTRICT, public utilities,
Petition for consent and approval of
the sale of the Town's sewer utility
assets to the District.

RECOMMENDED DECISION

This Order approves the joint petition of the Town of Poca (Poca) and the Putnam Public Service District (PSD) of a sale and transfer agreement, whereby the PSD will acquire Poca's sewer utility assets.

On February 20, 2014, Poca and the PSD jointly petitioned the Commission to approve the sale and transfer of sewer assets of Poca to the PSD and the associated agreement. The petition indicated that Poca serves approximately 672 sewer customers but faces challenges operating and maintaining its sewer system at reasonable rates. The petition indicated that the PSD provides sewer service throughout Putnam County, including portions that were reasonably close to Poca. Both Poca and the PSD have approved entering into an agreement where the PSD would acquire Poca's sewer assets. Poca held a municipal election on February 1, 2014, where the registered voters of Poca overwhelmingly approved the sale. The PSD will pay Poca $1.00 for the sewer assets. The Poca customers will be customers of the PSD upon the date of the closing. The PSD will continue to charge the Poca customers the existing Poca rates. It is anticipated that the rates will be unified in a later Commission proceeding. The current Poca rate for a 4,000 gallon-user is $47.29, and the equivalent PSD rate is $39.64. The PSD has an ongoing project which, upon it substantial completion, will result in PSD rates of $44.80. The parties attached to the petition the proposed agreement for the purchase of the sewer assets.

By Commission Order of April 8, 2014, the matter was referred requiring a decision on or before September 8, 2014.

On April 9, 2014, the parties were ordered to publish notice of the proposed acquisition. The notice provided an opportunity for protests.

On April 22, 2014, an affidavit of publication was filed, indicating proper notice was made. No protests have been filed pursuant to the notice.

On May 14, 2014, the parties filed a revised version of the purchase agreement. The revisions made the agreement conform to the ordinance which Poca had passed. Both Poca and the PSD were in agreement with the revisions made to the agreement.

On May 20, 2014, Staff recommended that the PSD be permitted to acquire the sewer assets of Poca. Staff recommended that the proposed revised agreement be approved without approving specific terms and conditions. It further recommended that the Poca and the PSD obtain bondholder approval prior to consummating the transfer, if that bondholder approval is required under any existing bond covenants.

FINDINGS OF FACT

1. On February 20, 2014, Poca and the PSD jointly petitioned the Commission to approve the sale and transfer of sewer assets of Poca to the PSD and the associated agreement. (See filing).

2. Poca serves approximately 672 sewer customers but faces challenges operating and maintaining its sewer system at reasonable rates. (Id.).

3. The PSD provides sewer service throughout Putnam County, including portions that are reasonably close to Poca. (Id.).

4. Both Poca and the PSD have approved entering into an agreement whereby the PSD would acquire Poca's sewer assets for one dollar. (Id.).

5. Poca held a municipal election on February 1, 2014, where the registered voters of Poca overwhelmingly approved the sale. (Id.).

6. The Poca customers will be customers of the PSD upon the date of the closing. (Id.).

7. The PSD will continue to charge the Poca customers the existing Poca rates. It is anticipated that the rates will be unified in a later Commission proceeding. (Id.).

8. The parties published a required notice of this filing which provided an opportunity for protests. No protests were filed. (See Procedural Order of April 9, 2014; Affidavit of publication filed April 22, 2014; and file generally).

9. On May 14, 2014, the parties filed a revived proposed purchase agreement with minor changes from the original agreement. Both parties have approved the changes which made the document conform to a Poca municipal ordinance. (See filing).

10. On May 20, 2014, Staff recommended approving the acquisition of the Poca sewer assets and customers by the PSD including approving the purchase contract. Staff did recommend that consummation of the transaction be contingent on any necessary bondholder approval. (See Staff filing).

CONCLUSIONS OF LAW

1. The agreement is in the public interest, meets the requirements of W.Va. Code §24-2-12 and should be approved.

2. The PSD should be permitted to acquire the sewer facilities of Poca, subject to any necessary bondholder approval.

ORDER

IT IS, THEREFORE, ORDERED that the petition filed on February 20, 2014, by the Town of Poca and the Putnam Public Service District for Commission approval for the PSD to acquire Poca's sewer facilities be, and hereby is, granted. The revised purchase agreement filed by the parties on May 14, 2014, be, and hereby is, approved, without approving the specific terms and conditions of the agreement. The parties shall obtain any necessary bondholder approval required by any relevant bond covenants prior to consummating the transfer of the sewer facilities.

IT IS FURTHER ORDERED that the matter be removed from the open docket.

IT IS FURTHER ORDERED that the Executive Secretary is ordered to serve a copy of this order upon the Commission by hand delivery, and by electronic service upon all parties of record who have filed an e-service agreement with the Commission and by United States Certified Mail, return receipt requested, upon all parties of record who have not filed an e-service agreement.

Leave is hereby granted to the parties to file written exceptions supported by a brief with the Executive Secretary of the Commission within fifteen (15) days of the date this order is mailed. If exceptions are filed, the parties filing exceptions shall certify to the Executive Secretary that all parties of record have been served the exceptions.

If no exceptions are so filed this order shall become the order of the Commission, without further action or order, five (5) days following the expiration of the fifteen (15) day time period, unless it is ordered stayed by the Commission.

Any party may request waiver of the right to file exceptions to an Administrative Law Judge's order by filing an appropriate petition in writing with the Secretary. No such waiver will be effective until approved by order of the Commission.

K. A. George

Keith A. George
Chief Administrative Law Judge

KAG:bam
140293aa.docx

PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON

At a session of the PUBLIC SERVICE COMMISSION OF WEST VIRGINIA in the City of Charleston on the 22nd day of April 2016.

CASE NO. 14-0293-S-PSD-PC

TOWN OF POCA AND PUTNAM PUBLIC SERVICE DISTRICT, public utilities,
Petition for consent and approval of the sale of the Town's sewer utility assets to the District.

COMMISSION ORDER

By Recommended Decision that became a final Order of the Commission on June 10, 2014, the Commission granted a petition filed on February 20, 2014, by the Town of Poca (Poca) and the Putnam Public Service District (District) that requested approval for the District to acquire Poca's sewer facilities. The Order also approved a revised purchase agreement filed by the parties on May 14, 2014 (Purchase Agreement), without approving the specific terms and conditions of the agreement.

On February 25, 2016, Poca and the District filed a joint petition requesting that the Commission reopen this matter for the limited purpose of entry of an Order acknowledging that due to the passage of legislative changes during the 2015 Legislative Session, the Commission no longer has jurisdiction to approve the rates of the District and the Applicants have satisfied all other closing requirements of the Purchase Agreement approved by the Commission in its Order final on June 10, 2014 in this matter.

The joint petition stated that prior to issuance of the Order that was final on June 10, 2014, the parties revised the Purchase Agreement to read:

> VIII. CLOSING. The closing of the transaction contemplated by this Agreement ("Closing") shall take place within sixty (60) days after the latest of (i) the issuance by the Public Service Commission of a final, nonappealable Order, acceptable to District, approving this Agreement and the proposed sale of the System to District on the terms set forth herein; (ii) the receipt by Town of either all required waivers or consents to the sale and transfer of the System to District; (iii) the favorable vote of the citizens in a general or special election under the provisions of W. Va. Code §8-12-17; or, (iv) **approval of the Public Service Commission for a unified rate**

for the current Town customers and the District's customers; (emphasis added)

Poca and the District also stated that during the 2015 Legislative Session, the Legislature enacted Senate Bill 234 (SB 234) which amended W. Va. Code §24-2-4a and removed Commission ratemaking jurisdiction over the rates of "water and/or sewer utilities that are political subdivisions of the state providing separate or combined services and having at least four thousand five hundred customers and annual gross revenue of $3 million or more from its separate or combined services." Senate Bill 234 further amended W. Va. Code §16-13A-9(a)(2) to provide that public service districts with "at least four thousand five hundred customers and annual gross revenue of $3 million or more from its separate or combined services" are now required to obtain the approval of County Commissions for rate changes.

The joint petition further stated that the District has more than four thousand five hundred sewer customers and annual gross revenues in excess of $3 million from its sewer operations. Accordingly, the District is no longer subject to Commission rate making jurisdiction. With the passage of SB 234 the parties cannot satisfy the fourth requirement of paragraph VIII of the Purchase Agreement. The joint petition stated that by obtaining the Putnam County Commission approval for unified rates by vote on February 23, 2016, following notice and hearings, the parties to the Purchase Agreement substantially complied with the terms of the Purchase Agreement.

On March 31, 2016, Commission Staff filed a memorandum recommending that the Commission reopen this proceeding and determine that the parties have satisfied the provision of paragraph VIII of the Purchase Agreement through the action of the Putnam County Commission taken on February 23, 2016.

On April 1, 2016, Poca and the District filed a letter stating agreement with the March 31, 2016 Staff memorandum. The joint petitioners requested an expedited Order to allow the parties to proceed to closing.

DISCUSSION

The filings reflect that the parties have substantially complied with the term of the Purchase Agreement and have satisfied the conditions precedent to closing in accordance with current law after the passage of SB 234 during the 2015 Legislative Session. It is appropriate, therefore, to grant the relief requested in the joint petition to reopen.

FINDINGS OF FACT

1. By Order final on June 10, 2014, the Commission approved the acquisition of the Poca sewer facilities by the District and approved a Purchase Agreement without approving the specific terms and conditions.

2. The Purchase Agreement stated that one of the alternative conditions precedent to closing was approval of the Public Service Commission of a unified rate for the Poca and District customers.

3. During the 2015 Legislative Session, the Legislature enacted SB 234.

4. The District has more than four thousand five hundred sewer customers and annual gross revenues in excess of $3 million from its sewer operations.

CONCLUSIONS OF LAW

1. Due to the passage of legislative changes during the 2015 Legislative Session, the Commission no longer has jurisdiction to approve the rates of the District.

2. The District and Poca satisfied all the closing requirements listed in the Purchase Agreement except the alternative condition that the Commission approve a unified rate for Poca and District customers. The District and Poca have substantially complied with the Purchase Agreement.

ORDER

IT IS THEREFORE ORDERED that this proceeding is reopened for purposes of issuing this Order.

IT IS FURTHER ORDERED that through the action of the Putnam County Commission taken on February 23, 2016, the joint petitioners have satisfied the provision of paragraph VIII(iv) of the Purchase Agreement.

IT IS FURTHER ORDERED that on entry hereof this matter is closed and removed from the Commission open docket.

IT IS FURTHER ORDERED that the Executive Secretary of the Commission serve a copy of this Order by electronic service on all parties of record who have filed an e-service agreement, by United States First Class Mail on all parties of record who have not filed an e-service agreement, and on Staff by hand delivery.

A True Copy, Teste,

Ingrid Ferrell

Ingrid Ferrell
Executive Secretary

JML
140293ca

TOWN OF POCA

A RESOLUTION RATIFYING THE MERGER OF THE TOWN OF POCA'S SEWERAGE SYSTEM INTO PUTNAM PUBLIC SERVICE DISTRICT

WHEREAS, the Town of Poca ("Poca") is a municipal corporation authorized pursuant to the provisions of Chapter 16, Article 13 of the West Virginia Code of 1931, as amended (the "Code") to operate a sewerage system within its service territory in Putnam County, West Virginia;

WHEREAS, Putnam Public Service District ("Putnam") is a public service district and public corporation created and expanded by Resolutions of the Putnam County Commission and formed pursuant to the provisions of Chapter 16, Article 13A of the Code to operate a sewerage system within its service territory in Putnam County, West Virginia;

WHEREAS, on November 5, 2013, the Poca enacted an ordinance approving the sale of Poca's sewerage system to Putnam and on February 1, 2014 a special election was held for Poca's registered voters approving the sale of Poca's sewer system to Putnam.

WHEREAS, the Public Service Commission of West Virginia, in Case No. 14-0293-S-PSD-PC, approved and ordered the expansion of the service territory of Putnam, the merger of Poca's sewerage system into Putnam; and

WHEREAS, Poca deems it desirous to adopt a Resolution ratifying the merger of its sewerage system into Putnam, and to confirm that all lawful actions required to consummate the merger have been completed.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF POCA:

1. That the merger of Poca's sewerage system into Putnam, as approved by the Public Service Commission of West Virginia in Case No. 14-0293-S-PSD-PC, by Recommended Decision entered May 21, 2014, which became a Final Order on June 10, 2014, is hereby ratified, confirmed, and, in all respects deemed completed, contingent upon written approval from all bondholders of both Poca and Putnam.

2. In consideration of the merger, Putnam shall assume and re-designate the following bonds of Poca:

(i) Sewer Revenue Bonds, Series 1987 A (West Virginia Water Development Authority), dated March 12, 1987, issued in the original

aggregate principal amount of $878,743 (the "Series 1987 A Bonds");

(ii) Sewer Revenue Bonds, Series 1987 B (West Virginia Water Development Authority), dated March 12, 1987, issued in the original aggregate principal amount of $215,535 (the "Series 1987 B Bonds");

(iii) Sewer Revenue Bonds, Series 1990 A (West Virginia Water Development Authority), dated February 23, 1990, issued in the original aggregate principal amount of $214,969 (the "Series 1990 A Bonds");

(iv) Sewer Revenue Bonds, Series 1990 B (West Virginia Water Development Authority), dated February 23, 1990, issued in the original aggregate principal amount of $10,031 (the "Series 1990 B Bonds"); and

(v) Sewer Revenue Bonds, Series 2012 A (United States Department of Agriculture), dated July 23, 2012, issued in the original aggregate principal amount of $525,600 (the "Series 2012 A Bonds").

3. The Mayor and Recorder are hereby authorized and directed to execute and deliver a Deed, Bill of Sale, Assignment of Rights of Way, Assignment of Judgments and any other such other documents, agreements, instruments and certificates required or desirable in connection with the merger.

4. The Deed dated January 30, 2015 (filed in Book 539, Pages 743-748) between Poca and Putnam is hereby approved and ratified.

5. That all lawful actions required to consummate the merger of Poca's sewerage system into Putnam have been completed, and are hereby ratified and confirmed.

[Remainder of Page Intentionally Blank]

6. This Resolution shall be effective immediately following adoption.

Adopted this 23rd day of May, 2016.

TOWN OF POCA

By: William Jones
Its: Mayor

CERTIFICATION

Certified a true copy of a Resolution duly adopted by the Council of the TOWN OF POCA on the 23rd day of May, 2016.

Dated: June 30, 2016

[SEAL]

Carroll Westfall
Recorder

847280.00024

PUTNAM PUBLIC SERVICE DISTRICT

A RESOLUTION APPROVING THE ACQUISITION OF THE TOWN OF POCA'S SEWERAGE SYSTEM BY PUTNAM PUBLIC SERVICE DISTRICT; APPROVAL OF THE AGREEMENT OF PURCHASE; AND THE APPROVAL OF THE ASSUMPTION OF THE TOWN OF POCA'S SEWER REVENUE BONDS

WHEREAS, the Town of Poca (the "Town") is a municipality corporation authorized pursuant to the provisions of Chapter 16, Article 13 of the West Virginia Code of 1931, as amended (the "Code") to operate a sewerage system within its service territory in Putnam County, West Virginia;

WHEREAS, the Town provides sewer service to approximately 685 customers;

WHEREAS, the Town's sewer utility facilities consist of sewerage treatment and collection facilities and associated sewer mains, pumps, laterals, valves, man holes, connections, and certain other facilities necessary, appropriate, useful, convenient or incidental to the sewer system, together with all lands, easements, rights of way, permits, rights, certificates of convenience and necessity, and certain other tangible and intangible assets owned or held by the Town, including all subsequent additions or extensions to such facilities (hereinafter the "Town Sewer System").

WHEREAS, the Town faces challenges operating and maintaining the Town Sewer System at reasonable usage rates.

WHEREAS, on February 1, 2014, a Special Election was held for the Town's registered voters to determine if the Town should sell its sewer system to the District. The election resulted in a majority of the voters, (81 for and 9 against), approving the sale.

WHEREAS, Putnam Public Service District (the "District") is a public service district and public corporation created and expanded by Resolutions of the Putnam County Commission and formed pursuant to the provisions of Chapter 16, Article 13A of the Code to operate a sewerage system within its service territory in Putnam County, West Virginia;

WHEREAS, the District has the following outstanding debt:

(1) Sewer Revenue Bond, Series 1979 (United States Department of Agriculture), dated September 12, 1980, issued in the original aggregate principal amount of $2,200,000 (the "Series 1979 Bonds");

(2) Sewer Revenue Bond, Series 2002 B (West Virginia SRF Program), dated March 7, 2002, issued in the original aggregate principal amount of $1,422,000 (the "Series 2002 B Bonds");

(3) Sewer Revenue Bonds, Series 2006 A (United States Department of Agriculture), dated May 12, 2006, issued in the original aggregate principal amount of $4,946,000 (the "Series 2006 A Bonds");

(4) Sewer Revenue Bonds, Series 2006 B (United States Department of Agriculture), dated May 12, 2006, issued in the original aggregate principal amount of $2,104,000 (the "Series 2006 B Bonds");

(5) Sewer Revenue Bond, Series 2007 A (West Virginia Infrastructure Fund), dated March 19, 2007, issued in the original aggregate principal amount of $2,330,000 (the "Series 2007 A Bonds");

(6) Sewer Revenue Bond, Series 2008 A (West Virginia SRF Program), dated January 28, 2008, issued in the original aggregate principal amount of $3,680,000 (the "Series 2008 A Bonds");

(7) Sewer Revenue Bond, Series 2008 B (West Virginia Infrastructure Fund), dated June 6, 2008, issued in the original aggregate principal amount of $509,000 (the "Series 2008 B Bonds");

(8) Sewer Revenue Bonds, Series 2009 A (United States Department of Agriculture), dated June 26, 2009, issued in the original aggregate principal amount of $4,520,000 (the "Series 2009 A Bonds");

(9) Sewer Revenue Bonds, Series 2009 B (West Virginia SRF Program/ARRA), dated October 29, 2009, issued in the original aggregate principal amount of $1,050,000 (the "Series 2009 B Bonds");

(10) Sewer Revenue Bonds, Series 2009 C (West Virginia SRF Program), dated October 29, 2009, issued in the original aggregate principal amount of $1,050,500 (the "Series 2009 C Bonds"),

(11) Sewer Revenue Bonds, Series 2013 B (United States Department of Agriculture), dated June 27, 2013, issued concurrently herewith in the original aggregate principal amount of $6,000,000 (the "Series 2013 B Bonds");

(12) Sewer Revenue Bonds, Series 2013 C (United States Department of Agriculture), dated June 27, 2013, issued concurrently herewith in the original aggregate principal amount of $6,930,000 (the "Series 2013 C Bonds");

(13) Sewer Revenue Bonds, Series 2013 D (United States Department of Agriculture), dated June 27, 2013, issued concurrently herewith in the

original aggregate principal amount of $564,800 (the "Series 2013 D Bonds");

(14) Sewer Revenue Bonds, Series 2013 E (United States Department of Agriculture), dated June 27, 2013, issued concurrently herewith in the original aggregate principal amount of $1,241,000 (the "Series 2013 E Bonds");

(15) Sewer Revenue Bonds, Series 2013 F (United States Department of Agriculture), dated June 27, 2013, issued concurrently herewith in the original aggregate principal amount of $1,500,000 (the "Series 2013 F Bonds"); and

(16) Sewer Refunding Revenue Bonds, Series 2013 A (Tax-Exempt). Dated July 11, 2013, issued in the original aggregate principal amount of $7,700,000 (the "Series 2013 A Bonds").

WHEREAS, the Town has the following outstanding debt

(1) Town of Poca Sewer Revenue Bonds, Series 1987 A (West Virginia Sewer Development Authority), dated March 12, 1987, issued in the original aggregate principal amount of $878,743 (the "Series 1987 A Bonds");

(2) Town of Poca Sewer Revenue Bonds, Series 1987 B (West Virginia Water Development Authority), dated March 12, 1987, issued in the original aggregate principal amount of $215,535 (the "Series 1987 B Bonds");

(3) Town of Poca Sewer Revenue Bonds, Series 1990 A (West Virginia Water Development Authority), dated February 23, 1990, issued in the original aggregate principal amount of $214,969 (the "Series 1990 A Bonds");

(4) Town of Poca Sewer Revenue Bonds, Series 1990 B (West Virginia Water Development Authority), dated February 23, 1990, issued in the original aggregate principal amount of $10,031 (the "Series 1990 B Bonds"); and

(5) Town of Poca Sewer Revenue Bonds, Series 2012 A (United States Department of Agriculture), dated July 23, 2012, issued in the original aggregate principal amount of $525,600 (the "Series 2012 A Bonds").

WHEREAS, the Town and the District have approved the form of Agreement of Purchase on November 5, 2013 and February 18, 2014 respectively;

WHEREAS, the Agreement generally provides for (i) conveyance and transfer to the District of the Town Sewer System, which the District shall own and operate following such conveyance and transfer; (ii) the District to make a payment of $1.00 to the Town at Closing and shall assume all

current outstanding liabilities of the Town related to the Town Sewer System; (iii) the District, from and after the date of closing, shall own and operate the Town Sewer System and all customers currently served by the Town shall be customers of the District; (iv) from and after date of closing, the customers currently served by the Town will continue to be charged the Town's then-applicable rates and charges on file with the Public Service Commission of West Virginia until final rates have been established in a rate unification proceeding; (v) the Town will bill customers based upon a final meter reading for its customers taken at or near the Closing Date and, after satisfaction of its operation and maintenance expenses incurred through the Closing Date, make payment of all customer deposits to the Town's customers in accordance with Rule 4.2 of the *Rules for the Government of Sewer Utilities.* Any remaining monies received from the Town's final billings, in addition to all accounts receivable from prior billings, shall be used for payment of any other liabilities of the Town Sewer System; (vi) the Town shall, at Closing, transfer to the District undistributed security deposits and the District shall thereafter be responsible for the return of the deposits in accordance with Rule 4.2 of the *Rules for the Government of Sewer Utilities.* The District shall be further responsible for the obligation to make refunds under routine extension agreements between the Town and the Town's customers for as long as, and to the same extent as, the Town would have been obligated if it continued to own the sewer system. The District agrees to assume the Town's liability under bonds issued by the Town.

WHEREAS, the Agreement of Purchase has been approved by the Public Service Commission of West Virginia (the "PSC") in Case No. 14-0293-S-PSD-PC;

WHEREAS, the District deems it desirous to adopt a Resolution ratifying the acquisition of the Town Sewer System, the approval of the Agreement of Purchase and the assumption of the Town's sewer revenue bonds and to confirm that all lawful actions required to consummate the acquisition have been completed.

NOW, THEREFORE, BE IT RESOLVED BY PUTNAM PUBLIC SERVICE DISTRICT:

1. That the acquisition of the Town Sewer System into the District, as approved by the PSC in Case No. 14-0293-S-PSD-PC by Recommended Decision entered May 21, 2014, which became a Final Order on June 10, 2014, is hereby ratified, confirmed, and, in all respects deemed completed, contingent upon both parties receiving any required approvals from bondholders of the Town and the District.

2. In consideration of the acquisition, the District shall assume and re-designate the following bonds of the Town:

> (i) Town of Poca Sewer Revenue Bonds, Series 1987 A (West Virginia Water Development Authority), dated March 12, 1987, issued in the original aggregate principal amount of $878,743 assumed and re-designated as Putnam Public Service District Sewer Revenue Bonds, Series 1987 A (West Virginia Water Development Authority), dated March 12, 1987, issued in the original aggregate principal amount of $878,743 (the "Series 1987 A Bonds");

(ii) Town of Poca Sewer Revenue Bonds, Series 1987 B (West Virginia Water Development Authority), dated March 12, 1987, issued in the original aggregate principal amount of $215,535 assumed and re-designated as Putnam Public Service District Sewer Revenue Bonds, Series 1987 B (West Virginia Water Development Authority), dated March 12, 1987, issued in the original aggregate principal amount of $215,535 (the "Series 1987 B Bonds");

(iii) Town of Poca Sewer Revenue Bonds, Series 1990 A (West Virginia Water Development Authority), dated February 23, 1990, issued in the original aggregate principal amount of $214,969 assumed and re-designated as Putnam Public Service District Sewer Revenue Bonds, Series 1990 A (West Virginia Water Development Authority), dated February 23, 1990, issued in the original aggregate principal amount of $214,969 (the "Series 1990 A Bonds");

(iv) Town of Poca Sewer Revenue Bonds, Series 1990 B (West Virginia Water Development Authority), dated February 23, 1990, issued in the original aggregate principal amount of $10,031 assumed and re-designated as Putnam Public Service District Sewer Revenue Bonds, Series 1990 B (West Virginia Water Development Authority), dated February 23, 1990, issued in the original aggregate principal amount of $10,031 (the "Series 1990 B Bonds"); and

(v) Town of Poca Sewer Revenue Bonds, Series 2012 A (United States Department of Agriculture), dated July 23, 2012, issued in the original aggregate principal amount of $525,600 assumed and re-designated as Putnam Public Service District Sewer Revenue Bonds, Series 2012 A (United States Department of Agriculture), dated July 23, 2012, issued in the original aggregate principal amount of $525,600 (the "Series 2012 A Bonds").

3. The Chairman and Secretary are hereby authorized and directed to execute all documents necessary and appropriate to facilitate the acquisition of the Town Sewer System.

4. That all lawful actions required to consummate the acquisition of the Town Sewer System by the District have been completed and are hereby ratified and confirmed.

5. This Resolution shall be effective immediately following adoption.

Adopted this 26th day of May, 2016.

PUTNAM PUBLIC SERVICE DISTRICT

By: _____
Its: Chairman

CERTIFICATION

Certified a true copy of a Resolution duly adopted by the Public Service Board of PUTNAM PUBLIC SERVICE DISTRICT on the 26th day of May, 2016.

Dated: June 30, 2016

[SEAL]

Secretary

847280.00024

PUTNAM PUBLIC SERVICE DISTRICT

RESOLUTION

WHEREAS, the Board of the Putnam Public Service District, at its February 18, 2014 Board Meeting approved the District's entry into the Purchase Agreement with the Town of Poca setting forth the terms of the transfer of the Town of Poca's sewerage system to the District conditioned upon obtaining the necessary approval of the Public Service Commission of West Virginia; and,

WHEREAS, the Public Service Commission of West Virginia, by Recommended Decision entered May 21, 2014 in Case No. 14-0293-S-PSD-PC, final as of June 10, 2014, approved the Putnam Public Service District's acquisition of the Town of Poca's sewerage facilities contingent upon the parties obtaining any necessary bondholder approval prior to consummating the transfer of the sewerage facilities; and,

WHEREAS, the bondholders of the Town of Poca and the Putnam Public Service District have approved the transfer/acquisition of the Town's sewerage system.

NOW, THEREFORE, BE IT RESOLVED by the Board of Putnam Public Service District that it accepts the sewerage system assets of the Town of Poca and authorizes the Chairman of the District to execute all documents necessary and required to consummate the transfer from the Town of Poca to the District.

Adopted at a meeting of the Board held on the 14th day of ~~December,~~ January 2016.

Paul D. Callahan
CHAIRMAN

MEMBER

Stanley W. Booth
MEMBER

SECRETARY

AGREEMENT OF PURCHASE

THIS AGREEMENT ("Agreement"), made and entered into this 30th day of June, 2016, by and between THE TOWN OF POCA, a municipal corporation, situate in Putnam County, West Virginia, organized and existing pursuant to the provisions of West Virginia Code § 8-2-1, et seq. ("Town"), and PUTNAM PUBLIC SERVICE DISTRICT, a West Virginia Public Service District with its principal office and place of business at Scott Depot, Putnam County, West Virginia, organized and existing pursuant to the provisions of West Virginia Code § 16-13A-1, et seq. ("District"),

W I T N E S S E T H:

WHEREAS, Town is a municipal corporation, pursuant to the provisions of W. Va. Code § 8-2-1, et seq., and currently provides sewer service to approximately 672 customers within the service territory of Town and its environs pursuant to a certificate of convenience and necessity issued by the Public Service Commission of West Virginia ("Public Service Commission"); and

WHEREAS, Town has had challenges operating and maintaining its public sewerage treatment and collection facilities ("System") at reasonable usage rates; and

WHEREAS, District is a public service district, pursuant to the provisions of W. Va. Code § 16-13A-1, et seq., currently operating as a public utility in Putnam County providing sewer service, pursuant to Certificates of Public Convenience and Necessity issued to the District from time to time by the Public Service Commission; and

WHEREAS, the District has adequate experience in the operation of wastewater systems to operate and maintain the System; and

WHEREAS, the District is particularly well situated to serve the Town's customers; and

WHEREAS, District is willing to acquire and Town is willing to transfer the System to District on the terms, conditions, and limitations set forth in this Agreement.

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants as contained herein, the parties agree as follows:

I. PURCHASE AGREEMENT. District hereby agrees to purchase from Town and Town hereby agrees to sell to District, for the price and upon the terms and conditions hereinafter set forth, the System, including all plant and facilities, mains, pumps, extensions, laterals, valves, connections, services, and all other equipment of Town used or useful in the rendition of sewer service to the Town's customers, including all extensions of the System made after the date hereof and prior to the Closing, together with all lands, easements, rights of way, permits, rights, certificates of convenience and necessity, and certain other tangible and intangible assets owned or held by Town, such property including those assets specifically described in the following exhibits attached to and incorporated herein by reference:

Exhibit 1 -- General Description of Facilities

Exhibit 2 -- Tangible and Intangible Personal Property Associated with System

Exhibit 3 -- Real Property, Including Leaseholds, Rights of Way and Other Easements, Associated with System

II. CONSIDERATION FOR SALE OF SYSTEM. As consideration for the conveyance of the System to District, District and Town agree as follows:

A. Cash Consideration. At Closing, District will pay to Town the sum of $1.00.

B. Assumption of Liabilities. In addition to the cash consideration to be paid at Closing, District agrees that, it will also assume all current outstanding liabilities of the Town related to the System as listed on Exhibit 4.

III. COOPERATION OF PARTIES. Town and District agree to cooperate fully with one another and with third parties to ensure that all required filings are made, notices given, consents granted or obtained and in taking all such actions as may be necessary to timely seek and obtain any approvals required for District's purchase of the System under this Agreement.

IV. OPERATION OF THE SYSTEM; RATES.

A. Operation of the System. From and after the date of Closing, District shall own and operate the System acquired from Town as a part of District's general sewer system and all customers currently served by Town shall be customers of District.

B. Rates to be Charged. From and after the date of Closing, the customers currently served by Town will be charged the District's rates and charges on file with the Public Service Commission until final rates have been established in a rate unification proceeding.

V. FINAL BILLING. Within two weeks prior to the Closing Date, Town will provide District with a complete list of its customers, which list shall include the name, telephone number, mailing address and service address of the customer (if different from the mailing address), and the type of service (residential, commercial, wholesale, etc.) being provided to the customer. At the earliest date such information is available at or near the Closing Date, Town will supply District with current water usage meter readings for the Town's customers. Town will bill the Town customers for sewer service as reflected by the final meter readings. Town will, after satisfaction of its operation and maintenance expenses incurred through the Closing Date, make payment of all customer deposits to the Town's customers pursuant to Rule 4. 2 of the Rules for the Government of Sewer Utilities. The Town shall use any remaining monies received from these billings in addition to all monies from all accounts receivable from prior billings for the payment of any other liabilities of Town's sewer system. District will be entitled to all revenue from sewer service provided by District to the Town's customers on and after the Closing Date.

VI. ASSUMPTION OF LIABILITIES AND UNDERTAKINGS OF BUYER AND SELLER. Town and District expressly agree that the Town shall, at Closing, transfer to the District undistributed security deposits and that the District shall thereafter be responsible for the return of deposits in accordance with Rule 4.2 of the Public Service Commission's Rules for the Government of Sewer Utilities. Further, the District shall be responsible for the obligation to make refunds under routine extension agreements between Town and Town's customers for as long as, and to the same extent as, Town would have been obligated if Town had continued to own the System. Finally, District agrees to assume

the Town's liability under those bonds issued by the Town and listed in Exhibit 4 attached hereto. All other debts and liabilities of Town related to the System will be settled prior to or on the Closing Date, and any such debts not settled at the Closing Date will remain solely the obligation of Town.

VII. ADMINISTRATIVE APPROVAL REQUIRED AND MUNICIPAL VOTE. Within twenty (20) days from the date of the approval of this Agreement by both parties, Town and District agree to file and pursue with diligence an Application with the Public Service Commission seeking approval of the proposed sale and the other transactions contemplated by this Agreement. Further, Town agrees, upon approval of the Agreement by the Town Council, to submit the question of making or effecting the sale to District of the System to a vote of the qualified voters of Town at a regular or special municipal election called and conducted pursuant to the requirements of W. Va. Code § 8-12-17.

VIII. CLOSING. The closing of the transaction contemplated by this Agreement ("Closing") shall take place within sixty (60) days after the latest of (i) the issuance by the Public Service Commission of a final, nonappealable Order, acceptable to District, approving this Agreement and the proposed sale of the System to District on the terms set forth herein; (ii) the receipt by Town of either all required waivers or consents to the sale and transfer of the System to District; (iii) the favorable vote of the citizens in a general or special election under the provisions of W. Va. Code § 8-12-17; or, (iv) approval of the Public Service Commission for a unified rate for the current Town customers and the District's customers; provided, however, that the parties may agree as between them to waive any requirement for the Closing under this Agreement except for the approval of the Commission and the

favorable vote of the citizens under W. Va. Code § 8-12-17. Upon mutual agreement of Town and District, the time of Closing may be changed or amended.

IX. CONVEYANCE AND TRANSFERS. Town shall, at the time of Closing, execute and deliver to District an apt and proper deed, bill of sale and other necessary or appropriate instruments, each in a form acceptable to District, transferring and conveying to District, its successors and assigns forever, good title to the System as described in Section I of this Agreement, free and clear of liens and encumbrances, together with all files, plats, maps, plans, records, ledgers, and similar property, or copies thereof, in any way connected with the rendition of sewer service by Town.

X. REPRESENTATIONS AND WARRANTIES BY TOWN. Town represents and warrants to District as of the date of this Agreement and as of the date of Closing that:

(a) there are no judgments, decrees or orders presently outstanding and unsatisfied against Town nor is there any litigation nor any other proceedings pending before any court or government or administrative department, commission, bureau, board or agency which Town believes would threaten or affect the sewer utility assets of Town or which may in any one case or in the aggregate result in any material decrease in the value of, or constitute a lien or claim against, the sewer utility assets of Town generally or the System in particular. The Town understands that, as provided in Article VI above, should litigation pending at the date of this Agreement result in an adverse ruling to the Town which would, in the opinion of District, result in any material decrease in the value of, or constitute a lien or claim against, the sewer utility assets of Town generally or the System in particular, any debt and liability of Town related to such litigation will be settled prior to or on the Closing Date,

and any such debt or liability not settled at the Closing Date will remain solely the obligation of Town;

(b) on or before Closing, this Agreement shall have been duly authorized, executed, and delivered by Town and shall be a valid and legal obligation of Town;

(c) Town does not know or have reasonable grounds to know of any basis for the assertion against Town of any material claims or liabilities other than those disclosed to District in writing prior to the execution of this Agreement, which would materially affect the value of assets to be conveyed pursuant to this Agreement;

(d) from the date of this Agreement until Closing, Town will not sell, convey, lease or in any other way dispose of any of the System held by Town as of the date of this Agreement;

(e) except as may otherwise be noted in this Agreement or the attached Exhibits, the assets, real, personal or mixed, set forth in Exhibits 1, 2, and 3 to this Agreement constitute all of the System used or useful by Town to render sewer service to its customers and Town has good title to all such facilities, free and clear of liens and encumbrances; and

(f) Town is not aware of liens or encumbrances, except for any liens securing the repayment of any government grants or loans or other debt described in Section II, affecting the title of Town to the properties described on Exhibits 1, 2, and 3 of this Agreement.

The representations and warranties of Town made in this Agreement shall survive the Closing.

XI. ACCESS TO BOOKS AND RECORDS UNTIL CLOSING; CUSTOMER LISTS TO BE PROVIDED BY TOWN. Between the date hereof and Closing, District shall have the right to examine, and to obtain copies of, all books and records of Town relating to the sewer utility operation of Town and the sewer utility assets being conveyed under this Agreement and to inspect and inventory the utility assets, including the physical plant and all materials, supplies, spare parts, and the like, of Town used in the sewer utility operation of Town at such reasonably convenient times as District may require. In the event the transaction contemplated by this Agreement is not consummated, all of such copies and inventories shall be returned to Town.

If, prior to Closing, (i) any material discrepancies are discovered in the books and records of Town, (ii) any claims, liabilities, liens, encumbrances or defects in title which would materially affect the value of the assets conveyed by this Agreement are discovered by, or disclosed to, District, or (iii) any of the representations and warranties set forth in Section X of this Agreement are determined by District to be untrue or incorrect, then, in that event, District may, at its sole option, terminate this Agreement, and neither Town nor District shall be further obligated hereunder or incur or be liable for any claim, loss, damages or expenses to the other as a result of such termination.

XII. BINDING EFFECT. This Agreement shall be binding upon and it shall inure to the benefit of the parties hereto, their respective successors and assigns.

XIII. NOTICES. Any notice to be given hereunder to Town shall be sent by registered mail to Town in care of Mayor, The Town of Poca, P. O. Box 232, Poca, West Virginia 25159, or to such other person and address as Town may in writing direct. Any notice to be given to District shall be sent to District in care of General Manager, at P. O. Box 860, Scott Depot, West Virginia 25560, or at such other address as District may in writing direct.

XIV. AMENDMENTS. No amendments to this Agreement shall be effective until reduced to writing and executed by both of the parties hereto.

XV. FORCE MAJEURE. If the performance by either the Town or District of any of the covenants or agreements contained herein is delayed or prevented for reasons beyond the control of that party, such as an act of God, act of war, strike, lockout, restraint of labor from whatever cause, either partial or general, riot or civil commotion, order of court or administrative tribunal having jurisdiction over either party hereto, then and in any of those events, that party shall be excused from such performance to the extent that it is necessarily prevented, hindered or delayed thereby, during the continuance of any such happening or event and the time for such performance shall be extended commensurate with such delays, provided, however, the party that is so delayed shall notify the other party of the occurrence of any such event of force majeure within a reasonable time after it becomes known to the delayed party.

XVI. CONDITIONS PRECEDENT TO EFFECTIVENESS OF AGREEMENT. The parties hereto understand and agree that this Agreement, and the

obligations of the parties hereunder, are expressly conditioned upon the following, each of which is a condition precedent to the validity and enforceability of this Agreement:

A. This Agreement shall be approved by District and shall be legally enacted by ordinance of the Town Council of Town at a regularly scheduled meeting of the Town Council, and the proposed sale of the System to District shall have been approved by the vote of the qualified voters of Town at a regular or special municipal election as required by W. Va. Code § 8-12-17;

B. The Public Service Commission shall have entered a final, non-appealable Order which approves (i) a Joint Application to be filed by District and Town, including any specific rate making approaches set forth in the Joint Application, and (ii) this Agreement, and all of its terms, conditions, undertakings, agreements, and limitations, between Town and District;

C. The Order of the Public Service Commission shall not contain nor have attached to or otherwise incorporate into it any terms, conditions, or limitations which, in the sole opinion of either District or Town, shall adversely affect the economic feasibility of this project or the Agreement between the parties or require District or Town to take any action or refrain from taking any action which might require either of them to breach any of their obligations under any Mortgage Indenture, as supplemented, or any other agreement to which either of them might be a party; and

D. The District and Town shall have received all required consents or waivers to the sale and transfer of the System to District. If any required consent or waiver cannot be timely obtained, District and Town may elect to waive this condition precedent and proceed to close the sale on such further or additional written terms as may be mutually agreed to.

IN WITNESS WHEREOF, Town has caused this Agreement to be executed by William Jones, its Mayor, and District has caused this Agreement to be executed by Paul D. Callahan, its Chairman, all as of the day and year first above written.

THE TOWN OF POCA

By: _____
Honorable William Jones
Mayor

PUTNAM PUBLIC SERVICE DISTRICT

By: _____
Paul D. Callahan
Chairman

EXHIBIT 1

GENERAL DESCRIPTION OF SYSTEM

Except as otherwise provided below, the System consists of all of the sewer collection and treatment facilities owned by Town, including all real property, rights-of-way, easements, and all other interests in said real property, together with all improvements thereon and appurtenances thereunto belonging and all lines and mains of every kind and description, lift stations, valves, meters, services and connections used or useful in serving the approximately 672 customers of the Town served by the System, as well as any and all other assets of Town (more fully described in Exhibit 2) that are necessary or incidental to the operation of the System or are otherwise used or useful for providing sewer service to the Town's customers.

EXHIBIT 2

TANGIBLE AND INTANGIBLE PERSONAL PROPERTY ASSOCIATED WITH SYSTEM

All tangible and intangible personal property necessary or incidental to the operation of the System (as defined in Exhibit 1) or used or useful for providing sewer service to the Town's customers (as defined in Exhibit 1) that can be conveyed, assigned or otherwise transferred to District at the Closing, including any contracts, licenses, franchises, permits, agreements, certificates of convenience and necessity, customer lists and all other tangible and intangible personal property of like kind and nature; provided, however, that District agrees that it will not be entitled to receive any vehicles, backhoes or other power operated equipment used by the Town for other Town business unrelated to the System.

EXHIBIT 3

REAL PROPERTY, INCLUDING LEASEHOLDS, RIGHTS-OF-WAY AND OTHER EASEMENTS, AND OTHER INTERESTS IN REAL ESTATE ASSOCIATED WITH SYSTEM

All of the real property used or useful in connection with operation of the System (as defined in Exhibit 1), together with the sewer franchises, rights, easements, rights-of-way, leases, and other licenses, permits or agreements held by Town under which any and all of said sewer utility property of Town is held and operated including, by way of example and not by limitation, the following parcels of land and rights of way of record in the Office of the County Clerk of Putnam County:

A. Parcels of Land

See December 9, 2014 Deed, of record in Book No. 546 at Pages 845-849,
Attached hereto Attachment 3-A

B. Rights of Way

See January 30, 2015 Deed, of record in Book No. 539 at Pages 743-748,
Attached hereto Attachment 3-B

THIS DEED, made this 9th day of December, 2014, by and between the **Town of Poca**, a political subdivision of the State of West Virginia, party of the first part, and **Putnam Public Service District**, a political subdivision of the State of West Virginia, party of the second part.

WITNESSETH: That for and in consideration of the sum of Ten Dollars ($10.00) cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, the said party of the first part does hereby GRANT and CONVEY, unto said party of the second part, all of their rights, titles, and interest, together with all the tenements, hereditaments, and appurtenances thereunto belonging or in any manner appertaining, in and to the following described property, to-wit:

All that certain piece, parcel or tract of real estate situate in the Town of Poca, Putnam County, West Virginia, being more particularly described as follows as follows:

BEGINNING at a found pipe on the corner of a **2.82 acre tract**, on the corner of Lee C. Barr Property and on line of the railroad right of way; thence running with the railroad right of way, S. 39° 08' 27" E. 505.18 feet to a found pin; thence, S. 39° 08' 27" 80.00 feet to a set 5/8 inch pin on corner of a **2.82 acre tract** and the Town of Poca and on line of the railroad right of way; thence leaving the railroad right of way and running with the Town of Poca S. 51°00' 50" W. 166.47 feet, crossing Davis Drive, to a set 5/8 inch pin; thence S. 51°00' 50" W. 39.81 feet to a point at top of river bank of Kanawha River; thence running with the Kanawha River, N. 39° 17' 00" W. 601.30 feet to a point at the top of the river bank, corner of Lee C. Barr property and corner of a **2.82 acre tract**; thence running with Lee C. Barr property, N. 55° 39' 00" E. 40.08 feet to a found railroad spike in Davis Drive; thence, N. 55° 39' 00" E. 158.50 feet to a found pin; Thence running, N. 51° 22' 38" E. 9.89 feet to the **BEGINNING** containing **2.82 acres**, as designated and shown on the attached plat, titled "Map Showing a 2.82 Acre Tract To Be Transferred From: The Town of Poca, DB 323, P 737, To: Putnam Public Service District, Town of Poca District, Putnam County, West Virginia", prepared by Jimmy D. Calhoun, Calhoun Engineering and Surveying, Hurricane, West Virginia, PE #4782, PS # 1011, dated September 5, 2014, attached hereto and incorporated hereby. Previously recorded in Deed Book 539 Pg. 945-949 Dkt

Excepting and reserving rights of way as shown on the attached plat.

And being a part of the same property conveyed to the Town of Poca, a municipal corporation, by Order Vesting Absolute and Indefeasible Title, Final Order dated February 26, 1990, and of record in the Office of the Clerk of the County Commission of Putnam County, West Virginia, in Deed Book 323, at Page 737.

This conveyance is made subject to any and all existing out conveyances, covenants,

PUTNAM PUBLIC SERVICE
DISTRICT
PO BOX 860
SCOTT DEPOT, WV 25560

Doc ID: 0039863000 5 Type: DEED
Recorded: 12/10/2015 at 03:32:24 PM
Fee Amt: $16.00 Page 1 of 5
Putnam County Clerk
Brian Wood County Clerk
BK 546 PG 845-849

agreements, reservations, restrictions, easements, leases and rights of way as the same may appear in instruments of record in the aforesaid Clerk's Office.

The said party of the first part does hereby covenant and agree to and with the party of the second part that they will WARRANT GENERALLY the title to the property hereby conveyed.

DECLARATION OF CONSIDERATION

Under penalties of fine and imprisonment as provided by law, the undersigned does hereby declare that the total consideration paid for the property conveyed by this document is exempt as a transfer to a political subdivision of the State of West Virginia.

WITNESS the following signatures and seals:

TOWN OF POCA

By: James Caruthers, Jr.
Its Mayor

STATE OF WEST VIRGINIA,
COUNTY OF CABELL, TO-WIT:

The foregoing instrument was acknowledged before me on the 9th day of ~~September~~ DECEMBER, 2014, by James Caruthers, Jr. to be the act and deed of the Town of Poca.

My commission expires: JANUARY 12, 2016

Notary Public

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
DAVID L. MERCER
P. O. BOX 147
SCOTT DEPOT, WV 25560
My commission expires January 12, 2016

(Notary Seal)

This instrument prepared by: RALPH W. BASSETT, JR., Attorney at Law (WV Bar #261), 1260 Lee Creek Road, Culloden, West Virginia 25510 (304) 208-5921, and unless a survey and separate title opinion are provided, said attorney, by the preparation of this instrument alone, makes no representations or assurances to any person of the extent or quality of the title to the herein described property.

F:\Active\P\Putnam PSD\Deeds\Deed from Town of Poca 9-22-14.doc

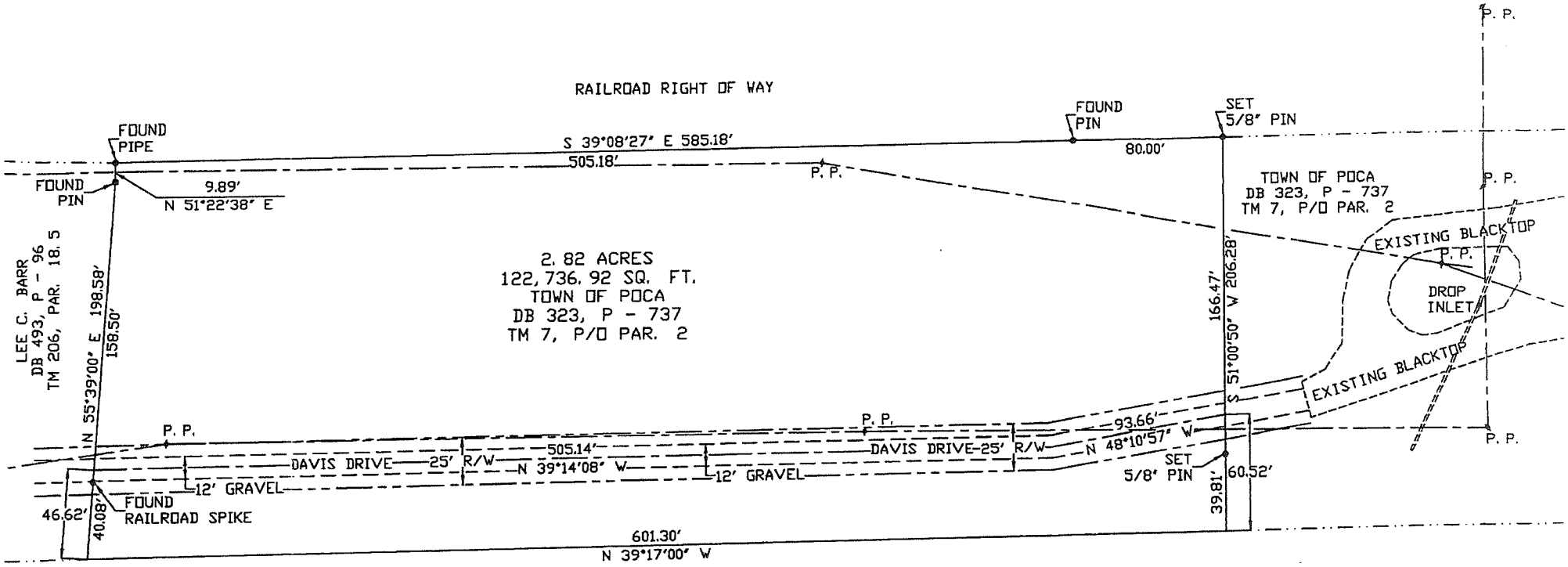
POCA TOWN COUNCIL MEETING
October 13th, 2014
MINUTES

Mayor Caruthers called meeting to order
ROLL CALL: Dale Parkins, Jolita Raine, William Jones, and Arthur Helmick.
ABSENT: Brian Hutchison
SERGEANT-AT-ARMS: William Seanze
MOTION: William Jones motioned to accept the minutes of the September 22nd, 2014 Council Meeting Minutes. Arthur Helmick seconded the motion. Motion carried 4-0.
GUESTS: Scott Summers – Lawyer working with Richard Witt now on the Oklahoma Ave. right of way. Michael Potter – Just to observe.
Mr. Summers came in to brief the council on the Oklahoma Ave right of way. He gave the town three options. First the Strong arm where the town pursues the go ahead of tearing down the fences on Oklahoma Ave. Second a Declaratory Judgment Complaint where the Town asks the courts to decide. Third, ask for mediation and if they persons of interest do not agree to this then go the Declaratory Judgment complaint. The court will decide on the right of way and boundaries. The town will need to have a full deed research done. There is a 9 foot right of way that is stated on the deeds in 1996 and there is a 9 foot prescriptive easement that is in question as well.
MOTION: Arthur Helmick motioned to try the Mediation route then to declaratory Judgment. Dale Parkins seconded the motion. Motion Carried 4-0.
MOTION: William Jones motioned to hear the second reading to the Ordinance 2014-07 (Annexation of Shelton Property). Arthur Helmick seconded the motion. Motion carried 4-0.
MOTION: Arthur Helmick motioned to accept the Ordinance 2014-07 (Annexation of Shelton Property). William Jones seconded the motion. Motion carried 4-0.
RECORDER'S REPORT:
MOTION: William Jones motioned to donate $1000.00 to the Five Loaves and Two Fish Food Pantry. Arthur Helmick seconded the motion. Motion carried 3-0.
MOTION: Arthur Helmick motioned to purchase two back up batteries for computers. William Jones seconded the motion. Motion carried 3-0.
DEVELOPMENT: (Dale Parkins and Jolita Raine)
Covered earlier in meeting.
FINANCE:
MOTION: Arthur Helmick motioned to pay bills totaling $11,399.06. Dale Parkins seconded the motion. Motion carried 3-0.
MOTION: Arthur Helmick motioned to set budget revision for October 27th, 2014 for 7:00 PM. William Jones seconded the motion. Motion carried 3-0.
Will look into making Jolita Raine's position full time.
PARKS: (Brian Hutchison alternate William Jones and Jim Caruthers)
Park equipment will be moved from Railroad Park to Sewer lot.
William Jones is looking and going to apply for grants for playground equipment for Railroad Park and possibly a small fishing pier off Laurel Ave. close to culvert. Will place a trash can by the river on Laurel Ave.
PUBLIC WORKS: (William Jones and Jim Caruthers)
MOTION: Arthur Helmick motioned to have Storage Container door fixed and not to exceed $400.00. William Jones seconded the motion. Motion carried 4-0. -
MOTION: Arthur Helmick motioned to purchase mud flaps for new Truck not to exceed $200.00. William Jones seconded the motion. Motion carried 4-0.

MOTION: William Jones motioned to purchase seat covers for new Truck not to exceed $250.00. Arthur Helmick seconded the motion. Motion carried 4-0.
MOTION: Arthur Helmick motioned to have warning lights installed on new Truck, not to exceed $1200.00. William Jones seconded the motion. Motion carried 4-0.
MOTION: William Jones motioned to rent uniforms through Cintas for street crew. Arthur Helmick seconded the motion. Motion carried 4-0.
Complaints from residents on street crew personnel sleeping in truck.
Paving work will be done in subdivisions when weather is clear.
Billy Bailey will be off next week on vacation. Will call Tony Lett to work.
PUBLIC SAFETY: (Arthur Helmick and Brain Hutchison)
MOTION: Arthur Helmick motioned to have the Crown Vic repair done at Quality Auto not to exceed $800.00. William Jones seconded the motion. Motion carried 4-0.
The Impala is overheating and the right front brakes on the Jeep are locking up. Will look into having Impala and Jeep fixed after the Crown Vic is repaired. The Impala might be just low on antifreeze.
Will check on schedule for Halloween trick or treat night
MAYOR'S REPORT:
MOTION: William Jones motioned to transfer approximately 80 foot by full width of Property to Putnam PSD for future expansion of Sewer Plant for exchange for future consideration. Dale Parkins seconded the motion. Motion carried 4-0.
Putnam PSD is looking into what they could do for the Town on ways of MS4 – Storm Water permit.
Chapman Technical is still working with us.
Meet with DEP last Friday on MS4 – Storm Water Permit. Need to continue water testing during rain storms and also electronically report findings.
Heritage Day Meeting This Thursday the 16th at 9:00 AM. Received a couple of complements on Heritage Day.
Chapman Technical gave the town a preliminary drawing of the Pole barn (Morton style) Building will have it available for everyone to view.
Still working on setting a date for a Neighborhood Watch meeting for residence to attend. Mr. Potter had two bicycles stolen from property and retrieved them back and has filed a complaint with Police Department.
MOTION: William Jones motioned to adjourn. Dale Parkins seconded the motion. Motion carried 3-0.
ADJOURNMENT: @ 8:50 PM
Respectfully Submitted

James Caruthers

James Caruthers, Mayor
Carroll Westfall, Recorder
Carroll Westfall



APPROVED
PUTNAM COUNTY
PLANNING COMMISSION
SEAL
DATE

THE 2.82 ACRE TRACT IS LOCATED IN FLOOD ZONES "AE & X" - FEMA FIRM MAP PANEL NO. 54079C0252D. DATED: FEBRUARY 2, 2012

STATE OF WEST VIRGINIA, Putnam County Commission Clerk's Office
12/10/2015 The foregoing Deed together with the certificate of its acknowledgment, was this day presented in said office and admitted to record
Teste: ..... Clerk

MAP SHOWING
A 2.82 ACRE TRACT
TO BE TRANSFERRED
FROM: THE TOWN OF POCA
DB 323, P - 737
TO: PUTNAM PUBLIC SERVICE DISTRICT
TOWN OF POCA DISTRICT
PUTNAM COUNTY - WEST VIRGINIA
SEPTEMBER 5, 2014
SEAL
CALHOUN ENGINEERING & SURVEYING
P.E. 4782
P.L.S. 1011
SCALE: 1 INCH = 60 FEET

ATTACHMENT 3-A
Page 5 of 5

THIS DEED, made this 30th day of January, 2015, by and between the **Town of Poca**, a political subdivision of the State of West Virginia, hereinafter "Poca", party of the first part, and **Putnam Public Service District**, a political subdivision of the State of West Virginia, hereinafter "District", party of the second part.

WHEREAS, the District on or about September 11, 2014, by an Operation and Maintenance Agreement and by purchase, soon to be approved by the West Virginia Public Service Commission, will acquire the sewerage system of Poca; and,

WHEREAS, the parties hereto now wish to transfer and assign all of the rights of Poca to the District in real property, rights of way, easements and appurtenances thereto.

NOW, THEREFORE, WITNESSETH: That for and in consideration of the sum of Ten Dollars ($10.00) cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, the said party of the first part does hereby GRANT and CONVEY, unto said party of the second part, all of their rights, titles, and interest, together with all the tenements, hereditaments, and appurtenances thereunto belonging or in any manner appertaining, in and to the following described property, to-wit:

> All of those certain pieces, parcels or tracts of real estate situate in the Poca District, or the Town of Poca, Putnam County, West Virginia, being more particularly set forth in the *attached list* detailing the properties and rights of way owned by the Town of Poca.

FURTHER, the party of the first part agrees, as further consideration, to transfer any other property heretofore used by Poca for its sewerage system.

This conveyance is made subject to any and all existing out conveyances, covenants, agreements, reservations, restrictions, and leases as the same may appear in instruments of record in the aforesaid Clerk's Office.

The said party of the first part does hereby covenant and agree to and with the party of the second part that they will WARRANT SPECIALLY the title to the property hereby conveyed.

RETURN TO: PUTNAM PSD PO BOX 86 SCOTT DEPOT, WV 25560

DECLARATION OF CONSIDERATION

Under penalties of fine and imprisonment as provided by law, the undersigned does hereby declare that the total consideration paid for the property conveyed by this document is exempt as a transfer to a political subdivision of the State of West Virginia.

WITNESS the following signatures and seals:

Doc ID: 003796290006 Type: DEED
Recorded: 03/11/2015 at 09:08:19 AM
Fee Amt: $17.00 Page 1 of 6
Putnam County Clerk
Brian Wood County Clerk
BK539 PG743-748

TOWN OF POCA

By: William Jones
Its Mayor

STATE OF WEST VIRGINIA,
COUNTY OF PUTNAM, TO-WIT:

The foregoing instrument was acknowledged before me on the 30th day of January, 2015, by William Jones to be the act and deed of the Town of Poca.

My commission expires: July 31, 2023

Tracey L. Casto
Notary Public

(Notary Seal)

OFFICIAL SEAL
STATE OF WEST VIRGINIA
NOTARY PUBLIC
Tracey L Casto
Town of Poca
PO Box 586
Poca WV 25159
My Commission Expires July 31, 2023

This instrument prepared by: RALPH W. BASSETT, JR., Attorney at Law (WV Bar #261), 1260 Lee Creek Road, Culloden, West Virginia 25510 (304) 208-5921, and unless a survey and separate title opinion are provided, said attorney, by the preparation of this instrument alone, makes no representations or assurances to any person of the extent or quality of the title to the herein described property.

F:\Active\P\Putnam PSD\Deeds and R-Ws - Sewer\Deed from Town of Poca 1-9-15.doc

DEED/RW	GRANTORS	BOOK/PG	DATE	DESCRIPTION
DEED	ARLIE & HELEN UTT	155/307	3/6/1963	ONE STOP
DEED	HELEN CLEARY	141/331	7/8/1961	?
DEED	WILLIAM & ANNA HANSHAW	155/338	12/17/1964	TAPS & CONNECTIONS TO SEWER
ORDER VESTING	NATIONAL BANK OF COMMERCE	302/457	4/21/1987	SEWER PLANT--6 ACRES --DAN DAVIS
DEED	BRADFORD COBB	304/543	7/13/1987	LINES AND LIFT STATION
DEED	BRADFORD COBB	304/540	7/13/1987	LINES AND LIFT STATION
INDENTURE	AEP	304/783	7/20/1987	SEWER
DEED	THOMAS & JEANNE ROBERTS	305/127	7/20/1987	.011 ACRE RAY CITY
ORDER VESTING	GEORGE & RUTH KING	306/447	9/23/1987	SEWER
DEED	JAMES & MARJORIE BLANKENSHIP	309/563	3/29/1988	SEWER
DEED	GEORGE & RUTH KING	316/341	2/14/1989	SEWER
ORDER	EVERETT & MARY POSTLETHWAIT	316/897	3/21/1989	SEWR
CORRECTIVE DEED	JAMES & MARJORIE BLANKENSHIP	317/699	4/18/1989	SEWER
FINAL ORDER	POSTLETHWAIT	321/635	10/26/1989	FORCE MAIN AND LIFT STATION
FINAL ORDER	NATIONAL BANK OF COMMERCE	323/737	3/1/1990	SEWER PLANT
PLAT	N/A	B/65	7/10/1986	.214 ACRE--POSSIBLE PUMP STATION
DEED	HAROLD & DOROTHY BARR	348/539	5/21/1993	OLD PLANT LOCATION/LINES STILL THERE
DEED	JERRY & LUANNE JIVIDEN	349/60	6/14/1993	OLD PLANT LOCATION/LINES STILL THERE
DEED	WILLIAMS WALTERS JR	349/881	7/26/1993	SEWER LINE EXTENSION
DEED	EDDIE & DIANE SMITH	357/163	6/28/1994	6" SEWER
DEED	EDDIE & DIANE SMITH	358/138	8/3/1994	SEWER P/W POCA TOWN R/W 6-28-94
DEED	KEVIN & CANDY SAYRE	361/209	12/24/1994	SW R/W MAP 12-14-94
DEED	TOM DAVIS	517/861	7/3/2012	SW 5-13-12
DEED	CHERLY PATTERSON BRISA MOORE	517/865	7/3/2012	SW 5-24-12
DEED	ANGELA DAVIS	517/870	7/3/2012	SEWER
DEED	TERRY DAVIS	517/875	7/3/2012	SEWER
DEED	ALBERT LEE DAVIS	517/880	7/3/2012	SEWER
DEED	BARBARA GALE RHODES	522/383	3/7/2013	LIFT STATION FORCE MAINS AND LINES
RW	WV STATE ROAD	140/438	4/29/1961	WM CARUTHERS AND JOHN WOLFE
RW	WILLIAM & ANNA HANSHAW	155/203	11/18/1964	POSSIBLE LIFT STATION
RW	REE M GROGHAN JR	292/164	12/11/1985	SEWER
RW	ELMER EUGENE KNELL	295/344	9/19/1985	SEWER
RW	WOODROW W WITHROW	295/343	5/27/1985	SEWER
RW	LAWRENCE ECHOLS	295/346	1/24/1986	SEWER
RW	JOHN COX	295/348	9/18/1985	SEWER
RW	JAMES CRANE	295/349	9/16/1985	SEWER
RW	ROY ALFORD	295/350	9/19/1985	SEWER--FOR MAIN AND LIFT STATION
RW	CLINTON R BEAL	295/351	9/20/1985	SEWER
RW	JOHN W BRITTON	295/353	1/24/1986	SEWER
RW	GARY CALLIFER	295/354	1/24/1986	SEWER

RW	HOMER E HAWLEY JR	295/345	9/19/1985	SEWER
RW	RONALD E JONES	295/359	9/20/1985	SEWER
RW	JAMES WARD KEELING	295/358	5/6/1986	SEWER
RW	BRUCE W KNULL	295/352	9/20/1985	SEWER
RW	JACKIE G WOODALL	295/360	5/6/1986	SEWER
RW	PAUL VICTOR WILSON	295/357	9/17/1985	SEWER
RW	CURTIS L WINTER	295/356	9/19/1985	SEWER
RW	THOMAS R STOVER JR	295/355	9/25/1985	SEWER--PINE DRIVE
RW	WILLIAM WALTERS	294/347	5/6/1986	SEWER
RW	CHARLENE T ESKEW	295/362	9/13/1985	SEWER
RW	BUCK M FARLEY	295/365	9/19/1985	SEWER
RW	GEORGE E CAWLEY	295/366	9/17/1985	SEWER
RW	DAVID N CAULEY	295/370	9/18/1985	SEWER
RW	JERRY E ANGEL	295/367	5/6/1986	SEWER LINES, FORCE MAIN & LIFT STATION
RW	JERRY E ANGEL	295/369	1/24/1986	SEWER LINES, FORCE MAIN & LIFT STATION
RW	JOHN DAVIS	295/368	9/16/1985	SEWER
RW	WILLIAM ESKEW	295/374	11/2/1985	SEWER
RW	CARNELUIS HAWKINS	295/364	9/17/1985	SEWER
RW	FRANK M HANSON	295/361	9/16/1985	SEWER
RW	ROBERT HIGGINBOTHAM	295/372	9/16/1985	SEWER
RW	LEMMA REALTY CO	295/363	9/25/1985	SEWER
RW	GARLET L RHODES	295/377	9/14/1985	HEIZER CREEK, SEWER ?
RW	ALBERT MCDANIEL	295/371	5/6/1986	SEWER
RW	JAMES MOORE	295/37	9/17/1985	SEWER
RW	JEPTHA REX PURVIS	295/379	9/16/1985	SEWER
RW	FREDA L MILAM	295/376	1/24/1986	SEWER
RW	DONALD MELTON	295/378	9/19/1985	SEWER
RW	JOHN SUMMERS	295/375	1/24/1986	SEWER
RW	ROBERT L CREMEANS	295/394	9/21/1985	SEWER
RW	WILFORD CLAY CAVENDER	295/395	9/13/1985	SEWER
RW	MACIL DAVIS	295/398	9/13/1985	SEWER
RW	HOWARD CLENDENIN	295/397	9/13/1985	SEWER
RW	HOWARD CLENDENIN	295/396	9/13/1985	SEWER
RW	JERRY HAWLEY, HAWLEYS PROP	295/401	5/27/1986	SEWER
RW	SADEE FARMER	295/399	9/13/1985	SEWER
RW	GEEORGE EDWARD KING	295/400	9/20/1985	SEWER LINES, FORCE MAIN, LIFT STATON
RW	GEORGE E KING	295/390	9/23/1985	SEWER LINES, FORCE MAIN, LIFT STATON
RW	OSCAR L GILLISPIE	295/385	5/12/1986	SEWER
RW	FLORA LANHAM	295/388	9/13/1986	SEWER
RW	DANNY K JIVIDEN	295/392	1/24/1986	SEWER
RW	CHARLES E LOUGHNER	295/382	5/6/1986	SEWER
RW	ARMINA PERSINGER	295/384	9/20/1985	SEWER
RW	JUANITA H MARTIN	295/383	5/20/1986	SEWER
RW	JOSEPHINE MCWILLIAMS	295/381	9/16/1985	SEWER
RW	DAVID SHAMBLIN	295/393	9/12/1985	SEWER
RW	ROBERT SHERMAN	295/391	9/14/1985	SEWER
RW	H D SCARBERRY	295/389	5/20/1986	SEWER

RW	PAUL B ZINK	295/387	5/13/1986	SEWER
RW	PAUL B ZINK	295/386	5/13/1986	SEWER
RW	JESSE JACKSON WEBB	295/380	9/24/1985	SEWER
RW	LEE ROY COOPER	295/414	9/15/1985	SEWER
RW	JOHN R DAVIS	295/402	5/6/1985	SEWER
RW	WILLIAM A DAVIS	295/403	5/6/1986	SEWER
RW	MAJORIE Y BARR	295/408	5/13/1986	SEWER
RW	WAYNE BAYLISS	295/413	9/13/1986	SEWER
RW	RONALD C BONNETT	295/415	9/12/1985	SEWER
RW	FRANKLIN L GRITT	295/416	9/12/1985	SEWER
RW	WILLIAM FRANKLIN GOFF	295/419	9/13/1985	SEWER
RW	RAY HELMICK	295/422	9/12/1985	SEWER
RW	WILLIAM B HILL	295/421	9/12/1985	SEWER
RW	DENNIS HARRIS	295/418	5/6/1986	SEWER
RW	JAMES E LLOYD	295/417	9/12/1985	SEWER
RW	KEITH R KARNES	295/412	5/6/1986	SEWER
RW	RONALD RHODES	295/420	9/12/1985	SEWER
RW	COLLEAN MCVEY	295/410	9/12/1985	SEWER
RW	ROUCO CONSTRUCTION	295/407	5/6/1986	SEWER
RW	LEONARD O NULL	295/406	9/12/1985	SEWER
RW	FRANKLIN L ROBERTS	295/404	5/5/1986	SEWER
RW	HOWARD EARL WEST	295/411	9/12/1985	SEWER
RW	ERNEST PORTER WEST	295/409	9/2/1985	SEWER
RW	H. P. WILLARD JR.	295/405	9/13/1986	SEWER
RW	CLAUDE D DAVIS	295/423	5/13/1986	SEWER
RW	JOHN WILLIAMS	304/98	6/9/1987	SEWER LINES
RW	BILLY SPEARS	304/126	6/13/1987	SEWER LINES
RW	ROGER L CARR	304/128	6/15/1987	SEWER LINES
RW	ROY & ALICE ALFORD	304/539	7/13/1987	SEWER LINES
RW	BRADORD COBB	305/622	8/18/1987	SEWER LINES
RW	GARLETT RHODES	306/834	10/13/1987	SEWER LINES
RW	JOHN SUMMERS	306/836	10/13/1987	SEWER LINES
RW	BOARD OF ED	306/837	10/13/1987	SEWER LINES
RW	ALBERT & VIRGINIA MCDANIEL	306/840	10/13/1987	SEWER LINES
RW	ESTATE OF MACIL DAVIS	306/832	10/13/1987	SEWER
RW	COREY DEVELOPMENT CORP	306/844	10/13/1987	SEWER
RW	HOWARD & NELLIE HEDRICK	306/831	10/13/1987	SEWER
RW	POCA VALUE RITE	384/741	8/26/1998	R/W 3-14-97
RW	POCA VALUE RITE	384/743	8/26/1997	R/W 3-7-97
RW	SHIRLEY BOWLING	510/736	10/21/2011	SEWER 8-4-11
RW	BETTY GIBSON	510/738	10/21/2011	SEWER 2-27-11
RW	JASON & AMBER CASTO	510/741	10/21/2011	SEWER
RW	GARY & PEGGY MILLER	510/762	10/21/2011	SEWER
RW	CLARENCE & KAREN HACKETT	510/765	10/21/2011	SEWER
RW	THOMAS ABNATHY	510/744	10/21/2011	SEWER
RW	DONNA REED	510/747	10/21/2011	SEWER

RW	LIONEL MCKOWN	510/750	10/21/2011	SEWER
RW	JAMES SLOAN	510/753	10/21/2011	SEWER
RW	BENJAMIN HOGAN	510/756	10/21/2011	SEWER
RW	DAVID M HANING	510/759	10/21/2011	SEWER
RW	TAMRA COWLEY WENTZ	510/768	10/21/2011	SEWER
RW	JAMES & CAROL BRADY	510/771	10/21/2011	SEWER
RW	ALBERT & PATRICIA HARMON	510/774	10/21/2011	SEWER
RW	JETTIE & PAULA RUCKER	510/777	10/21/2011	SEWER
RW	LARRY & JUANITA MARTIN	510/780	10/21/2011	SEWER
RW	GREGORY & KIMBERLY SCRAGG	510/783	10/21/2011	SEWER
RW	PATRICK & BRANDIE GARDNER	510/786	10/21/2011	SEWER
RW	JOHNIE BROWN	510/790	10/21/2011	SEWER
RW	JONATHAN CARUTHERS JAMES CARUTHERS	510/794	10/21/2011	SEWER
RW	LONNIE & AMY WHITTINGTON	511/176	11/9/2011	SEWER
RW	STACIE HUGHART	511/179	11/9/2011	SEWER
RW	WILLIAM & GWENDOLYN MORRIS	511/182	11/9/2011	SEWER
RW	JOYCE TAYLOR	511/185	11/9/2011	SEWER
RW	NICHOLAS KONNOVITCH	511/188	11/9/2011	SEWER
RW	TERRI GRIMM	511/191	11/9/2011	SEWER
RW	CHERYL TAYLOR	511/195	11/9/2011	SEWER
RW	MAXWELL MILBEE	511/599	11/23/2011	SEWER
RW	HARLES & NANCY DUFFIEL	511/602	11/23/2011	SEWER
RW	WHIRLWIND PROPERTIES	511/696	11/30/2011	SEWER
RW	CHAD BARTLETT ANGELA BILLS	511/699	11/30/2011	SEWER
RW	GARY & DREMA REEDY	511/702	11/30/2011	SEWER
RW	MARION & DIANNA LUSK	511/705	11/30/2011	SEWER
RW	DENZIL & CHRISTY WARD	511/708	11/30/2011	SEWER
RW	JEFFREY & BARBARA BUBAR	511/711	11/30/2011	SEWER
RW	JAMES & CATHY RASNAKE	511/714	11/30/2011	SEWER
RW	JOSEPH & RHONDA MILBEE	511/866	12/6/2011	SEWER
RW	DENNIS & KIMBERLY HUMPHREY	511/869	12/6/2011	SEWER
RW	LEOMA TEETS	511/872	12/6/2011	SEWER
RW	DAVID & CATHY WILCOX	513/740	2/24/2012	SEWER
RW	JOHN & ELIZABETH MITHCELL	513/745	2/24/2012	SEWER
RW	HERMIE COBB	513/750	2/24/2012	SEWER
RW	RUTH THOMPSON	513/754	2/24/2012	SEWER
RW	CLARENCE & KAREN HACKETT	513/874	3/5/2012	SEWER
RW	HAWLEY PROPERTIES INC	513/877	3/5/2012	SEWER
RW	BARBARA GALE RHODES	522/387	3/7/2013	LIFT STATION FORCE MAINS AND LINES
RW	GARY & CATHY MARTIN	522/696	3/20/2013	10' SEWER EASEMENT
RW	EILENE ANGEL	522/702	3/20/2013	10' SEWER EASEMENT

STATE OF WEST VIRGINIA, Putnam County Commission Clerk's Office 03/11/2015. The foregoing Deed together with the certificate of its acknowledgment, was this day presented in said office and admitted to record.

Teste: ..... Clerk

EXHIBIT 4

LIABILITIES OF THE TOWN RELATED TO THE SYSTEM

POCA BONDS

(1) Sewer Revenue Bonds, Series 1987 A, dated March 12, 1987 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $878,743;

(2) Sewer Revenue Bonds, Series 1987 B, dated March 12, 1987, issued in the original aggregate principal amount of $215,535;

(3) Sewer Revenue Bonds, Series 1990 A, dated February 23, 1990 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $214,969;

(4) Sewer Revenue Bonds, Series 1990 B, dated February 23, 1990, issued in the original aggregate principal amount of $10,031; and

(5) Sewer Revenue Bonds, Series 2012 A (United States Department of Agriculture), dated July 23, 2012, issued in the original aggregate principal amount of $525,600.

STEPTOE & JOHNSON PLLC
ATTORNEYS AT LAW

Chase Tower, Eighth Floor
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Charleston, WV 25326-1588
(304) 353-8000 (304) 353-8180 Fax
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Writer's Contact Information

June 30, 2016

Acquisition of Town of Poca Sewerage System
and Assumption of Debt by
Putnam Public Service District

Putnam Public Service District
Scott Depot, West Virginia

West Virginia Water Development Authority
Charleston, West Virginia

United States Department of Agriculture
Morgantown, West Virginia

West Virginia Municipal Bond Commission
Charleston, West Virginia

Ladies and Gentlemen:

We have acted as bond counsel in connection with (i) the merger of the Town of Poca's ("Poca") sewerage system into Putnam Public Service District ("Putnam"), in Putnam County, West Virginia, (ii) the assumption and re-designation by Putnam of the following bonds of Poca: (i) Sewer Revenue Bonds, Series 1987 A (West Virginia Water Development Authority), dated March 12, 1987, issued in the original aggregate principal amount of $878,743 (the "Series 1987 A Bonds"); (ii) Sewer Revenue Bonds, Series 1987 B (West Virginia Water Development Authority), dated March 12, 1987, issued in the original aggregate principal amount of $215,535 (the "Series 1987 B Bonds"); (iii) Sewer Revenue Bonds, Series 1990 A (West Virginia Water Development Authority), dated February 23, 1990, issued in the original aggregate principal amount of $214,969 (the "Series 1990 A Bonds"); (iv) Sewer Revenue Bonds, Series 1990 B (West Virginia Water Development Authority), dated February 23, 1990, issued in the original aggregate principal amount of $10,031 (the "Series 1990 B Bonds"); and (v) Sewer Revenue Bonds, Series 2012 A (United States Department of Agriculture), dated July 23, 2012, issued in the original aggregate principal amount of $525,600 (the "Series 2012 A Bonds") (collectively, the "Poca Bonds"), all issued pursuant to Chapter 16, Article 13 of the Act.

We have examined the applicable provisions of the Act, the ordinance of Poca date November 5, 2013 proposing and ordering the sale of Poca's sewerage system by Putnam and the resolution of Poca ratifying the merger of its sewerage system into Putnam duly adopted on May 23, 2016, and the resolution of Putnam ratifying the merger of Poca's sewerage system into it (collectively, the "Resolutions"), pursuant to and under which Act and Resolutions Poca's sewerage system is being merged into Putnam (the "Merger"), the Poca Bonds are being assumed and re-designated by Putnam.

As to questions of fact material to our opinion, we have relied upon the representations of the Putnam County Commission, Poca and Putnam, contained in the Resolutions and in the certified proceedings and other certifications of public officials furnished to us without undertaking to verify the same by independent investigation. Based upon the foregoing, and upon our examination of such other documents as we have deemed necessary, we are of the opinion, under existing law, as follows:

1. The Putnam County Commission, Poca and Putnam have duly adopted all necessary resolutions and orders in connection with the Merger, the assumption of the Poca Bonds by Putnam and the re-designation of the Poca Bonds.

2. The acquisition of Poca's sewerage system by Putnam has been duly authorized by Poca. As of the date hereof, Poca holds valid title to all assets, including, but not limited to, real and personal property, formerly of Poca's sewerage system.

3. Putnam has assumed all obligations, including all covenants, rights, loan agreements, and responsibility for the payment of the principal of, interest on and debt service reserve for the Poca Bonds, solely from the net revenues of the sewerage system of Putnam.

4. Poca and the District have duly adopted all necessary resolutions and orders in connection with the re-designation of the Bonds.

a. The Series 1987 A Bonds have been re-designated as follows:

Sewer Revenue Bonds, Series 1987 A (West Virginia Water Development Authority), dated March 12, 1987 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $878,743, formerly Town of Poca Sewer Revenue Bonds, Series 1987 A, dated March 12, 1987 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $878,743 (the "Series 1987 A Bonds");

b. The Series 1987 B Bonds have been redesignated as follows:

Sewer Revenue Bonds, Series 1987 B (West Virginia Water Development Authority), dated March 12, 1987, issued in the original aggregate

principal amount of $215,535, formerly the Town of Poca Sewer Revenue Bonds, Series 1987 B, dated March 12, 1987, issued in the original aggregate principal amount of $215,535 (the "Series 1987 B Bonds").

c. The Series 1990 A Bonds have been redesignated as follows:

Sewer Revenue Bonds, Series 1990 A (West Virginia Water Development Authority), dated February 23, 1990 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $214,969, formerly the Town of Poca Sewer Revenue Bonds, Series 1990 A, dated February 23, 1990 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $214,969 (the "Series 1990 A Bonds");

d. The Series 1990 B Bonds have been redesignated as follows:

Sewer Revenue Bonds, Series 1990 B (West Virginia Water Development Authority), dated February 23, 1990, issued in the original aggregate principal amount of $10,031, formerly the Town of Poca Sewer Revenue Bonds, Series 1990 B, dated February 23, 1990, issued in the original aggregate principal amount of $10,031 (the "Series 1990 B Bonds").

e. The Series 2012 A Bonds have been redesignated as follows:

Sewer Revenue Bonds, Series 2012 A (United States Department of Agriculture), dated July 23, 2012, issued in the original aggregate principal amount of $525,600, formerly Town of Poca Sewer Revenue Bonds, Series 2012 A (United States Department of Agriculture), dated July 23, 2012, issued in the original aggregate principal amount of $525,600 (the "Series 2012 A Bonds"),

5. The Series 1987 A Bonds, Series 1990 Bonds and Series 2012 A Bonds are on a first lien with Putnam Public Service District's:

a. Sewer Revenue Bonds, Series 1979 (United States Department of Agriculture), dated September 12, 1980, issued in the original aggregate principal amount of $2,200,000 (the "Series 1979 Bonds");

b. Sewer Revenue Bonds, Series 2002 B (West Virginia SRF Program), dated March 7, 2002, issued in the original aggregate principal amount of $1,422,000 (the "Series 2002 B Bonds");

c. Sewer Revenue Bonds, Series 2006 A (United States Department of Agriculture), dated May 12, 2006, issued in the original aggregate principal amount of $4,946,000 (the "Series 2006 A Bonds");

d. Sewer Revenue Bonds, Series 2006 B (United States Department of Agriculture), dated May 12, 2006, issued in the original aggregate principal amount of $2,104,000 (the "Series 2006 B Bonds");

e. Sewer Revenue Bonds, Series 2007 A (West Virginia Infrastructure Fund), dated March 19, 2007, issued in the original aggregate principal amount of $2,330,000 (the "Series 2007 A Bonds");

f. Sewer Revenue Bonds, Series 2008 A (West Virginia SRF Program), dated January 28, 2008, issued in the original aggregate principal amount of $3,600,000 (the "Series 2008 A Bonds");

g. Sewer Revenue Bonds, Series 2008 B (West Virginia Infrastructure Fund), dated June 6, 2008, issued in the original aggregate principal amount of $509,000 (the "Series 2008 B Bonds");

h. Sewer Revenue Bonds, Series 2009 A (United States Department of Agriculture), dated June 26, 2009, issued in the original aggregate principal amount of $4,520,000 (the "Series 2009 A Bonds");

i. Sewer Revenue Bonds, Series 2009 B (West Virginia SRF Program/ARRA), dated October 29, 2009, issued in the original aggregate principal amount of $1,050,000 (the "Series 2009 B Bonds");

j. Sewer Revenue Bonds, Series 2009 C (West Virginia SRF Program), dated October 29, 2009, issued in the original aggregate principal amount of $1,050,500 (the "Series 2009 C Bonds");

k. Sewer Refunding Revenue Bonds, Series 2013 A (Tax-Exempt), dated July 11, 2013, issued in the original aggregate principal amount of $7,700,000 (the "Series 2013 A Bonds");

l. Sewer Revenue Bonds, Series 2013 B (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $6,000,000 (the "Series 2013 B Bonds");

m. Sewer Revenue Bonds, Series 2013 C (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $6,930,000 (the "Series 2013 C Bonds");

n. Sewer Revenue Bonds, Series 2013 D (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $564,800 (the "Series 2013 D Bonds");

o. Sewer Revenue Bonds, Series 2013 E (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $1,241,000 (the "Series 2013 E Bonds"); and

p. Sewer Revenue Bonds, Series 2013 F (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $1,500,000 (the "Series 2013 F Bonds").

The Series 1979 Bonds, 1987 A Bonds, Series 1990 A Bonds, Series 2002 B Bonds, Series 2006 A Bonds, Series 2006 B Bonds, Series 2007 A Bonds, Series 2008 A Bonds, Series 2008 B Bonds, Series 2009 A Bonds, Series 2009 B Bonds, series 2009 C Bonds, Series 2012 A Bonds, Series 2013 a Bonds, Series 2013 B Bonds, Series 2013 C Bonds, Series 2013 D Bonds, Series 2013 E Bonds and Series 2013 F Bonds are collectively, the First Lien Bonds.

The Series 1987 B Bonds and the Series 1990 B Bonds shall be junior and subordinate with respect to liens, pledge and source of and security for payment, and in all respects, to the First Lien Bonds.

6. Under existing laws, regulations, rulings and judicial decisions of the United States of America, the acquisition of Poca's sewer system by Putnam and the assumption and redesignation of the Series1987 A Bonds, Series 1987 B Bonds, Series 1990 A Bonds and Series 1990 B Bonds does not affect either (a) the excludability of the interest on the Series1987 A Bonds, Series 1987 B Bonds, Series 1990 A Bonds and Series 1990 B Bonds from gross income of the owners thereof for federal income tax purposes pursuant to the Internal Revenue Code of 1986, as amended, and the regulations thereunder (collectively, the "Code"); (b) the determination that the interest on the Series1987 A Bonds, Series 1987 B Bonds, Series 1990 A Bonds and Series 1990 B Bonds is not an item of tax preference for the purposes of the federal alternative minimum tax imposed upon individuals and corporations under the Code; or (c) the exemption of the Series1987 A Bonds, Series 1987 B Bonds, Series 1990 A Bonds and Series 1990 B Bonds from taxation by the State of West Virginia or any county, municipality, political subdivision or agency thereof.

Very truly yours,

STEPTOE & JOHNSON PLLC

847280.00024

KAY CASTO & CHANEY PLLC
Attorneys at Law

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June 30, 2016

Acquisition of Town of Poca Sewerage System
and Assumption of Debt by
Putnam Public Service District

Putnam Public Service District
Scott Depot, West Virginia

West Virginia Water Development Authority
Charleston, West Virginia

United States Department of Agriculture
Morgantown, West Virginia

Ladies and Gentlemen:

We have acted as local counsel to Putnam Public Service District in connection with (i) the acquisition of the Town of Poca's ("Poca") sewerage system by Putnam Public Service District ("Putnam"), in Putnam County, West Virginia, (ii) the assumption and re-designation by Putnam of the following bonds of Poca: (i) Sewer Revenue Bonds, Series 1987 A (West Virginia Water Development Authority), dated March 12, 1987, issued in the original aggregate principal amount of $878,743 (the "Series 1987 A Bonds"); (ii) Sewer Revenue Bonds, Series 1987 B (West Virginia Water Development Authority), dated March 12, 1987, issued in the original aggregate principal amount of $215,535 (the "Series 1987 B Bonds"); (iii) Sewer Revenue Bonds, Series 1990 A (West Virginia Water Development Authority), dated February 23, 1990, issued in the original aggregate principal amount of $214,969 (the "Series 1990 A Bonds"); (iv) Sewer Revenue Bonds, Series 1990 B (West Virginia Water Development Authority), dated February 23, 1990, issued in the original aggregate principal amount of $10,031 (the "Series 1990 B Bonds") (collectively, the "WDA Bonds"); and (v) Sewer Revenue Bonds, Series 2012 A (United States Department of Agriculture), dated July 23, 2012, issued in the original aggregate principal amount of $525,600 (the "Series 2012 A Bonds" and, together with the WDA Bonds, the "Poca Bonds"), all issued pursuant to Chapter 16, Article 13 of the West Virginia Code of 1931, as amended (the "Act").

We have examined the applicable provisions of the Act, the ordinance enacted November 5, 2013 by Poca proposing and ordering the sale of Poca's sewerage system by Putnam, and the resolution of Poca ratifying the sale of its sewerage system to Putnam duly adopted on May 26, 2016, and the resolution of Putnam ratifying the sale of Poca's sewerage system duly adopted on May 23, 2016 (collectively the "Resolutions"), pursuant to and under which Act and Resolutions Poca's sewerage system is being merged into Putnam (the "Merger"), the Poca Bonds are assumed by Putnam.

Based upon the foregoing, and upon our examination of such other documents, instruments and certificates as we have deemed necessary, we are of the opinion, under existing law, as follows:

1. Putnam is duly created and validly existing as a public service district and as a public corporation and political subdivision of the State of West Virginia, with corporate power to merge with Poca, to assume the Poca Bonds and to operate and maintain the sewerage system, all under the Act and other applicable provisions of law. The members and officers of the Public Service Board of Putnam have been duly and properly appointed and elected, have taken the requisite oaths and were, as of the date of their official actions, authorized to act on behalf of Putnam in their respective capacities.

2. The Resolution of Putnam has been duly adopted by the Public Service Board of Putnam and is in full force and effect.

3. To the best of our knowledge, the consummation of the transactions contemplated by the Resolutions and the carrying out of the terms thereof, do not and will not, in any material respect, conflict with or constitute, on the part of Putnam, a breach of or default under any resolution, agreement or other instrument to which Putnam is a party or any existing law, regulation, court order or consent decree to which Putnam is subject.

4. Putnam, Poca, and the Putnam County Commission have received all permits, licenses, approvals, consents, exemptions, orders, certificates and authorizations necessary for the Merger and the assumption and re-designation of the Poca Bonds by Putnam, including, without limitation, the receipt of all requisite orders and approvals from the Public Service Commission of West Virginia. Putnam, Poca, and the Putnam County Commission have received the Recommended Decision dated May 21, 2014, which became a Final Order on June 10, 2014,and

Commission Order dated April 22, 2016, entered by the Public Service Commission of West Virginia in Case No. 14-0293-S-PSD-PC, approving the Merger.

5. To the best of our knowledge, there is no litigation action, suit, proceeding or investigation at law or in equity before or by any court, public board or body, pending or threatened, wherein an unfavorable decision, ruling or finding would adversely affect the transaction contemplated by the Resolutions, the Merger, the assumption and re-designation of the Poca Bonds by Putnam, the operation of the combined sewerage systems, the collection of the gross revenues of Putnam or the pledge of the net revenues of Putnam for the payment of the Poca Bonds.

All counsel to this transaction may rely upon this opinion as if specifically addressed to them.

Sincerely,

Kay Casto + Chaney PLLC

KAY CASTO & CHANEY PLLC

LOWE & ASSOCIATES, PLLC
CERTIFIED PUBLIC ACCOUNTANTS
1156 SOUTH MAIN STREET
MILTON, WEST VIRGINIA 25541
Phone: (304) 743-5573 FAX: (304) 743-1150
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June 30, 2016

Acquisition of Town of Poca Sewerage System
and Assumption of Debt by
Putnam Public Service District

Putnam Public Service District
Scott Depot, West Virginia

West Virginia Water Development Authority
Charleston, West Virginia

United States Department of Agriculture
Morgantown, West Virginia

Steptoe & Johnson PLLC
Charleston, West Virginia

Ladies and Gentlemen:

The Public Service Commission of West Virginia ("PSC") in Case No. 14-0293-S-PSD-PC, by Recommended Decision dated May 21, 2014, which became a Final Order of the PSC on June 10, 2014, approved, among other things, the acquisition of the Town of Poca's ("Poca") sewerage system by Putnam Public Service District ("Putnam") (the "Merger"), contingent upon written bondholder approval from all bondholders of both Poca and Putnam.

Based upon the sewer rates and charges for Putnam set forth in rate resolution of Putnam dated January 28, 2016 and resolution of The County Commission dated February 23, 2016 and filed as Tariff P.S.C. W. Va. No. 12 at the PSC and the projected operating expenses and the anticipated customer usage as furnished to us by Putnam, it is our opinion that such rates and charges will be sufficient to provide revenues which, together with other revenues of the system (collectively the "System"), will pay all operating expenses of the System and leave a balance each year equal to at least 115% of the maximum amount required in any year for debt service on the existing Putnam sewer revenue bonds, including its:

1. Sewer Revenue Bonds, Series 1979 (United States Department of Agriculture), dated September 12, 1980, issued in the original aggregate principal amount of $2,200,000 (the "Series 1979 Bonds");

2. Sewer Revenue Bonds, Series 1987 A (West Virginia Water Development Authority), dated March 12, 1987 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $878,743, formerly Town of Poca Sewer Revenue Bonds, Series 1987 A, dated March 12, 1987 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $878,743 (the "Series 1987 A Bonds");

3. Sewer Revenue Bonds, Series 1987 B (West Virginia Water Development Authority), dated March 12, 1987, issued in the original aggregate principal amount of $215,535, formerly the Town of Poca Sewer Revenue Bonds, Series 1987 B, dated March 12, 1987, issued in the original aggregate principal amount of $215,535 (the "Series 1987 B Bonds");

4. Sewer Revenue Bonds, Series 1990 A (West Virginia Water Development Authority), dated February 23, 1990 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $214,969, formerly the Town of Poca Sewer Revenue Bonds, Series 1990 A, dated February 23, 1990 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $214,969 (the "Series 1990 A Bonds");

5. Sewer Revenue Bonds, Series 1990 B (West Virginia Water Development Authority), dated February 23, 1990, issued in the original aggregate principal amount of $10,031, formerly the Town of Poca Sewer Revenue Bonds, Series 1990 B, dated February 23, 1990, issued in the original aggregate principal amount of $10,031 (the "Series 1990 B Bonds");

6. Sewer Revenue Bonds, Series 2002 B (West Virginia SRF Program), dated March 7, 2002, issued in the original aggregate principal amount of $1,422,000 (the "Series 2002 B Bonds");

7. Sewer Revenue Bonds, Series 2006 A (United States Department of Agriculture), dated May 12, 2006, issued in the original aggregate principal amount of $4,946,000 (the "Series 2006 A Bonds");

8. Sewer Revenue Bonds, Series 2006 B (United States Department of Agriculture), dated May 12, 2006, issued in the original aggregate principal amount of $2,104,000 (the "Series 2006 B Bonds");

9. Sewer Revenue Bonds, Series 2007 A (West Virginia Infrastructure Fund), dated March 19, 2007, issued in the original aggregate principal amount of $2,330,000 (the "Series 2007 A Bonds");

10. Sewer Revenue Bonds, Series 2008 A (West Virginia SRF Program), dated January 28, 2008, issued in the original aggregate principal amount of $3,680,000 (the "Series 2008 A Bonds");

11. Sewer Revenue Bonds, Series 2008 B (West Virginia Infrastructure Fund), dated June 6, 2008, issued in the original aggregate principal amount of $509,000 (the "Series 2008 B Bonds");

12. Sewer Revenue Bonds, Series 2009 A (United States Department of Agriculture), dated June 26, 2009, issued in the original aggregate principal amount of $4,520,000 (the "Series 2009 A Bonds");

13. Sewer Revenue Bonds, Series 2009 B (West Virginia SRF Program/ARRA), dated October 29, 2009, issued in the original aggregate principal amount of $1,050,000 (the "Series 2009 B Bonds");

14. Sewer Revenue Bonds, Series 2009 C (West Virginia SRF Program), dated October 29, 2009, issued in the original aggregate principal amount of $1,050,500 (the "Series 2009 C Bonds");

15. Sewer Revenue Bonds, Series 2012 A (United States Department of Agriculture), dated July 23, 2012, issued in the original aggregate principal amount of $525,600, formerly Town of Poca Sewer Revenue Bonds, Series 2012 A (United States Department of Agriculture), dated July 23, 2012, issued in the original aggregate principal amount of $525,600 (the "Series 2012 A Bonds");

16. Sewer Refunding Revenue Bonds, Series 2013 A (Tax-Exempt), dated July 11, 2013, issued in the original aggregate principal amount of $7,700,000 (the "Series 2013 A Bonds");

17. Sewer Revenue Bonds, Series 2013 B (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $6,000,000 (the "Series 2013 B Bonds");

18. Sewer Revenue Bonds, Series 2013 C (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $6,930,000 (the "Series 2013 C Bonds");

19. Sewer Revenue Bonds, Series 2013 D (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $564,800 (the "Series 2013 D Bonds");

20. Sewer Revenue Bonds, Series 2013 E (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $1,241,000 (the "Series 2013 E Bonds"); and

21. Sewer Revenue Bonds, Series 2013 F (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $1,500,000 (the "Series 2013 F Bonds"); (collectively, the "Bonds").

It is our further opinion that (i) the Net Revenues for the Fiscal Year following the year will be at least 115% of the average annual debt service requirements on the Bonds, and (ii) the Net Revenues actually derived from the System during any 12 consecutive months, within the 18 months immediately preceding the date of the acquisition of Poca's sewerage system, plus the estimated average increased annual Net Revenues to be received in each of the 3 succeeding years after the acquisition of the Poca sewerage system, are not less than 115% of the largest aggregate amount that will mature and become due in any succeeding fiscal year for the principal of and interest on the Bonds.

Sincerely,

Lowe & Associates, PLLC

LOWE & ASSOCIATES, PLLC

847280.00024

WEST VIRGINIA
Water Development Authority
Celebrating 42 Years of Service 1974 - 2016

June 30, 2016

Acquisition of Town of Poca Sewerage System
and Assumption of Debt by
Putnam Public Service District

TO WHOM IT MAY CONCERN:

In reliance upon the certificate of Lowe & Associates and the opinion of Steptoe & Johnson PLLC, bond counsel, the undersigned duly authorized representative for the West Virginia Water Development Authority (the "Authority"), the present holder of the Series 1987 A Bonds, Series 1987 B Bonds, Series 1990 A Bonds and Series 1990 B Bonds hereinafter defined and described hereby consents to: (i) the acquisition of Poca's sewerage system by Putnam Public Service District ("Putnam"); and (ii) the assumption and re-designation by Putnam of:

1. Sewer Revenue Bonds, Series 1987 A (West Virginia Water Development Authority), dated March 12, 1987 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $878,743, formerly Town of Poca Sewer Revenue Bonds, Series 1987 A, dated March 12, 1987 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $878,743 (the "Series 1987 A Bonds");

2. Sewer Revenue Bonds, Series 1990 A (West Virginia Water Development Authority), dated February 23, 1990 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $214,969, formerly the Town of Poca Sewer Revenue Bonds, Series 1990 A, dated February 23, 1990 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $214,969 (the "Series 1990 A Bonds");

3. Sewer Revenue Bonds, Series 1987 B (West Virginia Water Development Authority), dated March 12, 1987, issued in the original aggregate principal amount of $215,535, formerly the Town of Poca Sewer Revenue Bonds, Series 1987 B, dated March 12, 1987, issued in the original aggregate principal amount of $215,535 (the "Series 1987 B Bonds"); and

4. Sewer Revenue Bonds, Series 1990 B (West Virginia Water Development Authority), dated February 23, 1990, issued in the original aggregate principal amount of $10,031, formerly the Town of Poca Sewer Revenue Bonds, Series 1990 B, dated February 23, 1990, issued in the original aggregate principal amount of $10,031 (the "Series 1990 B Bonds").

1009 Bullitt Street, Charleston, WV 25301
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The Series 1987 A Bonds and Series 1990 A Bonds shall be on a first lien with Putnam's:

1. Sewer Revenue Bonds, Series 1979 (United States Department of Agriculture), dated September 12, 1980, issued in the original aggregate principal amount of $2,200,000 (The "Series 1979 Bonds"),

2. Sewer Revenue Bonds, Series 2002 B (West Virginia SRF Program), dated March 7, 2002, issued in the original aggregate principal amount of $1,422,000 (The "Series 2002 B Bonds"),

3. Sewer Revenue Bonds, Series 2006 A (United States Department of Agriculture), dated May 12, 2006, issued in the original aggregate principal amount of $4,946,000 (the "Series 2006 A Bonds"),

4. Sewer Revenue Bonds, Series 2006 B (United States Department of Agriculture), dated May 12, 2006, issued in the original aggregate principal amount of $2,104,000 (the "Series 2006 B Bonds"),

5. Sewer Revenue Bonds, Series 2007 A (West Virginia Infrastructure Fund), dated March 19, 2007, issued in the original aggregate principal amount of $2,330,000 (the "Series 2007 A Bonds"),

6. Sewer Revenue Bonds, Series 2008 A (West Virginia SRF Program), dated January 28, 2008, issued in the original aggregate principal amount of $3,680,000 (the "Series 2008 A Bonds"),

7. Sewer Revenue Bonds, Series 2008 B (West Virginia Infrastructure Fund), dated June 6, 2008, issued in the original aggregate principal amount of $509,000 (the "Series 2008 B Bonds"),

8. Sewer Revenue Bonds, Series 2009 A (United States Department of Agriculture), dated June 26, 2009, issued in the original aggregate principal amount of $4,520,000 (the "Series 2009 A Bonds"),

9. Sewer Revenue Bonds, Series 2009 B (West Virginia SRF Program/ARRA), dated October 29, 2009, issued in the original aggregate principal amount of $1,050,000 (the "Series 2009 B Bonds"),

10. Sewer Revenue Bonds, Series 2009 C (West Virginia SRF Program), dated October 29, 2009, issued in the original aggregate principal amount of $1,050,500 (the "Series 2009 C Bonds"),

11. Sewer Revenue Bonds, Series 2012 A (United States Department of Agriculture), dated July 23, 2012, issued in the original aggregate principal amount of $525,600, formerly Town of Poca Sewer Revenue Bonds, Series 2012 A (United States Department of Agriculture), dated July 23, 2012, issued in the original aggregate principal amount of $525,600 (the "Series 2012 A Bonds"),

12. Sewer Refunding Revenue Bonds, Series 2013 A (Tax-Exempt), dated July 11, 2013, issued in the original aggregate principal amount of $7,700,000 (the "Series 2013 A Bonds");

13. Sewer Revenue Bonds, Series 2013 B (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $6,000,000 (the "Series 2013 B Bonds"),

14. Sewer Revenue Bonds, Series 2013 C (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $6,930,000 (the "Series 2013 C Bonds"),

15. Sewer Revenue Bonds, Series 2013 D (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $564,800 (the "Series 2013 D Bonds"),

16. Sewer Revenue Bonds, Series 2013 E (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $1,241,000 (the "Series 2013 E Bonds"), and

17. Sewer Revenue Bonds, Series 2013 F (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $1,500,000 (the "Series 2013 F Bonds") (collectively, the "First Lien Bonds").

The Series 1979 Bonds, 1987 A Bonds, Series 1990 A Bonds, Series 2002 B Bonds, Series 2006 A Bonds, Series 2006 B Bonds, Series 2007 A Bonds, Series 2008 A Bonds, Series 2008 B Bonds, Series 2009 A Bonds, Series 2009 B Bonds, series 2009 C Bonds, Series 2012 A Bonds, Series 2013 a Bonds, Series 2013 B Bonds, Series 2013 C Bonds, Series 2013 D Bonds, Series 2013 E Bonds and Series 2013 F Bonds are collectively, the First Lien Bonds.

The Series 1987 B Bonds and the Series 1990 B Bonds shall be junior and subordinate with respect to liens, pledge and source of and security for payment, and in all respects, to the First Lien Bonds.

WEST VIRGINIA WATER DEVELOPMENT AUTHORITY

Sheila A. Miller

Authorized Representative

847280.00024

USDA
United States Department of Agriculture

Rural Development

West Virginia State Office

1550 Earl Core Road,
Suite 101
Morgantown, WV
26505

Voice 304.284.4860
Fax 855.859.1835

June 30, 2016

Acquisition of Town of Poca Sewerage System
and Assumption of Debt by
Putnam Public Service District

TO WHOM IT MAY CONCERN:

The undersigned duly authorized representative of the United States of America, acting through the Rural Utilities Service, United States Department of Agriculture, the present Holder of the Series 2012 A Bonds, hereinafter defined and described, consents to: (i) the acquisition of the Town of Poca's ("Poca") sewerage system by Putnam Public Service District ("Putnam"); and (ii) the assumption and re-designation by Putnam of the Town of Poca Sewer Revenue Bonds, Series 2012 A (United States Department of Agriculture), dated July 23, 2012, issued in the original aggregate principal amount of $525,000 to Putnam Public Service District Sewer Revenue Bonds, Series 2012 A (United States Department of Agriculture), dated July 23, 2012, issued in the original aggregate principal amount of $525,000 (the "Series 2012 A Bonds"), and upon such assumption, the Series 2012 A Bonds shall have a first lien on the net revenues of Putnam's sewerage system on a parity with Putnam's:

(1) Sewer Revenue Bonds, Series 1987 A (West Virginia Water Development Authority), dated March 12, 1987 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $878,743, formerly the Town of Poca Sewer Revenue Bonds, Series 1987 A, dated March 12, 1987 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $878,743 (the "Series 1987 A Bonds");

(2) Sewer Revenue Bonds, Series 1990 A (West Virginia Water Development Authority), dated February 23, 1990 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $214,969, formerly the Town of Poca Sewer Revenue Bonds, Series 1990 A, dated February 23, 1990 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $214,969 (the "Series 1990 A Bonds");

(3) Sewer Revenue Bonds, Series 1979 (United States Department of Agriculture), dated September 12, 1980, issued in the original aggregate principal amount of $2,200,000 (The "Series 1979 Bonds"),

(4) Sewer Revenue Bonds, Series 2002 B (West Virginia SRF Program), dated March 7, 2002, issued in the original aggregate principal amount of $1,422,000 (The "Series 2002 B Bonds"),

(5) Sewer Revenue Bonds, Series 2006 A (United States Department of Agriculture), dated May 12, 2006, issued in the original aggregate principal amount of

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$4,946,000 (the "Series 2006 A Bonds"),

(6) Sewer Revenue Bonds, Series 2006 B (United States Department of Agriculture), dated May 12, 2006, issued in the original aggregate principal amount of $2,104,000 (the "Series 2006 B Bonds"),

(7) Sewer Revenue Bonds, Series 2007 A (West Virginia Infrastructure Fund), dated March 19, 2007, issued in the original aggregate principal amount of $2,330,000 (the "Series 2007 A Bonds"),

(8) Sewer Revenue Bonds, Series 2008 A (West Virginia SRF Program), dated January 28, 2008, issued in the original aggregate principal amount of $3,680,000 (the "Series 2008 A Bonds"),

(9) Sewer Revenue Bonds, Series 2008 B (West Virginia Infrastructure Fund), dated June 6, 2008, issued in the original aggregate principal amount of $509,000 (the "Series 2008 B Bonds"),

(10) Sewer Revenue Bonds, Series 2009 A (United States Department of Agriculture), dated June 26, 2009, issued in the original aggregate principal amount of $4,520,000 (the "Series 2009 A Bonds"),

(11) Sewer Revenue Bonds, Series 2009 B (West Virginia SRF Program/ARRA), dated October 29, 2009, issued in the original aggregate principal amount of $1,050,000 (the "Series 2009 B Bonds"),

(12) Sewer Revenue Bonds, Series 2009 C (West Virginia SRF Program), dated October 29, 2009, issued in the original aggregate principal amount of $1,050,500 (the "Series 2009 C Bonds"),

(13) Sewer Refunding Revenue Bonds, Series 2013 A (Tax-Exempt), dated July 11, 2013, issued in the original aggregate principal amount of $7,700,000 (the "Series 2013 A Bonds");

(14) Sewer Revenue Bonds, Series 2013 B (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $6,000,000 (the "Series 2013 B Bonds"),

(15) Sewer Revenue Bonds, Series 2013 C (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $6,930,000 (the "Series 2013 C Bonds"),

(16) Sewer Revenue Bonds, Series 2013 D (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $564,800 (the "Series 2013 D Bonds"),

(17) Sewer Revenue Bonds, Series 2013 E (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $1,241,000 (the "Series 2013 E Bonds"), and

(18) Sewer Revenue Bonds, Series 2013 F (United States Department of Agriculture), dated June 27, 2013, issued in the original aggregate principal amount of $1,500,000 (the "Series 2013 F Bonds").

The Series 1979 Bonds, 1987 A Bonds, Series 1990 A Bonds, Series 2002 B Bonds, Series 2006 A Bonds, Series 2006 B Bonds, Series 2007 A Bonds, Series 2008 A Bonds, Series 2008 B Bonds, Series 2009 A Bonds, Series 2009 B Bonds, series 2009 C Bonds, Series 2012 A Bonds, Series 2013 a Bonds, Series 2013 B Bonds, Series 2013 C Bonds, Series 2013 D Bonds, Series 2013 E Bonds and Series 2013 F Bonds are collectively, the First Lien Bonds.

The (1) Sewer Revenue Bonds, Series 1987 B (West Virginia Water Development Authority), dated March 12, 1987, issued in the original aggregate principal amount of $215,535, formerly the Town of Poca Sewer Revenue Bonds, Series 1987 B, dated March 12, 1987, issued in the original aggregate principal amount of $215,535 (the "Series 1987 B Bonds"); and

(2) Sewer Revenue Bonds, Series 1990 B (West Virginia Water Development Authority), dated February 23, 1990, issued in the original aggregate principal amount of $10,031, formerly the Town of Poca Sewer Revenue Bonds, Series 1990 B, dated February 23, 1990, issued in the original aggregate principal amount of $10,031 (the "Series 1990 B Bonds") shall be junior and subordinate with respect to liens, pledge and source of and security for payment, and in all respects, to the First Lien Bonds.

WITNESSETH my signature on this 30th day of June, 2016.

UNITED STATES DEPARTMENT OF AGRICULTURE
RURAL UTILITIES SERVICE

Susan L Newcomer

Assistant State Director

(copy)

CERTIFICATE OF INCORPORATION FOR CLASS IV TOWN OR VILLAGE

It appearing to the Court that under the provisions of Article Two, Chapter Eight of the Code of West Virginia at an election held on the 15th day of February, 1958, a majority of the votes cast on the question of incorporation by qualified voters residing in the following boundary, towit:

BEGINNING at the end of the east abutment of the New York Central Railroad bridge south of Poca; thence leaving the railroad bridge and running N 60° 20' East crossing U. S. Route 35 at 120 feet, in all 305 feet to a sycamore; thence N 74° 40' East 844 feet to an oak tree; thence N 54° 50' East 280 feet to the south end of a lake dam; thence N 68° 25' East passing the west right of way line of Secondary Road N. 31 at 1,227 feet, in all 1,235 feet to a point in the road surface of Secondary Road No. 31; thence N 45° 50' East crossing the east right of way line of Secondary Road No. 31 at 22 feet, in all 451 feet to a fence corner; thence with a fence N 37° 30' West 612 feet to a fence corner; thence S 65° 10' West 380 feet with a fence to a point in the fence; thence leaving the fence N 29° 40' W 635 feet to a stake in the field; thence N 10° 30' West 450 feet to a stake in the field; thence N 3° 45' West 680 feet to a stake in the north side of the east end of the back water; thence along the north side of the back water S 80° 15' West 520 feet to an oak tree on the west side of the street leading to the Anderson Addition; thence N 89° 00' West crossing Pocatalico River 440 feet to a point in the centerline of U. S. Route 35 at the north end of Pocatalico River roadway bridge; thence continuing down the Pocatalico River and the north side thereof N 83° 00' West 370 feet to a point in the centerline of the New York Central Railroad at the north end of the railroad bridge crossing Pocatalico River; thence continuing down Pocatalico River and on the north side thereof S 51° 15' West 880 feet to a willow at the low water mark on the north bank at the junction of Pocatalico and Kanawha Rivers; thence crossing the Great Kanawha River S 64° 00' West 800 feet to a large willow at the low water makr on the west bank of the Great Kanawha River; thence up the Great Kanawha River on the west bank and with the meandors thereof and with the low water mark 2,325 feet, more or less, to a large willow at the low water mark and on the west side of the Great Kanawha River; thence crossing the Great Kanawha River S 84° 00' East crossing the low water mark on the east side 800 feet, in all 856 feet to the place of beginning, containing 184.7 Acres, more or less.

were cast in favor of the incorporation of the Town of Poca in the County of Putnam, bounded as herein set forth. And as it appears to the satisfaction of the Court that all of the provisions of Article Two, Chapter Eight of the Code of West Virginia have been complied with by the petitioners for said incorporation, said Town is hereby declared to be a body corporate, duly authorized to exercise

all of the corporate powers conferred upon towns by Articles Three to Fifteen, inclusive, of Chapter Eight of the Code of West Virginia, from and after the date of this certificate.

Dated at Winfield, West Virginia, on the 18th day of February, 1958.

J M Beoor

Clerk of the County Court of
Putnam County, West Virginia.

WEST VIRGINIA,

At a SPECIAL SESSION of the County Court of Putnam County, West Virginia, regularly called and held for said Court at the Courthouse thereof on Tuesday, the 18th day of February, 1958.

PRESENT: Honorable A. C. Neal, President, and Carl B. Miller and Harold D. Brown, Gentlemen Commissioners thereof.

RE: INCORPORATION OF THE TOWN OF POCA, PUTNAM COUNTY, WEST VIRGINIA.

This 18th day of February, 1958, the County Court of Putnam County, West Virginia, proceeded to count and canvass the votes cast at the election on the question of the incorporation of the proposed Town of Poca, Putnam County, West Virginia, as a Class IV Town, held in said proposed Town of Poca on the 15th day of February, 1958, pursuant to an order made and entered by this Court on the 17th day of January, 1958, and the Court, having completed the count and canvass of the said election doth hereby ascertain, announce and declare the result of said election to be as follows:

Number of Ballots	194
For Incorporation	121
Against Incorporation	73

It, therefore, appearing to the Court that a majority of the legal votes cast at said election on the question of said incorporation were in favor of said incorporation and the Court being further satisfied that all of the applicable provisions of Article 2, Chapter 8, of the Code of West Virginia, have been fully complied with, it is, therefore, ordered by the Court that the Clerk of this Court do issue a Certificate of Incorporation of said Town of Poca, in form and substance as follows:

It appearing to the Court that under the provisions of Article Two, Chapter Eight of the Code of West Virginia, at an election held on the 15th day of February, 1958, a majority of the votes cast on the question of incorporation by qualified voters residing in the following boundary, to-wit:

BEGINNING at the end of the east abutment of the New York Central Railroad bridge south of Poca; thence leaving the railroad bridge and running N 60° 20' East crossing U. S. Route 35 at 120 feet, in all 305 feet to a sycamore; thence N. 74° 40' East 844 feet to an oak tree; thence N 54° 50' East 280 feet to the south end of a lake dam; thence N 48° 35' East passing the west right of way line of Secondary Road No. 31 at 1,227 feet, in all 1,235 feet to a point in the road surface of Secondary Road No. 31; thence N. 45° 50' East crossing the east right of way line of Secondary Road No. 31 at 22 feet, in all 451 feet to a fence corner; thence with a fence N 37° 30' West 612 feet to a fence corner; thence S 65° 10' West 380 feet with a fence to a point in the fence; thence leaving the fence N 29° 40' W 635 feet to a stake in the field; thence N 10° 30' West 450 feet to a stake in the field; thence N 3° 45' West 680 feet to a stake in the North side of the east end of a back water; thence along the north side of the back water S 80° 15' West 520 feet to an oak tree on the west side of the street leading to the Anderson Addition; thence N 89° 00' West crossing Pocatalico River 440 feet to a point in the centerline of U. S. Route 35 at the north end of Pocatalico River roadway bridge; thence continuing down the Pocatalico River and the North side thereof N 83° 00' West 370 feet to a point in the centerline of the New York Central Railroad at the North end of the railroad bridge crossing Pocatalico River; thence continuing from Pocatalico River and on the north side thereof S. 51° 15' West 880 feet to a willow at the low water mark on the north bank at the junction of Pocatalico and Kanawha Rivers; thence crossing the Great Kanawha River S 64° 30' West 900 feet to a large willow [illegible]

and with the low water mark [illegible] feet, more or less, to a large willow at the low water mark and on the west side of the Great Kanawha River; thence crossing the Great Kanawha River S 84°00' East crossing the low water mark on the east side 800 feet, in all [illegible] feet to the place of beginning, containing 184.7 Acres more or less.

were cast in favor of the incorporation of the Town of Poca in the County of Putnam, bounded as herein set forth. And as it appears to the satisfaction of the Court that all of the provisions of article Two. Chapter Eight of the Code of West Virginia, have been complied with by the petitioners for said incorporation, said Town is hereby declared to be a body corporate, duly authorized to exercise all of the corporate powers conferred upon towns by Article Three to Fifteen, inclusive, of Chapter Eight of the Code of West Virginia, from and after the date of this certificate.

Dated at Winfield, West Virginia, on this 18th day of February, 1958.

(signed) A. M. Brown, Clerk
County Court Putnam
County, West Virginia.

It is further ordered by the Court that the first election of officers for said Town of Poca be held within said Town on the 12 day of April, 1958, and for the purpose of holding and conducting said first election of officers for said Town the Courtdoth appoint Carmie [illegible]. Whited, Golden Jones, and William Casto as Commissioners of said election, they being three legal voters residing with the territory of said Town of Poca, and who shall preside and conduct said election as provided by law.

It is further recommended by the Court that all qualified persons desiring to be candidates for the municipal offices of said Town to be voted upon at the said first election, to qualify as such, shall file a certificate of candidacy with this Court, or the Clerk thereof, on or before the 12 day of March, 1958.

It is further ordered that this Court shall furnish and provide all necessary supplies for conducting said election, including voting booths, ballot boxes, ballots, registration books, challenges and other election supplies as provided by law for general elections and deliver the same to one of the commissioners of election on the day before election.

It is further ordered by the Court that the official ballot for the election aforesaid shall be in the following form, including the names of all the qualified persons who have filed their certificates of candidacy with the Clerk of this Court as herein provided, to-wit:

OFFICIAL BALLOT

TOWN OF POCA, FIRST MUNICIPAL ELECTION

April 12, 1958

OFFICE

MAYOR (Vote for One)

☐ (Name of candidate)

☐ (Name of candidate)

☐ (Name of candidtate)

RECORDER (Vote for one)

☐ (Name of candidtate)

☐ (Name of candidate)

☐ (Name of candidate)

STATE OF WEST VIRGINIA, PUTNAM COUNTY CLERK'S OFFICE

I, Charles E. Farley, Clerk of the Putnam County Commission do, hereby certify the [illegible] copy and transcript from the record of my office.

Given [illegible] 6th [illegible] OCT., 1981

COURT ORDER Book 18 At Page 358

CHARLES E. FARLEY, CLERK, PUTNAM COUNTY COMMISSION

By [illegible] Deputy

STATE OF WEST VIRGINIA

PUTNAM COUNTY

TOWN OF POCA

I, [illegible] DO SOLEMNLY SWEAR THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES, THE CONSTITUTION OF THE STATE OF WEST VIRGINIA AND THE LAWS OF THE [illegible]

[illegible] I WILL FAITHFULLY DISCHARGE THE DUTIES OF THE OFFICE OF MAYOR TO THE BEST OF MY [illegible] SO HELP ME GOD.

SIGNATURE [illegible]

SUBSCRIBED AND SWORN BEFORE ME THIS 2 DAY OF [illegible] 2012

RECORDER [illegible]

WITNESSED BY [illegible]

STATE OF WEST VIRGINIA

PUTNAM COUNTY

TOWN OF POCA

I, [illegible] DO SOLEMNLY SWEAR THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES, THE CONSTITUTION OF THE STATE OF WEST VIRGINIA AND THE LAWS OF THE TOWN OF POCA.

AND THAT I WILL FAITHFULLY DISCHARGE THE DUTIES OF THE OFFICE OF RECORDER TO THE BEST OF MY ABILITY. SO HELP ME GOD.

SIGNATURE [illegible]

SUBSCRIBED AND SWORN BEFORE ME THIS 2nd DAY OF June 2011.

RECORDER [illegible]

WITNESSED BY [illegible]

OFFICIAL SEAL
STATE OF WEST VIRGINIA
NOTARY PUBLIC
KATHY S. FISHER
[illegible]

STATE OF WEST VIRGINIA

PUTNAM COUNTY

TOWN OF POCA

I, [illegible], DO SOLEMNLY SWEAR THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES, THE CONSTITUTION OF THE STATE OF WEST VIRGINIA AND THE LAWS OF THE TOWN OF POCA;

AND THAT I WILL FAITHFULLY DISCHARGE THE DUTIES OF THE OFFICE OF CLERK TO THE BEST OF MY ABILITY, SKILL AND JUDGEMENT. SO HELP ME GOD.

SIGNATURE [illegible]

SUBSCRIBED AND SWORN BEFORE ME THIS 29th DAY OF June 2012.

SIGNATURE [illegible]

WITNESSED BY [illegible]

STATE OF WEST VIRGINIA

PUTNAM COUNTY

TOWN OF POCA

I William E Jones, DO SOLEMNLY SWEAR THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES, THE CONSTITUTION OF THE STATE OF WEST VIRGINIA AND THE LAWS OF THE TOWN OF POCA.

AND, THAT I WILL FAITHFULLY DISCHARGE THE DUTIES OF THE OFFICE OF TOWN COUNCIL TO THE BEST OF MY ABILITY, SKILL, AND JUDGMENT. SO HELP ME GOD.

SIGNATURE William E. Jones

SUBSCRIBED AND SWORN BEFORE ME, THIS 23 DAY OF April 2012

RECORDER: Carroll Westfall

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
CARROLL WESTFALL
P. O. BOX 243
POCA, WV 25159
My Commission Expires September 15, 2013

STATE OF WEST VIRGINIA

PUTNAM COUNTY

TOWN OF POCA

[illegible] DO SOLEMNLY SWEAR THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES, THE CONSTITUTION OF THE STATE OF WEST VIRGINIA AND THE LAWS OF THE TOWN OF POCA.

THAT I WILL FAITHFULLY DISCHARGE THE DUTIES OF THE OFFICE OF COUNCIL TO THE BEST OF MY [illegible], SKILL AND JUDGEMENT, SO HELP ME GOD.

SIGNATURE [illegible]

SUBSCRIBED AND SWORN BEFORE ME THIS 29th DAY OF June 2011.

RECORDER [illegible]

WITNESSED BY Kathy S. Fisher

OFFICIAL SEAL
STATE OF WEST VIRGINIA
NOTARY PUBLIC
KATHY S. FISHER
[illegible]

STATE OF WEST VIRGINIA

PUTNAM COUNTY

TOWN OF POCA

I, [illegible], DO SOLEMNLY SWEAR THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES, THE CONSTITUTION OF THE STATE OF WEST VIRGINIA AND THE LAWS OF THE TOWN OF POCA.

[illegible] FAITHFULLY DISCHARGE THE DUTIES OF THE OFFICE OF COUNCIL TO THE BEST OF MY [illegible], SO HELP ME GOD.

SIGNATURE [illegible]

SUBSCRIBED AND SWORN BEFORE ME THIS 29th DAY OF June 2011

[illegible]

WITNESSED BY Kathy S. Fisher

OFFICIAL SEAL
STATE OF WEST VIRGINIA
NOTARY PUBLIC
KATHY S. FISHER
[illegible]

TOWN OF POCA

EXCERPT OF MINUTES

The undersigned RECORDER of the Town of Poca of hereby certifies that the following is a true and correct excerpt of the minutes of a regular meeting of the said Council:

*** *** ***

The Council of the Town of Poca met in regular session, pursuant to notice duly posted, on the 23rd day of May, 2016, in Putnam County, West Virginia, at the hour of 7:30 p.m.

PRESENT:

William Jones, Mayor	John Stump, Steptoe & Johnson
Jolita Raine	Helen Martin
Veronica Parkins	Regina Mayse
Carroll Westfall, Recorder	Ray Helmick

ABSENT:
None

William Jones, Mayor, presided. The Mayor announced that a quorum of members was present and that the meeting was open for any business properly before it.

Thereupon, the Mayor then presented a proposed Resolution in writing entitled:

A RESOLUTION RATIFYING THE MERGER OF THE TOWN OF POCA'S SEWERAGE SYSTEM INTO PUTNAM PUBLIC SERVICE DISTRICT

and caused the same to be read and there was discussion. Thereupon, upon motion duly made by Veronica Parkins and seconded by Ray Helmick, it was unanimously ordered that the said Resolution be adopted and be in full force and effect on and from the date hereof.

*** *** ***

There being no further business to come before the meeting, on motion duly made and seconded, it was unanimously ordered that the meeting adjourn.

CERTIFICATION

I hereby certify that the foregoing is a true copy of the minutes of the Town of Poca and that such actions remain in full force and effect and have not been amended, rescinded, superseded, repealed or changed.

Dated: June 30, 2016

Carroll Westfall
Recorder

847280.00024

IN THE COUNTY COMMISSION OF PUTNAM COUNTY, WEST VIRGINIA

The County Commission of Putnam County, West Virginia, sitting in regular session this the 27th day of August, 2013 does hereby RE-APPOINT Mr. Paul Callahan, 8 Oak Ridge, Winfield, WV 25213 to serve on the Putnam Public Service District Board, effective August 31, 2013 with a term to expire on August 31, 2019.

ENTER this 27th day of August, 2013.

R. Joseph Haynes, President

Stephen A. Andes, Commissioner

R. Andrew Skidmore, Commissioner

COPY

IN THE COUNTY COMMISSION OF PUTNAM COUNTY, WEST VIRGINIA

The County Commission of Putnam County, West Virginia, sitting in regular session this the 22nd day of April, 2014 does hereby APPOINT Mark L. Smith, 3687 Blue Lick Road, Winfield, WV 25213 to serve on the Putnam Public Service District Board, effective April 30, 2014 with a term to expire on August 17, 2017.

ENTER this 22nd day of April, 2014.

Stephen A. Andes, President

R. Andrew Skidmore, Commissioner

R. Joseph Haynes, Commissioner

IN THE COUNTY COMMISSION OF PUTNAM COUNTY, WEST VIRGINIA

The County Commission of Putnam County, West Virginia, sitting in regular session this the 8th day of September, 2015 does hereby RE-APPOINT Mr. Stanley Booth, 131 Leslie Place, Scott Depot, WV 25560 to serve on the Putnam Public Service District Board, effective September 1, 2015 with a term to expire on August 31, 2021.

ENTER this 8th day of September, 2015.

R. Andrew Skidmore, President

R. Joseph Haynes, Commissioner

Stephen A. Andes, Commissioner

COMMISSIONERS
STEPHEN A. ANDES
R. JOSEPH HAYNES
R. ANDREW SKIDMORE

Putnam County Commission

12093 WINFIELD ROAD
WINFIELD, WV 25213

PHONE: 586-0201
FAX: 586-0211

September 22, 2015

Mr. Stanley Booth
131 Leslie Place
Scott Depot, WV 25560

Dear Stan:

The Putnam County Commission is pleased to announce that we have re-appointed you to serve on the Putnam Public Service District Board. This term will be effective on September 1, 2015 and will expire on August 31, 2021.

Upon receipt of this letter, it will be necessary for you to appear before the County Clerk of this Commission at the courthouse to take the oath of office. Failure to do this could make a board vote nil and illegal, so taking this oath as soon as possible is extremely important for you. If for any reason you are unable to accept the re-appointment, please contact our office as soon as possible so we can make other arrangements.

We look forward to continue working with you in this capacity and thank you for your willingness to serve the citizens of Putnam County.

Sincerely,

PUTNAM COUNTY COMMISSION

R. Andrew Skidmore, President

ABSENT

R. Joseph Haynes, Commissioner

Stephen A. Andes, Commissioner

PCC:so

PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON

At a session of the PUBLIC SERVICE COMMISSION OF WEST VIRGINIA in the City of Charleston on the 27th day of June 2016.

CASE NO. 16-0193-PSD-PC
PUTNAM COUNTY COMMISSION
a public utility,
Petition for consent and approval to expand the service territory of Putnam Public Service District.

COMMISSION ORDER

The Commission approves the expansion of the Putnam Public Service District as proposed by the Putnam County Commission.

BACKGROUND

On February 12, 2016, the Putnam County Commission filed a request that the Commission approve its petition to expand the service boundaries of Putnam Public Service District (District) in Putnam County pursuant to W.Va. Code §16-13A-2. According to the Putnam County Commission Resolution and Order, the expansion of the District is in preparation for the anticipated closing of the sale by the Town of Poca of its sewer system to the District as previously approved by the Public Service Commission in Case No. 14-0293-S-PSD-PC.

The Putnam County Commission included in its filing (i) the Resolution and Order of the Putnam County Commission entered January 12, 2016, setting a hearing on February 9, 2016, in the Putnam County Courthouse to expand the service boundaries of the District, (ii) an Affidavit of Posting indicating that notice of the Putnam County Commission's February 9, 2016, public hearing was posted in five conspicuous places throughout the affected areas of Putnam County, West Virginia, (iii) Affidavits of Publication noticing the February 9, 2016 hearing published on January 21, 2016, in The Hurricane Breeze and on January 22, 2016, in The Herald-Dispatch, and (iv) the Resolution and Order of the Putnam County Commission entered February 9, 2016, approving the expansion of the service boundaries of the District in Putnam County based upon the Order that describes the expanded service boundaries.

On March 18, 2016, Commission Staff filed its Initial and Final Joint Staff Memorandum stating that the Putnam County Commission had complied with the applicable requirements of W.Va. Code §16-13A-2, including adequate public notice.

Staff recommended that the Commission require publication pursuant to Rules and Regulations for the Government of Sewer Utilities (Sewer Rules) 7.3, and approve the request of the Putnam County Commission without a hearing.

On February 16, 2016, Putnam County Commission filed an affidavit of posting stating that the notice of the Putnam County Commission hearing was posted in five conspicuous locations in the areas to be affected by the boundary adjustment.

On May 9, 2016, the Putnam County Commission, by the District, filed a request for an order to be entered requiring publication of notice so that the closing on the acquisition of the Town of Poca's sewer facilities can be scheduled.

On May 13, 2016, the Commission entered an order requiring publication of notice of this case.

On June 16, 2016, the Putnam County Commission filed affidavits of publication as required by the May 13, 2016 Order. The affidavits indicated that publication approved on May 17, 2016 in The Herald Dispatch and on May 19, 2016 in The Hurricane Breeze. The thirty day protest period accordingly would expire on June 18, 2016.

No protests were filed.

DISCUSSION

Adjusting the boundaries of a public service district requires the consent and approval of the Public Service Commission and is controlled by the provisions of W.Va. Code §16-13A-2 and the Sewer Rule 7.3. Pursuant to W.Va. Code §16-13A-2(e), when the extension of public service district facilities "will be conducive to the preservation of public health, comfort and convenience, of such area, the county commission shall by order . . . enlarge . . . such public service district." Id.

The purpose of the expansion of the boundaries of the District is to facilitate the sale of the Town of Poca of its sewer system to the District as previously approved by the Public Service Commission in Case No. 14-0293-S-PSD-PC.

It is reasonable and efficient to expand the District territory as conducive to the preservation of public health, comfort, and convenience. Therefore, because the Putnam County Commission has complied with the statutory requirements, the Commission finds that it is in the public interest to approve the Putnam County Commission petition and grant its consent to expand the territory of the District, pursuant to W.Va. Code §16-13A-2(f).

Finally, because no protests were filed opposing the expansion of the District, the Commission will forgo a hearing in this matter.

FINDINGS OF FACT

1. The Putnam County Commission requests the consent and approval of the Commission to adjust the boundaries of the District pursuant to W.Va. Code §16-13A-2.

2. The Putnam County Commission adopted a resolution and order to expand the service area of the District on January 12, 2016. A hearing on the matter was held on February 9, 2016, twenty-eight days after the resolution was first adopted, in compliance with Sewer Rule 7.3.a.

3. The Putnam County Commission published notice of the proposed boundary expansion, as required by Sewer Rule 7.3.a. Petition.

4. The Putnam County Commission posted notice of the hearing in at least five conspicuous locations in the proposed service area for a period of at least ten days prior to the hearing. Petition.

5. The Putnam County Commission made certain findings of fact within its resolution and order, noting that the expansion would be conducive to the public health, comfort and convenience of the area.

6. On January 19, 2016, the Putnam County Commission by the District filed an application documenting publication of the notice as required by the May 13, 2016 Commission Order.

CONCLUSIONS OF LAW

1. The Putnam County Commission has complied with the statutory requirements to enlarge the service boundaries of the District.

2. Because no protests were filed opposing the expansion of the District, it is reasonable to waive the hearing described in Sewer Rule 7.3.

3. The Commission concludes that it is in the best interest of the public to approve the Putnam County Commission petition and grant Commission consent to expand the territory of the District, pursuant to W. Va. Code §16-13A-2(f).

ORDER

IT IS THEREFORE ORDERED that the Putnam County Commission petition is hereby granted. Pursuant to W.Va. Code §16-13A-2(f), the Public Service Commission grants its consent to the expansion of the service boundary of the Putnam Public Service District.

IT IS FURTHER ORDERED that the hearing in this matter is waived.

IT IS FURTHER ORDERED that this case is removed from the Commission's docket of active cases.

IT IS FURTHER ORDERED that the Executive Secretary of the Commission serve a copy of this Order by electronic service on all parties of record who have filed an e-service agreement, by United States First Class Mail on all parties of record who have not filed an e-service agreement, and on Commission Staff by hand delivery.

A True Copy, Teste,

Ingrid Ferrell
Executive Secretary

JJW/sm
160193ca.docx

7/6/2006	Notice of PH to change name to Putnam PSD
6/27/2006	North Putnam PSD resolution authorizing acquisition by South Putnam PSD
6/27/2006	South Putnam PSD resolution authorizing acquisition of North Putnam PSD and name change to Putnam PSD
6/27/2006	Putnam County Commission order approving South Putnam PSD acquisition of Noth Putnam PSD and name change to Putnam PSD
7/7/2006	PSC Order approving South Putnam PSD acquisition of North Putnam PSD and name change to Putnam PSD
4/5/2006	Putnam County Commission Order approving South Putnam PSD name change to Putnam PSD
10/16/2003	PSC Order to expand boundaries of South Putnam PSD and dissolution of North Putnam PSD
8/3/2000	North Putnam PSD minutes on PH to sell to South Putnam PSD
7/8/2003	Putnam County Commission resolution approving sale of Noth Putnam PSD to South Putnam PSD
4/22/2003	Putnam County Commission Resolution and Order expanding South Putnam PSD and dissolving North Putnam PSD
4/12/2003	Affidavit of publication of public hearing
7/11/2000	North Putnam PSD resolution to sell to South Putnam PSD
5/1/1995	Resolution of City of Hurricane authorizing South Putnam PSD to serve within its boundaries
5/1/1995	Resolution of City of Hurricane Sanitary Board authorizing South Putnam PSD to serve within its boundaries
12/3/1981	Putnam County Commission resolution expanding South Putnam PSD
3/10/1981	Putnam County Commission resolution expanding Teays Valley PSD and renaming as South Putnam PSD
9/1/1959	Putnam County Commission resolution and order creating Teays Valley PSD

7-6-06

ESTABLISHED 1900

COOKIE ALLEN
PUBLISHER

PHONE 304-562-9881

THE HURRICANE BREEZE

THE WEEKLY NEWSPAPER FOR ALL OF PUTNAM COUNTY
488 HURRICANE CREEK ROAD
P.O. BOX 310
HURRICANE, WEST VIRGINIA 25526

LEGAL ADVERTISEMENT

PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON
CASE NO. 03-1042-PSWD-PC
SOUTH PUTNAM PUBLIC SERVICE
DISTRICT

NOTICE OF NAME CHANGE

By a Recommended Decision issued September 5, 2003 (Final Commission Order, September 25, 2003) the Commission approved the transfer of the North Putnam Public Service District's public utility system to the South Putnam Public Service District.

On April 28, 2006 the South Putnam Public Service District filed a "Petition to Reopen" requesting approval to change the name of the district to "Putnam Public Service District."

According to West Virginia Code §16-13A-4(f) a name change as requested by South Putnam requires the approval of the West Virginia Public Service Commission and the written consent of any existing holders of bonds or notes issued by South Putnam.

By a Commission Order entered June 7, 2006 the Commission granted its approval of the name change and further ordered South Putnam to provide notice to its customers upon receiving the written consent of its bond and note holders. Such approval was received.

Accordingly, please note that the new name of the South Putnam Public Service District shall be: "Putnam Public Service District."

PUTNAM PUBLIC SERVICE
DISTRICT

7-6-11

CERTIFICATE OF PUBLICATION

STATE OF WEST VIRGINIA,
COUNTY OF PUTNAM, To wit:

This day personally appeared before me, a Notary Public of said County of Putnam, ...Ron Allen.....of The Hurricane Breeze, and after being duly sworn deposes and says that the attached legal publication was duly published in The Hurricane Breeze for..One..(1) consecutive issues, in its issues dated .... July 6, 2006..

Ron Allen
.....
The Hurricane Breeze

Subscribed and sworn to before me this..10th.....day of..... July ....., 2006...

Lora V. Hart
.....
Notary Public

OFFICIAL SEAL
STATE OF WEST VIRGINIA
NOTARY PUBLIC
LORA V. HART
105 Wizard Circle
Hurricane, WV 25525
My Commission Expires March 8, 2010

6-27-06

NORTH PUTNAM PUBLIC SERVICE DISTRICT

A RESOLUTION AUTHORIZING AND RATIFYING THE TRANSFER OF THE ASSETS OF NORTH PUTNAM PUBLIC SERVICE DISTRICT, THE ASSIGNMENT OF THE BONDS OF NORTH PUTNAM PUBLIC SERVICE DISTRICT TO SOUTH PUTNAM PUBLIC SERVICE DISTRICT AND THE DISSOLUTION OF NORTH PUTNAM PUBLIC SERVICE DISTRICT

WHEREAS, North Putnam Public Service District (hereinafter "North Putnam") is a public service district and public corporation created by Resolution of The County Commission of Putnam County (hereinafter, the "County Commission") and formed pursuant to the provisions of Chapter 16, Article 13A of the West Virginia Code of 1931, as amended (the "Act");

WHEREAS, South Putnam Public Service District (hereinafter "South Putnam") is a public service district and public corporation created by Resolution of the County Commission and formed pursuant to the provisions of the Act;

WHEREAS, the Public Service Board of North Putnam adopted a resolution on July 11, 2000, following a duly noticed public hearing, authorizing the transfer of the assets of North Putnam to South Putnam and the assignment of the North Putnam Public Service District Sewer Revenue Bonds, Series 1975 (United States Department of Agriculture), dated October 23, 1975, issued in the original aggregate principal amount of $605,000, originally issued under the name "East Kanawha Public Service District" (the "Series 1975 Bonds") and the North Putnam Public Service District Sewer Revenue Bonds, Series 1993 (West Virginia SRF Program), dated March 30, 1993, issued in the original aggregate principal amount of $267,000 (the "Series 1993 Bonds") to South Putnam;

WHEREAS, the County Commission adopted a resolution on July 8, 2003, approving the transfer of the assets of North Putnam to South Putnam, subject to the approval of the Public Service Commission of West Virginia;

WHEREAS, the Public Service Commission of West Virginia, in Case No. 03-1042-PSWD-PC, by Final Order entered on September 5, 2003, approved the transfer of the assets of North Putnam to South Putnam and the assignment of the Series 1975 Bonds and the Series 1993 Bonds to South Putnam (collectively, the "Transfer and Assignment"), subject to the approval of the bondholders of the Districts;

WHEREAS, the County Commission adopted a resolution on April 22, 2003, approving the dissolution of North Putnam and expanding the boundaries of South Putnam, subject to the approval of the Public Service Commission of West Virginia;

WHEREAS, the Public Service Commission of West Virginia, in Case No. 03-0536-PSWD-PC, by Final Order entered on November 5, 2003, approved the dissolution of North Putnam and the expansion of the boundaries of South Putnam, subject to the transfer of the assets of North Putnam to South Putnam as approved in Case No. 03-1042-PSWD-PC and the approval of the bondholders of the Districts;

WHEREAS, the County Commission adopted a resolution on April 25, 2005, changing the name of South Putnam Public Service District to "Putnam Public Service District," subject to the approval of the Public Service Commission of West Virginia;

WHEREAS, the Public Service Commission of West Virginia, in Case No. 03-1042-PSWD-PC, by Commission Order entered on June 7, 2006, approved the change of the name of South Putnam Public Service District to "Putnam Public Service District," subject to the approval of the bondholders of the Districts;

WHEREAS, the West Virginia Water Development Authority, as the holder of the Series 1993 Bonds heretofore issued by North Putnam has consented to the acquisition of the assets of North Putnam by South Putnam, the assumption of the Series 1993 Bonds by South Putnam, the dissolution of North Putnam and the change of the name of South Putnam Public Service District to "Putnam Public Service District";

WHEREAS, the United States Department of Agriculture - Rural Development, as the holder of the Series 1975 Bonds heretofore issued by North Putnam has consented to the acquisition of the assets of North Putnam by South Putnam, the assumption of the Series 1975 Bonds by South Putnam, the dissolution of North Putnam and the change of the name of South Putnam Public Service District to "Putnam Public Service District";

WHEREAS, the West Virginia Water Development Authority, as the holder of the Series 2002 B Bonds heretofore issued by South Putnam has consented to the acquisition of the assets of North Putnam by South Putnam, the assumption of the Series 1975 Bonds and the Series 1993 Bonds by South Putnam and the change of the name of South Putnam Public Service District to "Putnam Public Service District";

WHEREAS, the United States Department of Agriculture - Rural Development, as the holder of the Series 1979 Bonds, Series 1995 Bonds, Series 2002 A Bonds, Series 2006 A Bonds and Series 2006 B Bonds heretofore issued by South Putnam has consented to the acquisition of the assets of North Putnam by South Putnam, the assumption of the Series 1975 Bonds and the Series 1993 Bonds by South Putnam and the change of the name of South Putnam Public Service District to "Putnam Public Service District;"

WHEREAS, The County Commission of Putnam County plans to adopt a resolution on June 27, 2006, approving and ratifying the proposed Transfer and Assumption, the dissolution of North Putnam, the expansion of the boundaries of South Putnam and the change of the name of South Putnam Public Service District to "Putnam Public Service District;"

WHEREAS, the Board of South Putnam plans to adopt a resolution on June 27, 2006, approving and ratifying the proposed Transfer and Assumption;

WHEREAS, contemporaneously with the transfer of the assets of North Putnam to South Putnam, North Putnam desires to assign, and South Putnam desires to assume all liabilities for and obligations under the Series 1975 Bonds and the Series 1993 Bonds; and

WHEREAS, it is in the best interest of the customers of South Putnam and North Putnam to complete the proposed Transfer and Assumption, to convey all assets, rights, privileges, immunities and powers of North Putnam to South Putnam, for South Putnam to assume and re-designate the Series 1975 Bonds and the Series 1993 Bonds, for North Putnam to be dissolved, for the boundaries of South Putnam to be expanded and for the name of South Putnam Public Service District to be changed to Putnam Public Service District.

NOW, THEREFORE, BE IT RESOLVED BY THE PUBLIC SERVICE BOARD OF NORTH PUTNAM PUBLIC SERVICE DISTRICT, PUTNAM COUNTY, WEST VIRGINIA AS FOLLOWS:

1. North Putnam does hereby authorize and ratify the transfer of the assets of North Putnam to South Putnam, the assignment of the Series 1975 Bonds and the Series 1993 Bonds to South Putnam and the dissolution of North Putnam.

2. That, immediately following the consummation of the Transfer and Assumption on or about June 30, 2006, North Putnam shall be dissolved.

3. The Chairman and Secretary of North Putnam are hereby authorized and directed to execute all documents concerning the Transfer and Assumption, specifically including, but not limited to, the assignment of the Series 1975 Bonds and the Series 1993 Bonds.

4. The Chairman and Secretary of North Putnam are hereby authorized and directed to execute all documents concerning the dissolution of North Putnam.

5. The Chairman and Secretary of North Putnam are vested with the appropriate authority to take any and all actions necessary to complete Transfer and Assumption and the dissolution of North Putnam.

6. This Resolution shall become effective immediately upon adoption hereof.

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Adopted by the Public Service Board of North Putnam Public Service District at a meeting held on the 27th day of June, 2006.

NORTH PUTNAM PUBLIC SERVICE DISTRICT

[SEAL]

Chairman

Secretary

06.21.06
847280.00004

CH829421.2

6-27-06

SOUTH PUTNAM PUBLIC SERVICE DISTRICT

A RESOLUTION AUTHORIZING AND RATIFYING THE ACQUISITION OF THE ASSETS OF NORTH PUTNAM PUBLIC SERVICE DISTRICT, THE ASSUMPTION AND RE-DESIGNATION OF THE BONDS OF NORTH PUTNAM PUBLIC SERVICE DISTRICT, THE EXPANSION OF THE BOUNDARIES OF SOUTH PUTNAM PUBLIC SERVICE DISTRICT AND THE CHANGE OF THE NAME OF SOUTH PUTNAM PUBLIC SERVICE DISTRICT TO PUTNAM PUBLIC SERVICE DISTRICT

WHEREAS, South Putnam Public Service District (hereinafter "South Putnam") is a public service district and public corporation created by Resolution of The County Commission of Putnam County (hereinafter, the "County Commission") and formed pursuant to the provisions of Chapter 16, Article 13A of the West Virginia Code of 1931, as amended (the "Act");

WHEREAS, North Putnam Public Service District (hereinafter "North Putnam") is a public service district and public corporation created by Resolution of the County Commission and formed pursuant to the provisions of the Act;

WHEREAS, the Public Service Board of North Putnam adopted a resolution on July 11, 2000, following a duly noticed public hearing, authorizing the transfer of the assets of North Putnam to South Putnam and the assignment of the North Putnam Public Service District Sewer Revenue Bonds, Series 1975 (United States Department of Agriculture), dated October 23, 1975, issued in the original aggregate principal amount of $605,000, originally issued as "East Kanawha Public Service District" (the "Series 1975 Bonds") and the North Putnam Public Service District Sewer Revenue Bonds, Series 1993 (West Virginia SRF Program), dated March 30, 1993, issued in the original aggregate principal amount of $267,000 (the "Series 1993 Bonds") to South Putnam;

WHEREAS, the County Commission adopted a resolution on July 8, 2003, approving the transfer of the assets of North Putnam to South Putnam, subject to the approval of the Public Service Commission of West Virginia;

WHEREAS, the Public Service Commission of West Virginia, in Case No. 03-1042-PSWD-PC, by Final Order entered on September 5, 2003, approved the transfer of the assets of North Putnam to South Putnam and the assignment of the Series 1975 Bonds and the Series 1993 Bonds to South Putnam (collectively, the "Transfer and Assignment"), subject to the approval of the bondholders of the Districts;

WHEREAS, the County Commission adopted a resolution on April 22, 2003, approving the dissolution of North Putnam and expanding the boundaries of South Putnam, subject to the approval of the Public Service Commission of West Virginia;

WHEREAS, the Public Service Commission of West Virginia, in Case No. 03-0536-PSWD-PC, by Final Order entered on November 5, 2003, approved the dissolution of North Putnam and the expansion of the boundaries of South Putnam, subject to the transfer of the assets of North Putnam to South Putnam as approved in Case No. 03-1042-PSWD-PC and the approval of the bondholders of the Districts;

WHEREAS, the County Commission adopted a resolution on April 25, 2005, changing the name of South Putnam Public Service District to "Putnam Public Service District," subject to the approval of the Public Service Commission of West Virginia;

WHEREAS, the Public Service Commission of West Virginia, in Case No. 03-1042-PSWD-PC, by Commission Order entered on June 7, 2006, approved the change of the name of South Putnam Public Service District to "Putnam Public Service District," subject to the approval of the bondholders of the Districts;

WHEREAS, the West Virginia Water Development Authority, as the holder of the Series 1993 Bonds heretofore issued by North Putnam has consented to the acquisition of the assets of North Putnam by South Putnam, the assumption of the Series 1993 Bonds by South Putnam, the dissolution of North Putnam and the change of the name of South Putnam Public Service District to "Putnam Public Service District";

WHEREAS, the United States Department of Agriculture - Rural Development, as the holder of the Series 1975 Bonds heretofore issued by North Putnam has consented to the acquisition of the assets of North Putnam by South Putnam, the assumption of the Series 1975 Bonds by South Putnam, the dissolution of North Putnam and the change of the name of South Putnam Public Service District to "Putnam Public Service District";

WHEREAS, the West Virginia Water Development Authority, as the holder of the Series 2002 B Bonds heretofore issued by South Putnam has consented to the acquisition of the assets of North Putnam by South Putnam, the assumption of the Series 1975 Bonds and the Series 1993 Bonds by South Putnam and the change of the name of South Putnam Public Service District to "Putnam Public Service District";

WHEREAS, the United States Department of Agriculture - Rural Development, as the holder of the Series 1979 Bonds, Series 1995 Bonds, Series 2002 A Bonds, Series 2006 A Bonds and Series 2006 B Bonds heretofore issued by South Putnam has consented to the acquisition of the assets of North Putnam by South Putnam, the assumption of the Series 1975 Bonds and the Series 1993 Bonds by South Putnam and the change of the name of South Putnam Public Service District to "Putnam Public Service District;"

WHEREAS, The County Commission of Putnam County adopted a resolution on June 27, 2006, approving and ratifying the proposed Transfer and Assumption, the dissolution of North Putnam, the expansion of the boundaries of South Putnam and the change of the name of South Putnam Public Service District to "Putnam Public Service District;"

WHEREAS, the Board of North Putnam adopted a resolution on June 22, 2006, approving and ratifying the proposed Transfer and Assumption and the dissolution of North Putnam;

WHEREAS, contemporaneously with the acquisition of the assets of North Putnam by South Putnam, North Putnam desires to assign, and South Putnam desires to assume all liabilities for and obligations under the Series 1975 Bonds and the Series 1993 Bonds;

WHEREAS, contemporaneously with the assumption of the Series 1975 Bonds and the Series 1993 Bonds, South Putnam desires to re-designate the Series 1975 Bonds and the Series 1993 Bonds as sewer revenue bonds of South Putnam; and

WHEREAS, it is in the best interest of the customers of South Putnam and North Putnam to complete the proposed Transfer and Assumption, to convey all assets, rights, privileges, immunities and powers of North Putnam to South Putnam, for South Putnam to assume and re-designate the Series 1975 Bonds and the Series 1993 Bonds, for North Putnam to be dissolved, for the boundaries of South Putnam to be expanded and for

the name of South Putnam Public Service District to be changed to Putnam Public Service District.

NOW, THEREFORE, BE IT RESOLVED BY THE PUBLIC SERVICE BOARD OF SOUTH PUTNAM PUBLIC SERVICE DISTRICT, PUTNAM COUNTY, WEST VIRGINIA AS FOLLOWS:

1. South Putnam does hereby authorize and ratify the acquisition of the assets of North Putnam by South Putnam, the assumption of the Series 1975 Bonds and the Series 1993 Bonds and the re-designation of the Series 1975 Bonds and the Series 1993 Bonds as bonds of South Putnam.

2. South Putnam does hereby authorize and ratify the assumption of all liabilities, rights, responsibilities and obligations in connection with the Series 1975 Bonds and the Series 1993 Bonds, specifically including, but not limited to, those liabilities, rights, responsibilities and obligations set forth in the resolutions and loan agreements for the Series 1975 Bonds and the Series 1993 Bonds.

3. Upon the assumption of the Series 1975 Bonds by South Putnam, such bonds shall be re-designated as follows:

> South Putnam Public Service District Sewer Revenue Bonds, Series 1975 (United States Department of Agriculture) (Formerly North Putnam Public Service District Sewer Revenue Bonds, Series 1975)

4. Upon the assumption of the Series 1993 Bonds by South Putnam, such bonds shall be re-designated as follows:

> South Putnam Public Service District Sewer Revenue Bonds, Series 1993 (West Virginia SRF Program) (Formerly North Putnam Public Service District Sewer Revenue Bonds, Series 1993)

5. That, immediately following the consummation of the Transfer and Assumption as of the close of business on June 30, 2006, the boundaries of South Putnam shall be expanded and the name of South Putnam Public Service District shall be changed to "Putnam Public Service District."

6. Upon the change of the name of South Putnam to "Putnam Public Service District," all outstanding bonds of the District shall noted with the new name of Putnam Public Service District.

7. The Chairman and Secretary of South Putnam are hereby authorized and directed to execute all documents concerning the Transfer and Assumption, specifically including, but not limited to, the assumption of the Series 1975 Bonds and the Series 1993 Bonds, and the re-designation of the Series 1975 Bonds and the Series 1993 Bonds as sewer revenue bonds of South Putnam.

8. The Chairman and Secretary of South Putnam are hereby authorized and directed to execute all documents concerning the expansion of the boundaries of South Putnam and the change of the name of South Putnam Public Service District to "Putnam Public Service District."

9. The Chairman and Secretary of South Putnam are vested with the appropriate authority to take any and all actions necessary to complete Transfer and Assumption, the expansion of boundaries and the name change of South Putnam.

10. The statutory mortgage liens of the Series 1975 Bonds and the Series 1993 Bonds is hereby assumed by South Putnam and are a valid lien against the System as of the date of assumption, on a parity with one another and with South Putnam's other first lien bonds.

11. The Transfer and Assumption of North Putnam, the expansion of South Putnam's boundaries, the name change to Putnam Public Service District and the dissolution of North Putnam shall all become effective as of the close of business on June 30, 2006.

12. This Resolution shall become effective immediately upon adoption hereof.

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Adopted by the Public Service Board of South Putnam Public Service District at a meeting held on the 27th day of June, 2006.

SOUTH PUTNAM PUBLIC SERVICE DISTRICT

[SEAL]

Chairman

Secretary

06.25.06
847280.00004

6.27.06

BEFORE THE COUNTY COMMISSION OF PUTNAM COUNTY

ORDER APPROVING AND RATIFYING THE ACQUISITION OF THE ASSETS OF NORTH PUTNAM PUBLIC SERVICE DISTRICT BY SOUTH PUTNAM PUBLIC SERVICE DISTRICT, THE DISSOLUTION OF NORTH PUTNAM PUBLIC SERVICE DISTRICT, THE EXPANSION OF THE BOUNDARIES OF SOUTH PUTNAM PUBLIC SERVICE DISTRICT AND THE CHANGE OF THE NAME OF SOUTH PUTNAM PUBLIC SERVICE DISTRICT TO PUTNAM PUBLIC SERVICE DISTRICT

WHEREAS, South Putnam Public Service District (hereinafter "South Putnam") is a public service district and public corporation created by Resolution of The County Commission of Putnam County (hereinafter, the "County Commission") and formed pursuant to the provisions of Chapter 16, Article 13A of the West Virginia Code of 1931, as amended (the "Act");

WHEREAS, North Putnam Public Service District (hereinafter "North Putnam") is a public service district and public corporation created by Resolution of the County Commission and formed pursuant to the provisions of the Act, originally named "East Kanawha Public Service District", which name has previously been changed by the County Commission to "North Putnam Public Service District";

WHEREAS, the County Commission adopted a resolution on July 8, 2003, approving the transfer of the assets of North Putnam to South Putnam, subject to the approval of the Public Service Commission of West Virginia;

WHEREAS, the Public Service Commission of West Virginia, in Case No. 03-1042-PSWD-PC, by Final Order entered on September 5, 2003, approved the transfer of the assets of North Putnam to South Putnam, subject to the approval of the bondholders of the Districts;

WHEREAS, the County Commission adopted a resolution on April 22, 2003, approving the dissolution of North Putnam and expanding the boundaries of South Putnam, subject to the approval of the Public Service Commission of West Virginia;

WHEREAS, the Public Service Commission of West Virginia, in Case No. 03-0536-PSWD-PC, by Final Order entered on November 5, 2003, approved the dissolution of North Putnam and the expansion of the boundaries of South Putnam, subject to the transfer of the assets of North Putnam to South Putnam as approved in Case No. 03-1042-PSWD-PC and the approval of the bondholders of the Districts;

WHEREAS, the County Commission adopted a resolution on April 25, 2005, changing the name of South Putnam Public Service District to "Putnam Public Service District," subject to the approval of the Public Service Commission of West Virginia;

WHEREAS, the Public Service Commission of West Virginia, in Case No. 03-1042-PSWD-PC, by Commission Order entered on June 7, 2006, approved the change of the name of South Putnam Public Service District to "Putnam Public Service District," subject to the approval of the bondholders of the Districts;

WHEREAS, the West Virginia Water Development Authority, as the holder of the Sewer Revenue Bonds, Series 1993 (the "Series 1993 Bonds") heretofore issued by North Putnam has consented to the acquisition of the assets of North Putnam by South Putnam, the assumption of the Series 1993 Bonds by South Putnam, the dissolution of North Putnam and the change of the name of South Putnam Public Service District to "Putnam Public Service District";

WHEREAS, the United States Department of Agriculture - Rural Development, as the holder of the Sewer Revenue Bonds, Series 1975 (the "Series 1975 Bonds") heretofore issued by North Putnam has consented to the acquisition of the assets of North Putnam by South Putnam, the assumption of the Series 1975 Bonds by South Putnam, the dissolution of North Putnam and the change of the name of South Putnam Public Service District to "Putnam Public Service District";

WHEREAS, the West Virginia Water Development Authority, as the holder of the Series 2002 B Bonds heretofore issued by South Putnam has consented to the acquisition of the assets of North Putnam by South Putnam, the assumption of the Series 1975 Bonds and the Series 1993 Bonds by South Putnam and the change of the name of South Putnam Public Service District to "Putnam Public Service District";

WHEREAS, the United States Department of Agriculture - Rural Development, as the holder of the Series 1979 Bonds, Series 1995 Bonds, Series 2002 A Bonds, Series 2006 A Bonds and Series 2006 B Bonds heretofore issued by South Putnam

has consented to the acquisition of the assets of North Putnam by South Putnam, the assumption of the Series 1975 Bonds and Series 1993 Bonds by South Putnam and the change of the name of South Putnam Public Service District to "Putnam Public Service District;" and

WHEREAS, it is now deemed desirous by the County Commission to adopt a Resolution approving and ratifying the transfer of the Assets of North Putnam to South Putnam and the assumption by South Putnam of the Series 1975 Bonds and Series 1993 Bonds, ratifying and confirming all lawful actions taken by all parties and their counsel to effectuate and complete such transfer and assumption, ordering the Public Service Boards of North Putnam and South Putnam to expeditiously take all actions necessary to consummate and complete the transaction, ordering North Putnam be dissolved immediately following the consummation of the transfer and assumption, and further ordering that the boundaries of South Putnam and the change of the name of South Putnam Public Service District to "Putnam Public Service District" be effective immediately upon the consummation of the transfer and assumption.

NOW, THEREFORE, BE IT, AND IT IS, HEREBY, RESOLVED AND ORDERED BY THE COUNTY COMMISSION OF PUTNAM COUNTY AS FOLLOWS:

1. That the transfer of the assets of North Putnam to South Putnam and assumption by South Putnam of the Series 1975 Bonds and Series 1993 Bonds (collectively, the "Transfer and Assumption") is hereby ratified, confirmed and, upon execution and filing of necessary documents by the Public Service Boards of the respective Districts, in all respects deemed completed and to be effective as of the close of business on June 30, 2006.

2. That all lawful actions taken, or to be taken, by the parties to this transaction and their counsel to effectuate and complete the Transfer and Assumption are hereby ratified and confirmed.

3. That the Public Service Boards of North Putnam and South Putnam are hereby ordered to expeditiously take all actions necessary to consummate and complete the Transfer and Assumption.

4. That, immediately following the consummation of the Transfer and Assumption, North Putnam shall be dissolved.

5. That, immediately following the consummation of the Transfer and Assumption, the boundaries of South Putnam shall be expanded and the name of South Putnam Public Service District shall be changed to "Putnam Public Service District."

6. The Transfer and Assumption of North Putnam, the expansion of South Putnam's boundaries, the name change to Putnam Public Service District and the dissolution of North Putnam shall all become effective as of the close of business on June 30, 2006.

7. This Resolution and Order shall be effective immediately following adoption hereof.

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ENTERED into the permanent record of Putnam County, West Virginia, this 27th day of June, 2006.

President

ATTEST:

Clerk

06.25.06
847280.00004

CH746424.4

6.7.06

031042coma060706.wpd

PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON

At a session of the PUBLIC SERVICE COMMISSION OF WEST VIRGINIA in the City of Charleston on the 7th day of June, 2006.

CASE NO. 03-1042-PSWD-PC

SOUTH PUTNAM PUBLIC SERVICE DISTRICT
and NORTH PUTNAM PUBLIC SERVICE DISTRICT
Joint petition for consent and approval for the sale of North Putnam Public Service District's utility system to South Putnam Public Service District.

COMMISSION ORDER

On July 9, 2003 the South Putnam Public Service District (South Putnam) and the North Putnam Public Service District (North Putnam) filed a joint petition seeking Commission consent and approval for the transfer of North Putnam's public utility system (utility system) to South Putnam. In support of the joint petition, South Putnam and North Putnam stated:

(1) The proposed transfer of the North Putnam utility system to South Putnam will be conducive to the preservation of the public health, comfort and convenience of Putnam County;

(2) Pursuant to an Operation and Maintenance Agreement (O&M Agreement) previously entered into between the Petitioners and approved by the Commission in Case No. 00-1134-PSWD-PC (November 14, 2000), South Putnam has been operating and maintaining the utility system of North Putnam;

(3) In the O&M Agreement, North Putnam granted unto South Putnam the exclusive right and option to purchase North Putnam's existing public utility system for the consideration of One Dollar ($1.00), and the complete assumption of any outstanding indebtedness owed by North Putnam to the Rural Utilities Service (RUS), West Virginia Water Development Authority (WDA) and City National Bank;

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(4) South Putnam has been working with the U.S. Army Corps of Engineers in developing a sewer upgrade project for the area currently served by the sewer facilities of North Putnam Public Service District. The Corps of Engineers, which is providing grant monies for the sewer upgrade project, has notified South Putnam that, before the proposed project can move forward, South Putnam will need to acquire the facilities of North Putnam. Therefore, South Putnam wishes to exercise its option to purchase North Putnam's public utility assets pursuant to the O&M Agreement;

(5) The Putnam County Commission has adopted a Resolution proposing (1) the expansion of South Putnam's territory to include the entire territory in Putnam County located north of the Kanawha River and not contained within the boundaries of any municipal or private utility, which area contains the operating territory of North Putnam Public Service District; (2) the dissolution of North Putnam Public Service District; and (3) the rescission of a portion of a March 4, 1993 County Commission Order insofar as it purported to merge Putnam Union Public Service District and North Putnam Public Service District and create a new North Putnam Public Service District. Pursuant to the requirements of *West Virginia Code* § 16-13A-2, the County Commission has filed the appropriate documents with the Public Service Commission seeking its approval of the County Commission's actions. See, Case No. 03-0536-PSWD-PC;

(6) On August 3, 2000, the Board of North Putnam held a hearing pursuant to the requirements of *West Virginia Code* § 16-13A-18a. Following the hearing, at which no member of the public appeared, North Putnam unanimously approved the transfer of that district's assets to South Putnam. A copy of the minutes of the August 3, 2000 meeting was attached to the joint petition as Exhibit 1. A copy of the affidavit of publication notifying the public of the hearing to be held on August 3, 2000 was attached as Exhibit 2. A copy of the resolution of the Board of North Putnam authorizing the Board to undertake all actions necessary to effectuate the transfer of its system to South Putnam was attached to the petition as Exhibit 3;

(7) On July 8, 2003, the County Commission of Putnam County, West Virginia, unanimously passed a resolution approving the action of North Putnam in seeking to transfer its system to South Putnam, subject to the approval of the Public Service Commission and subject to the further approval of North Putnam's bondholders. A copy of the resolution of the County Commission was attached to the petition as Exhibit 4; and

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of West Virginia
Charleston

(8) In order for South Putnam to obtain the necessary funds for the construction of needed sewer facilities in the territory of North Putnam, it is necessary that South Putnam have ownership of North Putnam's current utility assets.

On July 10, 2003 counsel for the Petitioners filed original verifications for the joint petition filed herein on July 9, 2003.

On August 12, 2003 Staff Attorney Ronald E. Robertson, Jr., filed an "Initial and Final Joint Staff Memorandum." An "Initial and Final Internal Memorandum" dated August 5, 2003 from William A. Nelson, Utilities Analyst Supervisor, Water and Wastewater Division, and Jonathan Fowler, P.E., Engineer I, Engineering Division, was attached thereto. Commission Staff (Staff) stated that, based upon its review of the petition and exhibits attached thereto, South Putnam and North Putnam had met the requirements of *West Virginia Code* § 16-13A-18a regarding the sale of North Putnam's utility system to South Putnam. Staff, after noting the Putnam County Commission's pending Case No. 03-0536-PSWD-PC, seeking Commission approval, in part, to dissolve North Putnam and expand South Putnam's boundaries to encompass the current service area of North Putnam, stated that the sale of North Putnam's utility system had to be approved and finalized prior to the dissolution actually occurring.[1] Staff went on to note that approval of the sale of North Putnam's utility system to South Putnam had to be made subject to obtaining bondholder approval. Thus, RUS, WDA and City National Bank had to give their consent to the proposed sale. Accordingly, Staff requested that copies of the consents to the proposed sale executed by RUS, WDA and City National Bank be filed in this proceeding when received. In addition, it was noted that the proposed acquisition of North Putnam's utility system by South Putnam will require South Putnam to adopt and maintain the current North Putnam rates and charges in accordance with Rule 14.1[2] of the Commission's *Rules for the Construction and Filing of*

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[1] Staff noted that it intended to file its final recommendation in the dissolution case concurrently with the filing of its final recommendation in this proceeding, which would allow final orders to be issued on or about the same date in both cases. However, since a hearing scheduled for September 19, 2003 must be held in Case No. 03-0536-PSWD-PC regarding the dissolution of North Putnam, Staff was of the opinion that it was likely that the acquisition of North Putnam's utility system by South Putnam would be approved first, with approval of North Putnam's dissolution to follow some time thereafter.

[2] *Tariff Rule* 14.1 states:

> In case of change of ownership or control of a utility, or, when a utility or a part of its business is transferred from the operating control of one company to that of another, or, when its name is changed, the company,

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Tariffs (*Tariff Rules*). Staff noted that it would typically recommend that the purchasing utility file for a rate review approximately eighteen (18) months following acquisition. However, South Putnam had a sewer rate case, Case No. 03-1041-PSD-42T, pending before the Commission which addressed both its rates and those to be charged to the North Putnam customers. Staff stated that it had no problem with the North Putnam rates being reviewed as part of that proceeding, but the proposed sale *sub judice* had to be approved and South Putnam had to adopt the current North Putnam rates pending the outcome of the rate review in Case No. 03-1041-PSD-42T. Accordingly, Staff recommended approval of the joint petition filed herein, contingent upon North Putnam obtaining bondholder approval and South Putnam adopting and maintaining the current North Putnam rates and charges. Staff also recommended that this matter be retained by the Commission in order to expedite its processing.

By Order dated August 28, 2003 the Commission referred this matter to the Division of Administrative Law Judges (ALJ) for further disposition, with a decision due date of September 25, 2003.

On September 5, 2003 the assigned ALJ issued a Recommended Decision ordering the following:

> IT IS, THEREFORE, ORDERED that the joint petition filed herein on July 9, 2003, by South Putnam Public Service District and North Putnam Public Service District seeking Commission consent and approval for the transfer of North Putnam Public Service District's public utility system to South Putnam Public Service District be, and hereby is, approved.
>
> IT IS FURTHER ORDERED that the approval hereby granted is contingent upon North Putnam Public Service District and South Putnam Public Service District obtaining the approval of North Putnam Public Service District's three (3) bondholders, namely the Rural Utilities Service, the West Virginia Water Development Authority and City National Bank, and filing copies of said approval(s) herein immediately upon receipt.
>
> IT IS FURTHER ORDERED that the approval hereby granted is further contingent upon South Putnam Public Service District filing with the

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which will thereafter operate the utility business, must use the rates, classifications and rules and regulations of the former operating company (unless authorized to change by the Commission).

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of West Virginia
Charleston

Commission's Tariff Office within thirty (30) days of the date that this Order becomes final, an appropriate tariff adopting the rates and charges now in effect for North Putnam Public Service District's customers.

The ALJ's Recommended Decision became a Final Order of the Commission on September 25, 2003.

On April 28, 2006 South Putnam filed a "Petition to Reopen" noting that South Putnam is in the process of finalizing the acquisition, and that the bond issuance associated therewith is anticipated to occur in June of 2006. The filing noted that by Order entered April 25, 2006 the County Commission of Putnam County changed the official name of South Putnam to "Putnam Public Service District" contingent upon approval of the Public Service Commission and the written consent of any existing holders of bonds or notes issued by South Putnam. So that a new bond issuance scheduled to occur in June of 2006 will include the new name of the "Putnam Public Service District," the petition requested expedited treatment.

On June 1, 2006 Staff filed its "Initial and Final Joint Staff Memorandum." Therein, Staff recommended approval of the name change of the South Putnam Public Service District to the "Putnam Public Service District" subject to the filing of the written consent of any existing holders of bonds or notes issued by South Putnam, pursuant to *West Virginia Code* § 16-13A-4(f). Staff further recommended that South Putnam provide notice to its customers of the new name. Staff also recommended that South Putnam be authorized to change all of its outstanding loans and bank accounts to the name of "Putnam Public Service District" after bond holder approval is received.

On June 5, 2006 South Putnam filed a letter in response to the Initial and Final Joint Staff Memorandum filed on June 1, 2006. The letter from South Putnam stated, in part, the following:

> Please be advised that the bondholders will not grant their consent until the Commission has granted approval to the name change. Therefore, in order to clarify what Staff is recommending without delaying this matter any further so that the bonds anticipated to be issued shortly may be issued in the new name of the District, it is respectfully requested that the Commission's Order approving the name change contain language to the effect that the name change is approved "conditioned upon the District providing the Commission with written proof of the approval of the bondholders." [Emphasis in original.]

Public Service Commission
of West Virginia
Charleston

Regarding public notice to the District's customers, the District will adhere to any post-approval publication of notice to its customers of the name change that the Commission may require in its Order.

DISCUSSION

West Virginia Code § 16-13A-4(f) reads as follows:

> (f) ... . The county commission which created a district or county commissions if more than one created the district may, upon written request of the district, adopt an order changing the official name of a public service district: *Provided,* That such name change will not be effective until approved by the public service commission of West Virginia and the owners of any bonds and notes issued by the district, if any, shall have consented, in writing, to the name change. If a district includes territory located in more than one county, the county commission or county commissions changing the name of the district shall provide any county commission into which the district also extends with a certified copy of the order changing the name of the district. The official name of any district created under the provisions of this article may contain the name or names of any city, incorporated town or other municipal corporation included therein or the name of any county or counties in which it is located.

Rule 14 of the Commission's *Tariff Rules* reads in part as follows:

> §150-2-14. Change of Ownership.
>
> 14.1. RULE 31. In case of change of ownership or control of a utility, or when a utility or a part of its business is transferred from the operating control of one company to that of another, or when its name is changed, the company which will thereafter operate the utility business must use the rates, classifications and rules and regulations of the former operating company, (unless authorized to change by the Commission).
>
> 14.4. RULE 34. Within thirty (30) days after the Commission approves an application filed pursuant to Rule 14.1., said utility shall issue and file in its own name the tariff of the predecessor utility then in effect and adopted by it, or such other tariff as it proposes to put into effect in lieu thereof, as prescribed in Rules 1 through 13 hereof with proper identifying

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of West Virginia
Charleston

designation. (Example: P.S.C. W. Va. No. 1 cancels P.S.C. W. Va. No. 1 of [insert predecessor utility]).

14.6. RULE 36. When a tariff or revision is issued by a utility in compliance with Rule 34 which states the rates, rules and regulations of the predecessor utility without change in any of the provisions thereof, the same may be filed without notice, but when such tariff or revision states any change in the effect of the rates, rules and regulations of the predecessor utility, such tariff or revision shall be subject in all respects as to filing and notice as required by these Rules. [Emphasis added.]

West Virginia Code § 16-13A-4(f) describes two actions that must occur prior to a name change becoming effective. The Commission must approve it. Additionally, the owners of the bonds and notes issued by the district must consent in writing. The two approvals are not contingent upon one another; each occurs independently of the other.

The Commission shall grant its approval for the name change. The Commission shall also require that South Putnam provide documentation evidencing the bond holders' written approval.

Tariff Rule 14.6 permits the Commission to require the utility to provide notice to its customers of the name change. The Commission shall do so by this order but shall modify the notice requirement by requiring South Putnam to provided notice to its customers by publishing a copy of the attached "Notice of Name Change."

Finally, the Commission shall require South Putnam to file a revised tariff containing its new name as approved herein.

FINDINGS OF FACT

1. South Putnam requested approval to change its name to "Putnam Public Service District." See, Petition to Reopen filed April 28, 2006.

2. The County Commission of Putnam County adopted an Order on April 25, 2006 approving the proposed name change pursuant to *West Virginia Code* § 16-13A-4(f).

CONCLUSIONS OF LAW

1. The Commission shall approve the requested name change.

Public Service Commission
of West Virginia
Charleston

2. The Commission shall require South Putnam to provide documentation evidencing the bond holders' written approval.

3. The Commission shall require South Putnam to provide notice to its customers of the name change by way of publication.

4. It is also reasonable to require South Putnam to file a revised tariff containing its new name as approved herein.

ORDER

IT IS THEREFORE ORDERED that the request by the South Putnam Public Service District to change its name to "Putnam Public Service District" is hereby approved.

IT IS FURTHER ORDERED that South Putnam shall provide the Commission with documentation evidencing that the owners of any bonds and/or notes issued by South Putnam have consented, in writing, to the name change, as soon as such documentation is available.

IT IS FURTHER ORDERED that upon written approval by the bond and/or note holders, South Putnam shall publish the attached Notice of Name Change one time in a newspaper published in the county or counties where its customers are located. South Putnam shall file an affidavit of publication upon receipt of such document.

IT IS FURTHER ORDERED that South Putnam shall file with the Commission's Tariff Office an original and five (5) copies of a proper tariff reflecting its name change to Putnam Public Service District within thirty (30) days of the date of written approval by the bond and/or note holders of the name change.

IT IS FURTHER ORDERED that upon entry of this order this case shall be removed from the Commission's docket of open cases.

Public Service Commission
of West Virginia
Charleston

IT IS FURTHER ORDERED that the Commission's Executive Secretary serve a copy of this order upon all parties of record by United States First Class Mail and upon Commission Staff by hand delivery.

A True Copy, Teste:

Sandra Squire
Executive Secretary

JJW/klm
031042ca.wpd

Public Service Commission
of West Virginia
Charleston

PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON

CASE NO. 03-1042-PSWD-PC
SOUTH PUTNAM PUBLIC SERVICE DISTRICT

NOTICE OF NAME CHANGE

By a Recommended Decision issued September 5, 2003 (Final Commission Order, September 25, 2003) the Commission approved the transfer of the North Putnam Public Service District's public utility system to the South Putnam Public Service District.

On April 28, 2006 the South Putnam Public Service District filed a "Petition to Reopen" requesting approval to change the name of the district to "Putnam Public Service District."

According to *West Virginia Code* § 16-13A-4(f) a name change as requested by South Putnam requires the approval of the West Virginia Public Service Commission and the written consent of any existing holders of bonds or notes issued by South Putnam.

By a Commission Order entered June 7, 2006 the Commission granted its approval of the name change and further ordered South Putnam to provide notice to its customers upon receiving the written consent of its bond and note holders. Such approval was received.

Accordingly, please note that the new name of the South Putnam Public Service District shall be: "Putnam Public Service District."

PUTNAM PUBLIC SERVICE DISTRICT

Public Service Commission
of West Virginia
Charleston

4-25-06

BEFORE THE COUNTY COMMISSION OF PUTNAM COUNTY

RE: SOUTH PUTNAM PUBLIC SERVICE DISTRICT
West Virginia Code §16-13A-4(f)
Request for Official Name Change

ORDER

On the 25th day of April, 2006, came South Putnam Public Service District and filed a request, pursuant to *West Virginia Code* §16-13A-4(f), for an official name change of South Putnam Public Service District to Putnam Public Service District.

West Virginia Code §16-13A-4(f) provides that any such name change shall not take effect until approved by the Public Service Commission of West Virginia and the written consent of the owners of any bonds or notes issued by the District.

IT IS THEREFORE ORDERED that, pursuant to *West Virginia Code* §16-13A-4(f), the official name of South Putnam Public Service District shall be changed to Putnam Public Service District effective upon approval of the Public Service Commission of West Virginia and the written consent of the owners of any bonds or notes issued by the District.

ENTERED into the permanent record of Putnam County, West Virginia, this 25th day of April, 2006.

James H. Caruthers, Jr., President

Stephen Andes, Commissioner

R. Joseph Haynes, Commissioner

ATTEST:

CLERK

10·16·03

030536ALJ101603.wpd

PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON

03-YY

ORIGINAL

Entered: October 16, 2003.

FINAL
11-5-03

CASE NO. 03-0536-PSWD-PC

PUTNAM COUNTY COMMISSION.
Petition for consent and approval to expand the boundaries of South Putnam Public Service District and to dissolve North Putnam Public Service District, and for rescission of the March 4, 1993 County Commission Order.

RECOMMENDED DECISION

PROCEDURE

On April 29, 2003, the Putnam County Commission (PCC), filed a petition with the Public Service Commission pursuant to *West Virginia Code* §16-13A-2 seeking approval of an Order of the PCC, entered on or about April 22, 2003, to expand the boundaries of South Putnam Public Service District (SPPSD), to dissolve North Putnam Public Service District (NPPSD) and to rescind, in part, a March 4, 1993 County Commission Order.

On May 20, 2003, Staff Attorney Ronald E. Robertson, Jr., Esquire, filed an Initial Joint Staff Memorandum, attaching the May 7, 2003 Initial Internal Memorandum from Utilities Analyst Supervisor William A. Nelson, Water and Wastewater Division, indicating that, once it had completed its investigation of the petition, Commission Staff would render a recommendation.

On June 2, 2003, the Commission entered the Commission Referral Order, referring this case to the ALJ Division for decision on or before November 6, 2003.

Responding to all of the above, on July 29, 2003, the Administrative Law Judge (ALJ) issued a Procedural Order establishing a procedural schedule to process and resolve this matter, including a Monday, August 18, 2003 hearing date. The Order required the PCC to publish a Notice of Hearing once a week for two consecutive weeks in a newspaper duly qualified by the Secretary of State, published and generally circulated in Putnam County and to notify the two affected public service districts by United States Certified Mail.

The ALJ convened the August 18, 2003 hearing as scheduled. The transcript of the August 18, 2003 hearing will be designated "Tr., Vol. I". No one appeared at the hearing to protest the

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OF WEST VIRGINIA
CHARLESTON

proposed action. However, the ALJ learned at the hearing that, although the PCC properly notified the two affected public service districts, as evidenced by two United States Certified Mail Domestic Return Receipt cards presented by the PCC, the PCC published the Notice of Hearing only in *The Charleston Gazette*, which is not a newspaper "duly qualified by the Secretary of State, published and generally circulated in Putnam County". The newspapers qualified by the Secretary of State for publishing legal advertisements to give notice in Putnam County are *The Hurricane Breeze* and *The Putnam Democrat*.

Responding to all of the above, on August 20, 2003, the ALJ issued an Order Adopting New Procedural Schedule, including a September 19, 2003 hearing date and requiring PCC to publish the Notice of Hearing in at least one of the newspapers qualified by the Secretary of State for publishing legal advertisements in Putnam County, i.e., *The Hurricane Breeze* and *The Putnam Democrat*.

On September 19, 2003, the ALJ convened the second hearing as scheduled. The transcript of the September 19, 2003 hearing will be designated "Tr., Vol. II". Commission Staff appeared by counsel, Staff Attorney Robertson, and the PCC, which did not make a formal appearance by counsel, appeared by its County Administrator. Again, no one appeared to protest the petition.

The only evidence presented was documentary, with Staff presenting two exhibits and the PCC submitting two exhibits.

EVIDENCE

The parties stipulated to the documentary evidence.

The ALJ received the August 11, 2003 Final Joint Staff Memorandum, attaching the August 5, 2003 Final Internal Memorandum from Utilities Analyst Supervisor William A. Nelson, Water and Wastewater Division, in evidence as Staff Exhibit No. 1. Commission Staff recommended that the Commission approve the petition. (See, Tr., Vol. I, generally).

The ALJ received a publication affidavit indicating that the County Commission had published the Notice of Hearing for the August 18, 2003 hearing, on August 5 and 12, 2003, in *The Charleston Gazette*, in evidence as Staff Exhibit No. 2. (See, Tr., Vol. I, generally).

The ALJ received two United States Certified Mail Domestic Return Receipt green cards into evidence as County Commission Exhibit No. 1. (See, Tr., Vol. I, generally).

The ALJ received two publication affidavits indicating that the County Commission had published the Notice of Hearing, for the September 19, 2003 hearing, on August 28 and September 4, 2003, in *The Hurricane Breeze*, a newspaper published and generally circulated in Putnam County. (See, Tr., Vol. II, generally).

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Staff Attorney Robertson noted on the record that, on September 5, 2003, a Recommended Decision had been entered in Case No. 03-1042-PSWD-PC, *South Putnam Public Service District and North Putnam Public Service District*, wherein the South Putnam Public Service District was authorized to acquire the North Putnam Public Service District. (See, Tr., Vol. II, generally).

The September 5, 2003 Recommended Decision, final on September 25, 2003, included the following ordering paragraphs:

> IT IS, THEREFORE, ORDERED that the joint petition filed herein on July 9, 2003, by South Putnam Public Service District and North Putnam Public Service District seeking Commission consent and approval for the transfer of North Putnam Public Service District's public utility system to South Putnam Public Service District be, and hereby is, approved.
>
> IT IS FURTHER ORDERED that the approval hereby granted is contingent upon North Putnam Public Service District and South Putnam Public Service District obtaining the approval of North Putnam Public Service District's three (3) bondholders, namely the Rural Utilities Service, the West Virginia Water Development Authority and City National Bank, and filing copies of said approval(s) herein immediately upon receipt.
>
> IT IS FURTHER ORDERED that the approval hereby granted is further contingent upon South Putnam Public Service District filing with the Commission's Tariff Office within thirty (30) days of the date that this Order becomes final, an appropriate tariff adopting the rates and charges now in effect for North Putnam Public Service District's customers.

DISCUSSION

Having considered all of the above, the ALJ holds that he will grant the April 29, 2003 petition, filed with the Commission pursuant to *West Virginia Code* §16-13A-2, seeking approval of an Order of the PCC, entered on or about April 22, 2003, to expand the boundaries of South Putnam Public Service District, to dissolve North Putnam Public Service District and to rescind, in part, a March 4, 1993 County Commission Order. This approval is contingent upon each of the affected public service districts obtaining the approval of their respective bondholders and filing copies of said approvals immediately upon receipt.

FINDINGS OF FACT

1. The Putnam County Commission filed a petition with the Public Service Commission under *West Virginia Code* §16-13A-2 seeking approval of an Order of the PCC, entered on or about April 22, 2003, to expand the boundaries of South Putnam Public Service District, to dissolve North

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OF WEST VIRGINIA
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Putnam Public Service District and to rescind, in part, a March 4, 1993 County Commission Order. (See, April 29, 2003 petition).

2. Commission Staff has recommended approving the petition. (See, Staff Exhibit No. 1).

3. The County Commission properly published the Notice of Hearing for the September 19, 2003 hearing, and no one appeared at the hearing to protest to petition. (See, Tr., Vols., I and II, generally; County Commission Exhibit No. 1).

4. A recommended decision has been entered in Case No. 03-1042-PSWD-PC, *South Putnam Public Service District and North Putnam Public Service District*, wherein the South Putnam Public Service District was authorized to acquire the North Putnam Public Service District. (See, Tr., Vol. II, generally; Recommended Decision, entered September 5, 2003, final September 25, 2003).

CONCLUSIONS OF LAW

1. For all of the reasons set forth in Finding of Fact Nos. 2 and 3, it is reasonable to grant the petition.

2. It is reasonable to condition the approval contingent upon each of the affected public service districts obtaining the approval of their respective bondholders and filing copies of said approvals immediately upon receipt.

ORDER

IT IS, THEREFORE, ORDERED that the Order of the Putnam County Commission, entered on or about April 22, 2003, expanding the boundaries of South Putnam Public Service District, dissolving North Putnam Public Service District and rescinding, in part, a March 4, 1993 County Commission Order, be, and hereby is, approved.

IT IS FURTHER ORDERED that the approval hereby granted is contingent upon each of the affected public service districts obtaining the approval of their respective bondholders and filing copies of said approvals immediately upon receipt.

The Executive Secretary hereby is ordered to serve a copy of this Recommended Decision upon the Commission by hand delivery, and upon all parties of record by United States Certified Mail, return receipt requested.

Leave hereby is granted to the parties to file written exceptions supported by a brief with the Executive Secretary of the Commission within fifteen (15) days of the date this Recommended Decision is mailed. If exceptions are filed, the parties filing exceptions shall certify to the Executive Secretary that all parties of record have been served said exceptions.

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If no exceptions are so filed this Recommended Decision shall become the order of the Commission, without further action or order, five (5) days following the expiration of the aforesaid fifteen (15) day time period, unless it is ordered stayed or postponed by the Commission.

Any party may request waiver of the right to file exceptions to an Administrative Law Judge's recommended decision by filing an appropriate petition in writing with the Executive Secretary. No such waiver will be effective until approved by order of the Commission, nor shall any such waiver operate to make any Administrative Law Judge's recommended decision the order of the Commission sooner than five (5) days after approval of such waiver by the Commission.

Ronnie Z. McCann
Deputy Chief Administrative Law Judge

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OF WEST VIRGINIA
CHARLESTON

9.5.03

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PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON

ORIGINAL

EN

03 03-BR

Entered: September 5, 2003

CASE NO. 03-1042-PSWD-PC

FINAL
9.25.03

SOUTH PUTNAM PUBLIC SERVICE DISTRICT
and NORTH PUTNAM PUBLIC SERVICE DISTRICT
Joint petition for consent and approval for the sale of North Putnam Public Service District's utility system to South Putnam Public Service District.

RECOMMENDED DECISION

On July 9, 2003, the South Putnam Public Service District (South Putnam) and the North Putnam Public Service District (North Putnam) filed a joint petition seeking Commission consent and approval for the transfer of North Putnam's public utility system (utility system) to South Putnam. In support of the joint petition, South Putnam and North Putnam stated:

(1) The proposed transfer of the North Putnam utility system to South Putnam will be conducive to the preservation of the public health, comfort and convenience of Putnam County;

(2) Pursuant to an Operation and Maintenance Agreement (O&M Agreement) previously entered into between the Petitioners and approved by the Commission in Case No. 00-1134-PSWD-PC (November 14, 2000), South Putnam has been operating and maintaining the utility system of North Putnam;

(3) In the O&M Agreement, North Putnam granted unto South Putnam the exclusive right and option to purchase North Putnam's existing public utility system for the consideration of One Dollar ($1.00), and the complete assumption of any outstanding indebtedness owed by North Putnam to the Rural Utilities Service (RUS), West Virginia Water Development Authority (WDA) and City National Bank;

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CHARLESTON

(4) South Putnam has been working with the U.S. Army Corps of Engineers in developing a sewer upgrade project for the area currently served by the sewer facilities of North Putnam Public Service District. The Corps of Engineers, which is providing grant monies for the sewer upgrade project, has notified South Putnam that, before the proposed project can move forward, South Putnam will need to acquire the facilities of North Putnam. Therefore, South Putnam wishes to exercise its option to purchase North Putnam's public utility assets pursuant to the O&M Agreement;

(5) The Putnam County Commission has adopted a Resolution proposing (1) the expansion of South Putnam's territory to include the entire territory in Putnam County located north of the Kanawha River and not contained within the boundaries of any municipal or private utility, which area contains the operating territory of North Putnam Public Service District; (2) the dissolution of North Putnam Public Service District; and (3) the rescission of a portion of a March 4, 1993 County Commission Order insofar as it purported to merge Putnam Union Public Service District and North Putnam Public Service District and create a new North Putnam Public Service District. Pursuant to the requirements of West Virginia Code §16-13A-2, the County Commission has filed the appropriate documents with the Public Service Commission seeking its approval of the County Commission's actions. See, Case No. 03-0536-PSWD-PC;

(6) On August 3, 2000, the Board of North Putnam held a hearing pursuant to the requirements of West Virginia Code §16-13A-18a. Following the hearing, at which no member of the public appeared, North Putnam Public Service District unanimously approved the transfer of that district's assets to South Putnam Public Service District. A copy of the minutes of the August 3, 2000 meeting is attached to the joint petition as Exhibit 1. A copy of the affidavit of publication notifying the public of the hearing to be held on August 3, 2000, is attached as Exhibit 2. A copy of the resolution of the Board of North Putnam authorizing the Board to undertake all actions necessary to effectuate the transfer of its

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system to South Putnam is attached to the petition as Exhibit 3;

(7) On July 8, 2003, the County Commission of Putnam County, West Virginia, unanimously passed a resolution approving the action of North Putnam in seeking to transfer its system to South Putnam, subject to the approval of the Public Service Commission and subject to the further approval of North Putnam's bondholders. A copy of the resolution of the County Commission is attached to the petition as Exhibit 4; and

(8) In order for South Putnam to obtain the necessary funds for the construction of needed sewer facilities in the territory of North Putnam, it is necessary that South Putnam have ownership of North Putnam's current utility assets.

On July 10, 2003, counsel for the Petitioners filed original Verifications for the joint petition filed herein on July 9, 2003.

On August 12, 2003, Staff Attorney Ronald E. Robertson, Jr., filed an Initial and Final Joint Staff Memorandum. An Initial and Final Internal Memorandum dated August 5, 2003, from William A. Nelson, Utilities Analyst Supervisor, Water and Wastewater Division, and Jonathan Fowler, P.E., Engineer I, Engineering Division, was attached thereto. Commission Staff stated that, based upon its review of the petition and exhibits attached thereto, South Putnam and North Putnam had met the requirements of West Virginia Code §16-13A-18a, regarding the sale of North Putnam's utility system to South Putnam. Commission Staff, after noting the Putnam County Commission's pending Case No. 03-0536-PSWD-PC, seeking Commission approval, in part, to dissolve North Putnam and expand South Putnam's boundaries to encompass the current service area of North Putnam, stated that the sale of North Putnam's utility system had to be approved and finalized prior to the dissolution actually occurring.[1] Commission Staff went on to note that approval of the sale of North

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[1]Commission Staff noted that it intended to file its final recommendation in the dissolution case concurrently with the filing of its final recommendation in this proceeding, which would allow final orders to be issued on or about the same date in both cases. However, since a hearing scheduled for September 19, 2003, must be held in Case No. 03-0536-PSWD-PC regarding the dissolution of North Putnam, Commission Staff was of the opinion that it was likely that the acquisition of North Putnam's utility system by South Putnam would be approved first, with approval of North Putnam's dissolution to follow some time thereafter.

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Putnam's utility system to South Putnam had to be made subject to obtaining bondholder approval. Thus, RUS, WDA and City National Bank had to give their consent to the proposed sale. Accordingly, Commission Staff requested that copies of the consents to the proposed sale executed by RUS, WDA and City National Bank be filed in this proceeding when received. In addition, it was noted that the proposed acquisition of North Putnam's utility system by South Putnam will require South Putnam to adopt and maintain the current North Putnam rates and charges in accordance with Rule 14.1[2] of the Commission's Rules for the Construction and Filing of Tariffs (Tariff Rules). Commission Staff noted that it would typically recommend that the purchasing utility file for a rate review approximately eighteen (18) months following acquisition. However, South Putnam has a sewer rate case, Case No. 03-1041-PSD-42T, currently pending before the Commission which addresses both its rates and those to be charged to the North Putnam customers. Commission Staff stated that it had no problem with the North Putnam rates being reviewed as part of that proceeding, but the proposed sale sub judice had to be approved and South Putnam had to adopt the current North Putnam rates pending the outcome of the rate review in Case No. 03-1041-PSD-42T. Accordingly, Commission Staff recommended approval of the joint petition filed herein, contingent upon North Putnam obtaining bondholder approval and South Putnam adopting and maintaining the current North Putnam rates and charges. Commission Staff also recommended that this matter be retained by the Commission itself in order to expedite its processing.

By Order dated August 28, 2003, the Commission referred this matter to the Division of Administrative Law Judges for further disposition, with a decision due date of September 25, 2003.

FINDINGS OF FACT

1. On July 9, 2003, the South Putnam Public Service District and the North Putnam Public Service District filed a joint petition seeking Commission consent and approval for the transfer of North Putnam's public utility system to South Putnam. (See, July 9, 2003 filing).

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[2] Tariff Rule 14.1 states:

> In case of change of ownership or control of a utility, or, when a utility or a part of its business is transferred from the operating control of one company to that of another, or, when its name is changed, the company, which will thereafter operate the utility business, must use the rates, classifications and rules and regulations of the former operating company (unless authorized to change by the Commission).

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2. South Putnam has been operating and maintaining the North Putnam system since the Commission approved the O&M Agreement between the two districts in Case No. 00-1134-PSWD-PC (November 14, 2000). South Putnam also holds the exclusive right and option to purchase the North Putnam system. (See, petition filed July 9, 2003).

3. South Putnam has been working with the U.S. Army Corps of Engineers to develop a sewer upgrade project for the North Putnam area, but, before the project can move forward, South Putnam must acquire the North Putnam facilities. (See, petition filed July 9, 2003).

4. Commission Staff recommended that the joint petition be approved, contingent upon obtaining the approval of North Putnam's three (3) bondholders and South Putnam adopting and maintaining North Putnam's current rates and charges until further order of the Commission. (See, Initial and Final Joint Staff Memorandum and attachment filed August 12, 2003).

CONCLUSION OF LAW

Upon consideration of all of the above, the undersigned Administrative Law Judge is of the opinion that the joint petition filed herein on July 9, 2003, by South Putnam Public Service District and North Putnam Public Service District, seeking Commission consent and approval for the transfer of North Putnam's public utility system to South Putnam, should be approved, contingent upon North Putnam and South Putnam obtaining the approval of North Putnam's three (3) bondholders, namely the Rural Utilities Service, the West Virginia Water Development Authority and City National Bank, and further contingent upon South Putnam filing an appropriate revised tariff with the Commission's Tariff Office adopting and maintaining the current North Putnam rates and charges for the former North Putnam customers, pending the outcome of the rate review in Case No. 03-1041-PSD-42T.

ORDER

IT IS, THEREFORE, ORDERED that the joint petition filed herein on July 9, 2003, by South Putnam Public Service District and North Putnam Public Service District seeking Commission consent and approval for the transfer of North Putnam Public Service District's public utility system to South Putnam Public Service District be, and hereby is, approved.

IT IS FURTHER ORDERED that the approval hereby granted is contingent upon North Putnam Public Service District and South Putnam Public Service District obtaining the approval of North Putnam Public Service District's three (3) bondholders, namely the Rural Utilities Service, the West

PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON

Virginia Water Development Authority and City National Bank, and filing copies of said approval(s) herein immediately upon receipt.

IT IS FURTHER ORDERED that the approval hereby granted is further contingent upon South Putnam Public Service District filing with the Commission's Tariff Office within thirty (30) days of the date that this Order becomes final, an appropriate tariff adopting the rates and charges now in effect for North Putnam Public Service District's customers.

IT IS FURTHER ORDERED that this matter be, and hereby is, removed from the Commission's docket of open cases.

The Executive Secretary is hereby ordered to serve a copy of this order upon the Commission by hand delivery, and upon all parties of record by United States Certified Mail, return receipt requested.

Leave is hereby granted to the parties to file written exceptions supported by a brief with the Executive Secretary of the Commission within fifteen (15) days of the date this order is mailed. If exceptions are filed, the parties filing exceptions shall certify to the Executive Secretary that all parties of record have been served said exceptions.

If no exceptions are so filed this order shall become the order of the Commission, without further action or order, five (5) days following the expiration of the aforesaid fifteen (15) day time period, unless it is ordered stayed or postponed by the Commission.

Any party may request waiver of the right to file exceptions to an Administrative Law Judge's order by filing an appropriate petition in writing with the Secretary. No such waiver will be effective until approved by order of the Commission, nor shall any such waiver operate to make any Administrative Law Judge's Order or Decision the order of the Commission sooner than five (5) days after approval of such waiver by the Commission.

Melissa K. Marland
Chief Administrative Law Judge

MKM/JPC:pst
031042a.wpd

PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON

8-3-00

NORTH PUTNAM PUBLIC SERVICE DISTRICT

POST OFFICE BOX 59
BANCROFT, WV 25011

Patti Babcock, Secretary/Treasurer
Gary Sigman, Chairperson

North Putnam Public Service District
Special Meeting
August 3, 2000
MINUTES

MEMBERS PRESENT: Gary Sigman, Brent Null, Patti Babcock
STAFF PRESENT: Fred Stottlemeyer
GUESTS PRESENT: Robert Rodecker

This special meeting constituted a public hearing to take comments on the proposed acquisition/sale of North Putnam PSD to South Putnam PSD. There was no public person who attended this meeting.

Brent Null motioned the best interest of the public would be served by transferring the assets of this District(NPPSD) to the South Putnam PSD and to file the appropriate documents with the Putnam County Commission and the Public Service Commission to carry out the sale of this system. Patti second and the decision was unanimous.

Fred Stottlemeyer took this opportunity to report the following:

1] Number 3 station has only one pump operational. A safety ladder has been installed inside this station.

2] The Treatment Plant was broken into on July 30th. Mostly tools were taken and entry was gained via a broken window.

3] The 8 inches of rain during the month of July produced flows in excess of 500,000 gallons. Route 62 is the area suspected of infiltration and next week this area will be addressed.

4] One manhole on Drew Street has no mastic. This will be corrected.

5] Clarifying tanks will be taken down beginning with Number 1 on August 21 to inspect, clean and make piping changes. Number 2 will be following for the same inspection and repair. Diffusers for these tanks were one of the items stolen. Replacements will be ordered immediately.

6] Putnam County Commission has indicated they will supply $31,500.00 to match monies offered by the Governor's office for the collapsed line repair.

7] At our request, contractor Clyde Raynes has submitted an invoice for $55,596.65 for work done to date. North Putnam has expended $55,644.97 to date on repair cost. Patti reported digesting cost on this date with only $10,000.00 of invoices remaining from this project, all aged less than 30 days.

8] Plans for Cherokee Estates were discussed. Meetings with the developers have caused changes and these changes were discussed and approved on motion by Brent Null.

There being no further business, the meeting adjourned at 7:58 p.m.

Respectfully Submitted,

Gary Sigman, Chairperson

Patricia Babcock, Secretary

Brent Null, Treasurer

7·8·03

PUTNAM COUNTY COMMISSION

RESOLUTION

WHEREAS, the North Putnam Public Service District is authorized to provide water and sewer service as a public utility in parts of Putnam County, West Virginia, on the North side of the Kanawha River;

WHEREAS, the South Putnam Public Service District is authorized to provide water and sewer service as a public utility in parts of Putnam County, West Virginia, on the South side of the Kanawha River;

WHEREAS, the South Putnam Public Service District has the manpower and expertise to operate and manage the affairs of the North Putnam Public Service District;

WHEREAS, the Board of the North Putnam Public Service District has, after hearing held August 3, 2000, unanimously approved the transfer of the North Putnam Public Service District to the South Putnam Public Service District; and

WHEREAS, the County Commission of Putnam County deems it to be in the best interests of the citizens of Putnam County for North Putnam Public Service District to transfer its assets to South Putnam Public Service District subject to the approval of the Public Service Commission of West Virginia and subject further to the approval of bondholders.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF PUTNAM COUNTY, WEST VIRGINIA:

The Board of North Putnam Public Service District, is authorized to undertake all actions necessary to transfer the assets of the North Putnam Public Service District, subject to the approval of the Public Service Commission of West Virginia as provided in West Virginia Code §16-13A-18a, and subject to the further approval of bondholders.

Adopted this 8 day of July, 2003.

President

Commissioner

Commissioner

5·5·03

BEFORE THE COUNTY COMMISSION OF PUTNAM COUNTY

A RESOLUTION AND ORDER PROPOSING THE EXPANSION OF THE TERRITORY OF SOUTH PUTNAM PUBLIC SERVICE DISTRICT, THE DISSOLUTION OF NORTH PUTNAM PUBLIC SERVICE DISTRICT, AND THE RESCISSION OF AN ORDER OF THE COUNTY COMMISSION DATED MARCH 4, 1993 IN PART

AFFIDAVIT OF POSTING

STATE OF WEST VIRGINIA,

COUNTY OF PUTNAM, to-wit:

I, Jason E. Henderson, Assistant Manager of Sanitary Sewer Development for South Putnam Public Service District, duly sworn, state as follows:

1. Pursuant to West Virginia Code §16-13A-2, the County Commission of Putnam County adopted a Resolution and Order on March 25, 2003, proposing (1) the expansion of the boundaries of South Putnam Public Service District to include the entire territory of Putnam County, West Virginia, located north of the Kanawha River which is not currently contained within the boundaries of any municipal or private utility, or served by such municipal or private utility, for the provision of sewer service; (2) the dissolution of North Putnam Public Service District upon the expansion of the boundaries of South Putnam Public Service District as proposed; and (3) the rescinding of the March 14, 1993 Order of the County Commission insofar as it purported to merge

Putnam Union Public Service District and North Putnam Public Service Districts and create a new North Putnam Public Service District.

2. The Putnam County Commission scheduled a hearing to be held on April 22, 2003, at 10:00 a.m. at the Putnam County Courthouse, Winfield, West Virginia, to consider said Resolution and Order; and,

3. Pursuant to West Virginia Code §16-13A-2, the attached Public Notice of Hearing was posted in five (5) conspicuous places throughout each of the territories of South Putnam Public Service District and North Putnam Public Service District; and,

4. Said posting occurred beginning April 11, 2003 (more than ten (10) days prior to the April 22, 2003 hearing) and continuing through at least April 22, 2003, the day of the hearing.

Further affiant sayeth naught.

Taken, subscribed and sworn to before the undersigned by Jason E. Henderson on in his capacity as Assistant Manager of Sanitary Sewer Development for South Putnam Public Service District, on this 5th day of May, 2003.

My commission expires Feb 7, 2006.

NOTARY PUBLIC

Challis K. Rials

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
CHALLIS K. RIALS
P O Box 354
Winfield, WV 25213
My Commission Expires February 7, 2006

4-22-03

BOOK 076 PAGE 893

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W VA PUBLIC SERVICE SECTION

BEFORE THE COUNTY COMMISSION OF PUTNAM COUNTY

A RESOLUTION AND ORDER EXPANDING THE TERRITORY OF SOUTH PUTNAM PUBLIC SERVICE DISTRICT, DISSOLVING NORTH PUTNAM PUBLIC SERVICE DISTRICT AND RESCINDING AN ORDER OF THE COUNTY COMMISSION DATED MARCH 4, 1993 IN PART.

WHEREAS, the County Commission of Putnam County, West Virginia, did heretofore, by Resolution and Order adopted on MARCH 25, 2003, propose the expansion of the territory of South Putnam Public Service District, the dissolution of North Putnam Public Service District, and the partial rescission of a prior order of the County Commission which called for the creation of a new North Putnam Public Service District; and,

WHEREAS, by said MARCH 25, 2003 Resolution and Order, the County Commission did set a hearing on the proposed expansion of South Putnam Public Service District's territory for the provision of sewer service, the dissolution of North Putnam Public Service District, and the partial rescission of the March 4, 1993 Order of the County Commission for the 22ND day of APRIL, 2003, required notice of said hearing be given by Class I legal publication and by posting of notice in at least five (5) conspicuous places within the territories of each of the public service districts, and required the Clerk of the County Commission to cause a copy of the Resolution and Order to be filed with the Executive Secretary of the Public Service Commission; and,

WHEREAS, notice of the APRIL 22, 2003 hearing has been given in the manner provided and required by said Resolution and Order and by West Virginia Code §16-13A-2 and all interested parties have been offered an opportunity of being heard for and against the expansion of the territory of South Putnam Public Service District, the dissolution of North Putnam Public Service District, and the partial rescission of the March 4, 1993 Order of the County Commission, and said County Commission has given due consideration to all matters for which such hearing was offered; and,

WHEREAS, it is now deemed desirous by said County Commission to adopt a Resolution and Order expanding the territory of South Putnam Public Service District for the provision of sewer service, dissolving North Putnam Public Service District, and rescinding in part the March 4, 1993 Order of the County Commission.

NOW, THEREFORE, BE IT, AND IT IS, HEREBY, RESOLVED AND ORDERED by the County Commission of Putnam County as follows:

1. That the County Commission of Putnam County, West Virginia, upon its own motion, subject to the approval of the Public Service Commission of West Virginia, and subject further to the agreement of bondholders of the two Districts, finds that it would be conducive to the public health, comfort and

convenience of Putnam County to expand the territory of South Putnam Public Service District and to dissolve North Putnam Public Service District.

2. That the boundaries of South Putnam Public Service District shall be expanded to include the entire territory of Putnam County, West Virginia, located north of the Kanawha River which is not currently contained within the boundaries of any municipal or private utility, or served by such municipal or private utility, for the provision of sewer service.

3. That, in order to eliminate any confusion that may have existed by virtue of the prior actions of this County Commission, the March 4, 1993 Order of the County Commission is hereby rescinded insofar as it attempted to bring about the merger and consolidation of Putnam Union Public Service Districts and the creation of a new North Putnam Public Service District.

4. That the Clerk of the County Commission shall cause a copy of this Resolution and Order to be filed with the Executive Secretary of the Public Service Commission not later than ten(10) days following the adoption hereof.

ENTERED into the permanent record of Putnam County, West Virginia, this 22ND day of APRIL, 2003.

PRESIDENT

COMMISSIONER

COMMISSIONER

ATTEST:

CLERK

BOOK 076 PAGE 896

4.12.03

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LEGAL ADVERTISING INVOICE

BOOK 076 PAGE 897

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INVOICE NBR	021398001

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ISSUE DATE	LAD CODE	PUB	DESCRIPTION REFERENCE NBR PURCHASE ORDER	AD NUMBER	CAD SIZE TOTAL RUN	RATE	GROSS AMOUNT	NET AMOUNT
04/12	LEG	DM	EXPANSION 021398005	0042917	1X1750 17.50	6.93	121.28	121.2
04/12	LEG	GZ	EXPANSION 021398006		1X1750 17.50	6.93	121.28	121.2
			TOTAL INVOICE AMOUNT					242.5

INV. APPD. BY LKM BP
CHARGE TO L.I. # 401-20
PO# 15326

State of West Virginia,

AFFIDAVIT OF PUBLICATION

I, Sandra Legg of

THE DAILY MAIL, A DAILY REPUBLICAN NEWSPAPER, published in the city of Charleston, Kanawha County, West Virginia, do solemnly swear that the annexed notice of: EXPANSION was duly published in said paper(s) during the dates listed below, and was posted at the front door of the court house of said Kanawha Cou West Virginia, on the 14TH day of APRIL 2003. Published during the following dates: 04/12/03-04/12/03

Subscribed and sworn to before me this 15 day of April

Printers fee $ 242.56

Lynn R Fielder
Notary Public of Kanawha County, West Virginia

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
LYNN R. FIELDER
853 FRAZIER WAY
SCOTT DEPOT, WV 25560
My commission expires December 11, 2006

LEGAL ADVERTISEMENT

BEFORE THE COUNTY COMMISSION OF PUTNAM COUNTY

A RESOLUTION AND ORDER PROPOSING THE EXPANSION OF THE TERRITORY OF SOUTH PUTNAM PUBLIC SERVICE DISTRICT, THE DISSOLUTION OF NORTH PUTNAM PUBLIC SERVICE DISTRICT AND THE RESCISSION OF AN ORDER OF THE COUNTY COMMISSION DATED MARCH 4, 1993, IN PART

WHEREAS, West Virginia Code §14-13A-2 provides that a County Commission may expand or reduce the territory of public service districts in order to achieve efficiency of operations; and

WHEREAS, West Virginia Code §14-13A-2 provides that a County Commission may dissolve a public service district if it is found to be inactive; and

WHEREAS, South Putnam Public Service District currently has authority to provide water and sewer service in parts of Putnam County and has been operating North Putnam Public Service District pursuant to an Operation and Maintenance Agreement; and

WHEREAS, South Putnam Public Service District proposes to acquire the public utility assets of North Putnam Public Service District and operate such facilities as a part of the South Putnam Public Service District; and

WHEREAS, with the acquisition of North Putnam Public Service District assets and the takeover of its sewer operations, North Putnam will become inactive; and

WHEREAS, the records of the County Commission reveal that on March 4, 1993, the County Commission adopted a prior plan to merge Putnam Union Public Service District and create a new North Putnam Public Service District but that plan was not carried out due to numerous reasons; and

WHEREAS, it is now deemed desirous by said County Commission to expand the boundaries of South Putnam Public Service District to include the entire territory of North Putnam Public Service District for the provision of sewer service and it is deemed desirous to dissolve North Putnam Public Service District and to eliminate any confusion that may exist as to the prior plan to merge Putnam Union Public Service District with North Putnam Public Service District and create a new North Putnam Public Service District by rescinding such prior order; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED AND ORDERED by the County Commission of Putnam County as follows:

1. That the County Commission of Putnam County, West Virginia, upon its own motion, proposes the expansion of the boundaries of South Putnam Public Service District to include the entire territory of Putnam County, West Virginia, located north of the Kanawha River which is not currently contained within the boundaries of any municipal or private utility or served by such municipal or private utility for the provision of sewer service;

2. That upon the expansion of the boundaries of South Putnam Public Service District as provided for herein, the North Putnam Public Service District be dissolved;

3. That in order to eliminate any possible confusion with prior orders of the County Commission, the Order of the County Commission entered on March 4, 1993 be rescinded insofar as it purported to merge Putnam Union Public Service District and North Putnam Public Service Districts and create a new North Putnam Public Service District;

4. That the County Commission of Putnam County, West Virginia, shall hold a hearing of the proposed expansion of the boundaries of South Putnam Public Service District and the dissolution of North Putnam Public Service District on April 21, 2003 in the Putnam County Courthouse in Winfield at 10:00 a.m.;

5. That the Clerk of the County Commission shall cause notice of hearing and a description of all of the territory proposed to be included in the territory of South Putnam Public Service District to be published as a Class I legal advertisement at least ten (10) days prior to the hearing;

6. That the County Commission of Putnam County shall post the notice of the hearing and the proposed expansion of the boundaries of South Putnam Public Service District and the proposed dissolution of North Putnam Public Service District in at least five conspicuous places within the territory of both South Putnam Public Service District and North Putnam Public Service District;

7. That the Clerk of the County Commission shall cause a copy of this Resolution and Order to be filed with the Executive Secretary of the Public Service Commission not less than ten (10) days prior to the hearing set forth herein.

ENTERED into the permanent record of Putnam County, West Virginia, this 25th day of March, 2003.

Attest:
Michael W. Elliott
Clerk

(042717)

STATE OF WEST VIRGINIA, PUTNAM COUNTY CLERK'S OFFICE

I, Michael W. Elliott, Clerk of Putnam County Commission do hereby certify that this foregoing is a true and correct copy and transcript from the record of my office.

Given under my hand and seal of said commission,

at Winfield, West Virginia, this the 28th day of April 2003

MICHAEL W. ELLIOTT, CLERK, PUTNAM COUNTY COMMISSION

By Regina Hull Deputy

BOOK 076 PAGE 898

LEGAL ADVERTISEMENT

BEFORE THE COUNTY COMMISSION OF PUTNAM COUNTY

A RESOLUTION AND ORDER PROPOSING THE EXPANSION OF THE TERRITORY OF THE SOUTH PUTNAM PUBLIC SERVICE DISTRICT, THE DISSOLUTION OF THE NORTH PUTNAM PUBLIC SERVICE DISTRICT AND THE RESCISSION OF AN ORDER OF THE COUNTY COMMISSION DATED MARCH 1, 1993, IN PART.

WHEREAS, West Virginia Code § 16-13A-2 provides that a County Commission may expand or reduce the territory of public service districts in order to conserve efficiency or economy of operations; and

WHEREAS, West Virginia Code § 16-13A-2 provides that a County Commission may dissolve a public service district if it is found to be ineffective; and

WHEREAS, South Putnam Public Service District currently has authority to provide water and sewer service in parts of Putnam County and has been operating North Putnam Public Service District pursuant to an Operation and Maintenance Agreement; and

WHEREAS, South Putnam Public Service District proposes to acquire the public utility assets of North Putnam Public Service District and provide such facilities as a part of the South Putnam Public Service District; and

WHEREAS, with the acquisition of North Putnam Public Service District's assets and the takeover of its sewer operations, North Putnam will become inactive; and

WHEREAS, the records of the County Commission reveal that on March 1, 1992, the County Commission adopted a prior plan to merge Putnam Union Public Service District and North Putnam Public Service District and create a new North Putnam Public Service District. But that plan was not carried out due to numerous reasons; and

WHEREAS, it is now deemed desirous by said County Commission to expand the boundaries of South Putnam Public Service District to include the entire territory of North Putnam Public Service District for the provision of sewer service and thus dissolve North Putnam Public Service District and to eliminate any confusion that may exist as to the prior plan to merge Putnam Union Public Service District with North Putnam Public Service District and create a new North Putnam Public Service District by rescinding such prior order; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED AND ORDERED by the County Commission of Putnam County, West Virginia, that the County Commission of Putnam County, West Virginia, upon its own motion, proposes the expansion of the boundaries of South Putnam Public Service District to include the entire territory of Putnam County, West Virginia, located north of the Kanawha River which is not currently contained within the boundaries of any municipal or private utility or served by such municipal or private utility for the provision of sewer service; and

That upon the expansion of the boundaries of South Putnam Public Service District as provided for herein, the North Putnam Public Service District be dissolved; and

That, in order to eliminate any possible confusion with prior orders of the County Commission, the Order of the County Commission entered on March 1, 1993, be rescinded insofar as it purported to merge Putnam Union Public Service District and North Putnam Public Service Districts, and create a new North Putnam Public Service District. But that the County Commission of Putnam County, West Virginia, upon its own motion, proposes the dissolution of the North Putnam Public Service District and the expansion of the boundaries of South Putnam Public Service District to include the entire territory of North Putnam Public Service District.

Any interested person may appear at the Putnam County Courthouse in Winfield on 10:00 AM, April 23, 2003, at the County Commission shall cause notice of hearing and a description of all of the territory proposed to be included in the South Putnam Public Service District to be published as a Class I legal advertisement at least ten (10) days prior thereto.

That the County Commission of Putnam County shall post the notice of the hearing and the proposed expansion of the boundaries of South Putnam Public Service District and the proposed dissolution of North Putnam Public Service District in at least five (5) conspicuous places within the territory not both South Putnam Public Service District and North Putnam Public Service District and that the Clerk of the County Commission shall cause a copy of this Resolution and Order to be filed with the Executive Secretary of the Public Service Commission not less than ten (10) days prior to the hearing herein.

ENTERED into the permanent record of Putnam County, West Virginia, this 28th day of March, 2003.

Attest:
Michael W. Elliott
Clerk

STATE OF WEST VIRGINIA, PUTNAM COUNTY CLERK'S OFFICE

I, Michael W. Elliott, Clerk of Putnam County Commission do hereby certify that this foregoing is a true and correct copy and transcript from the record of my office.

Given under my hand and seal of said commission.

at Winfield, West Virginia, this the 28th day of April 2003

MICHAEL W. ELLIOTT, CLERK, PUTNAM COUNTY COMMISSION

By Regina Hall Deputy

BOOK 076 PAGE 898

7-27-00

LEGAL NOTICE

NORTH PUTNAM
PUBLIC SERVICE DISTRICT
NOTICE OF HEARING

The Public Service Board of North Putnam Public Service District will hold a hearing on Thursday, August 3, 2000, at 7:00 p.m., at Town Hall, Buncrofl, West Virginia, for the purpose of taking public comments and objections, if any, relating to the proposed transfer of North Putnam Public Service District' sutility rights and assets to South Putnam Public Service District

The Board will, following the receipt of comments and objections, vote on whether or not to proceed with the transfer of its utility rights and assets to South Putnam Public Service District.

This hearing is open to the press and the public and any person interested may appear at such hearing to protect their interest.

NORTH PUTNAM PUBLIC
SERVICE DISTRICT

1t 7-27

Cost of Publication $14.56

AFFIDAVIT OF PUBLICATION
State of West Virginia, County of Putnam, to wit:

I, Phyllis Robinson, being first sworn upon my oath, do depose and say that I am Publisher of the newspaper entitled THE PUTNAM DEMOCRAT, a Democratic newspaper; that I have been duly authorized to execute all affidavits of publication; that such newspaper has been published for more than one year prior to publication of the annexed notice described below; that such newspaper is regularly published weekly on Thursday, for at least fifty weeks during the calendar year, in Winfield, Putnam County, West Virginia; that such newspaper is a newspaper of "general circulation," as that term is defined in article three, chapter fifty-nine of the Code of West Virginia, 1931, as amended, within the publication area or areas of the aforesaid municipality and county; that such newspaper averages in length four or more pages, exclusive of any cover, per issue; that such newspaper is circulated to the general public at a definite price or consideration; that such newspaper is a newspaper to which the general public resorts for passing events of a political, religious, commercial and social nature, and for current happenings, announcements, miscellaneous reading matters, that the annexed

notice of Notice of Hearing

North Putnam Public Service District

Transfer of Utility Rights and Assets

to South Putnam Public Service District

was duly published in said newspaper once a week for 1 (successive) week(s), commencing with the issue of the 27th day of July 20 00, and ending with issue of the _____ day of _____ 20_____, (and was posted, if required, at the _____ on the _____ day of _____ 20_____).

/s/ Phyllis Robinson
Phyllis Robinson, Publisher
The Putnam Democrat

Taken, subscribed and sworn to before me in my said county this 28th day of July 20 00

My commission expires May 4, 2008

/s/ Frederica A. Whitney
Notary Public of Putnam County, West Virginia

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
FREDERICA A. WHITNEY
46 Riverside Estates
Winfield, WV 25213
My Commission Expires May 4, 2008

7·11·00

NORTH PUTNAM PUBLIC SERVICE DISTRICT

RESOLUTION

WHEREAS, the North Putnam Public Service District is authorized to provide water and sewer service as a public utility in parts of Putnam County, West Virginia, on the North side of the Kanawha River;

WHEREAS, the South Putnam Public Service District is authorized to provide water and sewer service as a public utility in parts of Putnam County, West Virginia, on the South side of the Kanawha River;

WHEREAS, the South Putnam Public Service District has the manpower and expertise to operate and manage the affairs of the North Putnam Public Service District;

WHEREAS, the Boards of the South Putnam Public Service District and the North Putnam Public Service District have had discussions concerning the transfer of the North Putnam Public Service District to the South Putnam Public Service District; and

WHEREAS, the Board of the North Putnam Public Service District deems it to be in the best interests of the citizens of Putnam County for South Putnam Public Service District to acquire the assets of North Putnam Public Service District, and to operate such assets as part of its own system until such time as the acquisition of such assets is approved by the Public Service Commission of West Virginia.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF NORTH PUTNAM PUBLIC SERVICE DISTRICT:

1. The Board of North Putnam Public Service District is authorized to undertake all actions necessary to transfer the assets of the North Putnam Public Service District, subject to the approval of the Public Service Commission of West Virginia, and bondholder approvals; and subject further to a determination of the reasonableness of such action upon the rates of the rate payers of South Putnam Public Service District.

2. During the pendency of the approval process, and until such time as the Board of the South Putnam Public Service District has determined that it is in the best interests of the rate payers of South Putnam Public Service District to acquire the assets of North Putnam Public Service District, North Putnam Public Service District is hereby authorized to enter into an agreement whereby South Putnam Public Service District shall operate and maintain the North Putnam Public Service District system.

3. The Chairman of the Board of the North Putnam Public Service District is hereby authorized to execute any documents necessary to carry out the provisions of this Resolution.

Adopted this 11th day of July, 2000.

Chairman

Member

Member

5·1·95

RESOLUTION OF

CITY OF HURRICANE

BE IT RESOLVED by the City Council of the City of Hurricane as follows:

The City of Hurricane hereby consents to the provision of sewerage services by South Putnam Public Service District in the following area within the boundaries of the City of Hurricane:

An area along Route 34 South beginning near the Hurricane Creek bridge and extending along Route 34 to Route 60 and including an area 1,000 feet west along Harbour Lane.

Adopted and effective this 1st day of May, 1995.

Raymond Peak
Mayor

Linda L. Gibson
Recorder

CERTIFICATION

Certified a true copy of a Resolution duly adopted by the Council of the CITY OF HURRICANE on the 1st day of May, 1995, which Resolution has not been repealed, rescinded, modified, amended or revoked, as witness my hand and the seal of the City of Hurricane this 1st day of May, 1995.

[SEAL]

Recorder

04/18/95
SPSJ.O2
847280/94001

RESOLUTION OF

SANITARY BOARD OF CITY OF HURRICANE

BE IT RESOLVED by the Sanitary Board of the City of Hurricane as follows:

The Sanitary Board of the City of Hurricane hereby consents to the provision of sewerage services by South Putnam Public Service District in the following area within the boundaries of the City of Hurricane:

An area along Route 34 South beginning near the Hurricane Creek bridge and extending along Route 34 to Route 60 and including an area 1,000 feet west along Harbour Lane.

Adopted and effective this 1st day of May, 1995.

Raymond Beck

Chairman

CERTIFICATION

Certified a true copy of a Resolution duly adopted by the Sanitary Board of the CITY OF HURRICANE on the 1st day of May, 1995, which Resolution has not been repealed, rescinded, modified, amended or revoked, as witness my hand this 1st day of May, 1995.

Raymond Cook
Chairman

04/25/95
SPSJ.P3
847280/94001

12-3-81

A RESOLUTION AND ORDER EXPANDING THE BOUNDARIES OF THE SOUTH PUTNAM PUBLIC SERVICE DISTRICT WITHIN PUTNAM COUNTY, WEST VIRGINIA.

WHEREAS, the County Commission of Putnam County, West Virginia, did heretofore by a resolution and order adopted on the 3rd day of December, 1991, fix a date for a public hearing on the expansion of the South Putnam Public Service District, and in and by said resolution and order, provide, that all persons residing in or owning or having any interest in property in the proposed Public Service District might appear before the County Commission at this meeting, and have an opportunity to be heard, for and against the expansion of the said Public Service District; and,

WHEREAS, notice of this hearing was duly given in a manner provided and required by the said resolution and order and by Article 13A, Chapter 16, of the West Virginia Code, and all interested persons have been afforded an opportunity of being heard for and against the expansion of the said District, but no written protest has been filed by the requisite number of qualified voters registered and residing within the proposed expanded Public Service District area or the existing boundaries of the South Putnam Public Service District, and said County

Commission has given due consideration to all matters for which such hearing was offered; and,

WHEREAS, it is now deemed desirable by said County Commission to adopt a resolution and order expanding the said District;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED AND ORDERED by the County Commission of Putnam County, as follows:

Section 1.

That the physical, geographical, territorial limits of the South Putnam Public Service District, a public corporation, are hereby enlarged, expanded, and extended to include all of the properties described hereinafter, as follows:

> AN AREA comprising the magisterial districts of Teays Valley, Scott, Curry, and that portion of Buffalo, south of the Kanawha River, including the area known as the Teays Valley Public Service District, but excluding the areas currently known as the Water and/or Sewer Utilities of Record.

Those areas to be excepted from the territorial jurisdiction of the South Putnam Public Service District are described hereinafter as follows:

(1) Lake Washington Public Service District, for water service only, more particularly defined as follows:

Beginning at a point in which the easterly line of Block C intersects the northerly right-of-way of U. S. Route 60, thence, N. 32° 13' W. 305.0 feet, N. 00° 50' W. 176.07 feet, thence N. 4° 22' W. 315.1 feet, thence, N. 27° 40' W. 1,728.7 feet, thence, S. 44° 18' W. 585.0 feet, thence, S. 43° 56' W. 1,693 feet, thence S. 6° 20' E. 265.9 feet, thence S. 40° 41' E. 70.0 feet, thence, S. 74° 07' E. 1,162.62 feet, thence, crossing U. S. Route 60, S. 15° 36' W. 270.7 feet, thence, S. 39° 18' W. 469.0 feet, thence, N. 85° 17' W. 198.0 feet, thence S. 71° 38' W. 549.2 feet, thence, S. 70° 35' W. 705.22 feet, thence, S. 58° 06' W. 478.8 feet, thence S. 58° 42' W. 437.75 feet, thence, S. 68° 34' W. 108.0 feet, thence, with West Virginia Route 34, S. 55° 45' E. 763.0 feet, thence, S. 83° 09' E. 609.8 feet, thence , S. 87° 44' E. 1,309.8 feet, thence, S. 24° 57' E. 546.9 feet, thence, S. 53° 14' E. 947.89 feet, thence, N. 71° 57' E. 880.48 feet, thence, N. 40° 07' E. 880.48 feet, thence, S. 60° 03' E. 1,461.4 feet, thence N. 6° 15' E. 848.7 feet, thence N. 16° 17' W. 99.0 feet, thence, S. 87° 25' E. 113.5 feet, thence, S. 67° 45' E. 138.4 feet, thence, S. 58° 40' E. 105.4 feet, thence S. 45° 25' E. 171.8 feet, thence, S. 42° 05' E. 128.0 feet, thence, S. 33° 40' E. 279.9 feet, thence, S. 46° 25' E. 263 feet, thence, S. 21° 45' E. 340.5 feet, thence, S. 60° 25' E. 229.0 feet, thence N. 35° 40' E. 119.5 feet, thence, N. 20° 01' W. 798.0 feet, thence, N. 56° 00' E. 77.03 feet, thence, No. 50° 05' E. 794.47 feet, thence, N. 66° 00' E. 433.95 feet, thence, N. 78° 00' E. 423.7 feet, thence, N. 64° 44' W. 312.42 feet, thence, N. 58° 11' W. 577.0 feet, thence, N. 89° 17' W. 739.68 feet, thence, crossing U. S. Route 60, N. 13° 16' E. 990.0 feet, thence along Route 60, S. 70° 05' W. 400.0 feet, thence, S. 58° 56' W. 400.0 feet, thence, S. 72° 00' W. 350.0 feet, to place of beginning, containing an area of 0.67 square miles.

(2) Kanawha Orchard Public Service District, more particularly defined as follows:

Beginning at a point in the northerly right-of-way of Interstate Route 64 and 0.15 miles west of the center of McCloud Road, thence, N. 26° 40' E. 1.19 miles, thence, N. 63° 40' E. 1.34 miles, thence, N. 20° 35' W. 2.03 miles, thence N. 69° 25' 0.81 miles to center of Kanawha River, thence, up Kanawha River S. 20° 25' E. 0.32 miles, thence, S. 69° 25' W. 0.29 miles to the center of West Virginia Route 17, thence, with Route 17, S. 20° 35' E. 0.25 miles, thence, S. 4° 45' E.

0.19 miles to a point in said State Route 17 having a latitude of N. 38° 30' and longitude W. 81° 50' 30", thence, leaving West Virginia Route 17 N. 69° 25' E. 0.30 miles to center of Kanawha River, thence, with center of the River and up stream 1.68 miles, thence, leaving the River S. 39° 40' 0.65 miles to a point having a latitude of N. 38° 25' 29" and longitude of W. 81° 50', thence, S. 63° 40' W. 1.55 miles, thence, to the northerly right-of-way of Interstate Route 64 S. 6° 15' E. 0.75 miles, thence, with northerly right-of-way line of Interstate 64 1.10 miles, more or less to place of beginning, containing 3.70 square miles.

(3) Putnam Utilities Corporation, more particularly defined as follows:

TRACT A: Beginning at a stone on a ridge on a line of the Cargill land, the said stone being a common corner to the land owned by A. C. Radford and Hazel B. Radford, his wife; thence, with the said line of the Cargill land, S. 85° 30' W. 191.5 feet to a white oak stump in a low gap; thence, N. 87° 30' W. 940.5 feet to a stake; thence, S. 63° 30' W. 495 feet to a stone by some hickories; thence, N. 97° 30' W. 792 feet to a stone, corner to a tract of land owned by Charles C. Payne; thence, with the northeasterly line of the said Payne land, N. 47° 45' W. 1,912.5 feet to an iron pipe; thence, N. 41° 7' E. 696 feet to an iron pipe in the southwesterly line of the said Radford land; thence, with the line of the Radford land, S. 54° 30' E. 3,686.5 feet to the place of beginning, containing 62.44 acres, more or less.

TRACT B: Beginning at an iron pipe in the southerly right-of-way of U. S. Route 35, the said iron pipe being a common corner to a tract of land owned by A. C. Radford and Hazel B. Radford, his wife; thence, with the southwesterly line of the said Radford land, S. 36° 00' E. 1,800 feet to an iron pipe; thence, S. 64° 30' E. 455 feet to an iron pipe; thence, leaving the Radford land, S. 41° 7' W. 696 feet to an iron pipe in the northeasterly line of a tract of land owned by Charles C. Payne; thence, with the said line of the Payne land, N. 47° 45' W. 580 feet to an iron pipe; thence, N. 36° 00' W. 1,482 feet to an iron pipe in the southerly line of Rockystep Branch Road; thence, with the right-of-way line of the said road, N. 51° 48' E. 29.5 feet to an iron pipe; thence, N. 35° 40' W. 336.6 feet to an iron pipe at the intersection of the easterly right-of-way line of Rockystep Branch Road and the southerly right-of-way line of U. S. Route 35; thence, running with U. S. Route 35, N. 55° 32' E. 542.4 feet to the place of beginning, containing 30.9 acres, more or less.

TRACT C: Beginning at an iron pipe in the common division line between the land owned by Charles C. Payne and the property herein conveyed, said iron pipe being located N. 36° 00' W. 444.4 feet from a stake in the northerly right-of-way line of U. S. Route 35; thence, with the common division line between the property herein conveyed and the Payne property, N. 36° 00' W. 201 feet to a stake at the edge of Kanawha River; thence, running up the river and binding thereon, N. 49° 37' E. 209.1 feet, to an iron pipe; thence, running S. 36° 00' E. 217 feet; thence, running S. 54° 00' W. 209.5 feet to the place of beginning, containing 1 acre.

(4) Riverdale Utility Company, more particularly defined as follows:

TRACT 2: Beginning at an iron pipe in the northerly right-of-way line of State Route 17, at the point where the division line between the lands of Walter M. Raynes and F. F. Morris intersect said northerly right-of-way line; thence, leaving the said right-of-way line running with the division line between Morris and Raynes and Morris and Rose, N. 3° 00' W. 1,724 feet to an iron pipe where originally stood a stake 9 feet above a marked beech; thence, leaving Rose and running up the Kanawha River with pool stage, S. 91° 00' E. 543 feet to an iron pipe at the corner of Parcel 1 and 2; thence, leaving the river and running across the bottom with the division line between Parcels Nos. 1 and 2, S. 2° 00' E. 1,555 feet to an iron pipe in the northerly right-of-way of State Highway No. 17; thence, running in a westerly direction with the said northerly right-of-way line, a distance of 505 feet to the point of beginning, containing 19.6 acres, more or less.

(5) Sunnybrook Public Service District, more particularly defined as follows:

Beginning at a point in the Teays Valley Public Service District line 200 feet south of the center line of West Virginia Primary Route 34, having a latitude N. 38° 26' 30" and a longitude W. 81° 59' 04"; thence, S. 68° 15' W. for 0.10 miles parallel with West Virginia Route 34 to a point having a latitude N. 38° 26' 24" and longitude W. 81° 59' 23"; thence, N. 37° 09' W. for 0.15 miles, crossing West Virginia Route 34 at about 200 feet to a point having a latitude N. 38° 26' 31" and longitude W. 81° 59' 29"; thence, N. 45° 59' W. for 0.11 miles to a point on the south right-of-way of Old County Route 34/22

having a latitude N. 38° 26' 34" and longitude W. 81° 59' 34"; thence, with the road right-of-way S. 37° 00' W. for 0.09 miles to a point in the right-of-way having latitude N. 38° 26' 32" and longitude W. 81° 59' 36"; thence, N. 14° 00' W. with a fence line for 0.625 miles to a point on the Interstate Route 64 right-of-way having a latitude N. 38° 27' 0.05" and longitude W. 81° 59' 51"; thence, N. 68° 00' E. with the Interstate right-of-way line for 0.46 miles to a point on the right-of-way line having latitude N. 38° 27' 11" and longitude W. 81° 59' 22"; thence, in a southerly direction for 0.32 miles with the Sunnybrook Estate-Springdale Estates Subdivision boundary line to a point having a latitude N. 38° 26' 54" and longitude W. 81° 59' 15"; thence, N. 82° 45' E. for 0.19 miles to a point on the Teays Valley Public Service District boundary line, having latitude N. 38° 26' 55" and longitude W. 81° 59' 04"; thence, S. for 0.48 miles with the Teays Valley Public Service District boundary line to the point of beginning, and containing an area of 0.402 square miles in Teays Valley Magisterial District of Putnam County, West Virginia.

(6) Culloden Sanitary Sewer and Water Service are to be excluded from the South Putnam Public Service District area, more particularly defined as follows:

Culloden Area No. 1

Beginning at a point reference to the West Virginia Plane Coordinate System, South Zone, said Coordinate System referenced to the North American Datum, 1927 adjustment, said point having the coordinates N518475, E1698600 and being approximately situated on the Cabell-Putnam County Line; thence, with the following bearings and distances, based on the before named Plane Coordinate System, N. 01° 05' 28" W. 2,625.48 feet; thence, N. 63° 52' 08" E. 1,475.85 feet; thence, S. 33° 33' 19" E. 1,317.43 feet; thence, S. 42° 35' 59" W. 2,954.76 feet, to the true point of beginning.

Culloden Area No. 2

Beginning at a point referenced to the West Virginia Plane Coordinate System, South Zone, said Coordinate System referenced to the North American Datum, 1927 adjustment, said point having the coordinates N516900, E1698725 and being approximately situated on the Cabell-Putnam County Line; thence, with the southerly right-of-way line of the Service Wholesale Access Road, 1,250 feet, more or Less, to the westerly right-of-way line of Putnam County Route 60/1 (Thompson Road); thence, with said

westerly right-of-way line 2,200 feet, more or less, to a point; thence, leaving said westerly right-of-way line with the following bearings and distances based on the before named Plane Coordinate System: S. 53° 07' 48" W. 125.00 feet; thence, S. 38° 39' 35" E. 1,120.55 feet; thence, N. 66° 48' 05" E. 761.58 feet; thence, S. 70° 33' 36" E. 1,640.00 feet; thence, S. 61° 54' 24" W. 1,707.71 feet; thence S. 78° 39' 02" E. 3,503.00 feet; thence, N. 03° 55' 33" W. 4,100 feet, to the true point of beginning.

(7) City of Hurricane Water Service Area, more particularly defined as follows:

Beginning at a point referenced to the West Virginia Plane Coordinate System, South Zone, said Coordinate System referenced to the North American Datum, 1927 adjustments, and having the coordinates N521750, E1700000; thence, with the following bearings and distances based on the before named Plane Coordinate System: N. 63° 47' 00" E. 7,356.80 feet; thence N. 47° 01' 17" W. 1,503.54 feet; thence, N. 31° 05' 50" E. 1,839.33 feet; thence, S. 70° 02' 01" E. 1,463.09 feet; thence, S. 07° 19' 21" E. 992.98 feet; thence, S. 25° 38' 28" E. 693.27 feet; thence, N. 53° 44' 46" E. 1,860.11 feet; thence, N. 58° 32' 09" E. 3,927.47 feet; thence, S. 29° 41' 27" E. 3,280.72 feet; thence, N. 54° 46' 57" E. 1,560.65 feet; thence, S. 16° 41' 57" E. 1,044.03 feet; thence, S. 70° 07' 59" W. 6,326.53 feet; thence, S. 04° 23' 55" W. 1,303.84 feet; thence S. 58° 23' 33" W. 3,052.87 feet; thence, S. 07° 41' 46" E. 1,866.82 feet; thence, S. 33° 06' 41" W. 1,372.95 feet; thence, N. 52° 18' 21" W. 1,390.14 feet; thence, S. 86° 11' 09" W. 2,254.99 feet; thence, S. 09° 03' 28" E. 3,493.57 feet; thence S. 46° 32' 53" W. 654.31 feet; thence, N. 75° 22' 45" W. 1,782.73 feet; thence S. 73° 19' 03" W. 522.02 feet; thence, N. 50° 54' 22" W. 1,030.78 feet; thence, N. 45° 00' 00" E. 353.55 feet; thence N. 17° 32' 32" W. 498.12 feet; thence, N. 40° 56' 26" W. 2,746.93 feet; thence N. 02° 20' 14" E. 1,226.02 feet; thence, N. 42° 22' 25" E. 1,929.39 feet; thence, N. 29° 03' 17" W. 1,029.56 feet to the true point of beginning.

(8) City of Hurricane Sanitary Sewer Service Area, more particularly defined as follows:

Beginning at a point referenced to the West Virginia Plane Coordinate System, South Zone, said Coordinate System referenced to the North American Datum, 1927 adjustment, said point having the coordinate N524160.24, E1704721.07 and being approximately situated on the southerly right-of-way line of Interstate Route 64;

thence, with the following bearings and distances based on the before named Plane Coordinate System; N. 63° 56' 44" E. 2,481.07 feet; thence, N. 74° 55' 53" E. 1,346.29 feet; thence, S. 29° 44' 42" E. 604.87 feet; thence, N. 70° 42' 36" E. 520.74 feet; thence, S. 33° 41' 24" E. 180.28 feet; thence, N. 64° 29' 10" E. 2,437.72 feet; thence, S. 28° 18' 03" E. 369.12 feet; thence, S. 65° 11' 09" W. 2,561.49 feet; thence, S 24° 56' 39" E. 2,371.18 feet, more or less, to a point in the center of Hurricane Creek; thence, with the center of Hurricane Creek in a southwesterly, upstream direction, 3,800 feet, more or less, to the center of the West Virginia Route 34 Hurricane Creek Bridge; thence, leaving the center line of Hurricane Creek, with the following bearings and distances based on the before named Plane Coordinate System; S. 61° 36' 08" W. 2,796.52 feet; thence, N. 55° 03' 16" W. 2,025.14 feet; thence, S. 33° 09' 48" W. 603.26 feet; thence N. 55° 00' 29" W. 305.16 feet; thence, N. 26° 33' 54" E. 279.51 feet; thence, N. 56° 18' 36" W. 901.39 feet; thence, S. 33° 41' 24" W. 721.11 feet; thence, N. 55° 00' 29" W. 305.16 feet; thence, S. 30° 20' 36" W. 1,187.70 feet; thence, S. 53° 07' 48" E. 625.00 feet; thence, S. 35° 32' 16" W. 430.12 feet; thence N. 54° 41' 20" W. 735.27 feet; thence, N. 32° 39' 39" E. 1,158.12 feet, thence, N. 51° 20' 25" W. 160.08 feet; thence, N. 29° 25' 39" E. 1,118.43 feet; thence, N. 31° 56' 41" E. 1,320 feet, more or less; thence, northeast along southern right-of-way of Virginia Avenue, Putnam County Route 60/10, 3,050 feet, more or less; thence, northwest along the eastern right-of-way of Sovine Road, Putnam County Route 60/3, 915 feet, more or less to the true point of beginning.

(9) Ventroux Water Association for water service <u>only</u>, more particularly defined as follows:

Beginning at a point which is the intersection of the western right-of-way line of U. S. Route 35 and the southern edge of Scary Creek; thence, 700 feet in a southerly direction with the Route 35 line to a point; thence, N. 84° 15' W. 2,360 feet, leaving the Route 35 line to a point; thence S. 03° 24' W. 1,950 feet to a point; thence N. 87° 18' W. 500 feet to a point; thence N. 01° 56' E. 2,130 feet to a point; thence, N. 61° 32' E. 2,180 feet to a point in the southern edge of Scary Creek; thence, 1,500 feet with the southern edge of Scary Creek to the point of beginning, containing an area of 0.13 square miles.

(10) Town of Winfield, more particularly defined as follows:

Beginning at the southernmost point in the original town limits; thence, S. 36° E. 1,270.50 feet, leaving the town limits to a point; thence, S. 57° E. 4,075.50 feet to a point; thence, S. 45-1/2° W. 412.50 feet to a point; thence, S. 85-1/2° W. 511.50 feet to a point; thence, N. 87° 30' W. 478.50 feet to a point; thence, S. 33-1/2° E. 2,739.00 feet to a point; thence, N. 29° W. 80-1/2° W. 1,435.50 feet to a point; thence S. 81-1/2° W. 1,386.0 39.60 feet to a point; thence, N. 31-1/2° E. 334.60 feet, again crossing Route 29/1 to a feet, crossing Route 29/1 to a point; thence, S. 75° W. 264 feet to a point; thence, N. 68° W. 453.80 feet to a point; thence, W. 1,386.0 feet, crossing Route 29/1 to a point; thence, N. 71° 00' W. 1,250 feet, crossing Route 29/1 to a point; thence S. 51° 58' W. 450 feet to a point; thence, S. 48° 45' W. 1,455.20 feet, crossing Routes 29/1 and 29; thence, N. 67° 15' W. 760.80 feet to a point; thence, N. 31° 30' E. 128.70 feet to a point; thence, N. 18° 45' E. 184.70 feet to a point; thence, N. 29° 15' E. 296.50 feet to a point; thence, N. 19° 30' E. 415.70 feet to a point; thence, N. 60° 50' W. 411.60 feet to a point, thence, N. 55° 40' W. 378.80 feet to a point; thence, N. 46° W. 436.60 feet to a point in the eastern right-of-way line of Route 34; thence, N. 4° E. 2,715 feet crossing Route 34 and 35 to a point in the southern edge of Kanawha River; thence, N. 71° 35' E. 285 feet with the river to a point; thence, N. 36° 15' E. 250 feet with the river to a point; thence, N. 46° 37' E. 600 feet with the river to a point; thence N. 59° 40' E. 440 feet with the river to a point; thence, N. 56-1/2° E. 471 feet with the river to a point; thence, N. 58-1/2° E. 146 feet with the river to a point; thence N. 55° E. 231 feet with the river to a point; thence, N. 57° 30' E. 290 feet with the river to a point; thence N. 57° E. 294 feet with the river to a point; thence, N. 52° E. 587.30 feet with the river to a point; thence, N. 51° E. 569.30 feet with the river to a point; thence, N. 50° E. 1,155 feet with the river to a point in the original town limits

Section 2.

That the said area of the South Putnam Public Service District is hereby enlarged, extended, and expanded to include all of the aforementioned area as described herein, and is hereby made a part of the said area included and embraced within the South Putnam Public Service District, and that the same shall be henceforth and hereafter included, annexed, and made a part of the South Putnam Public Service District, and shall henceforth and hereafter become and constitute and integral part of the said South Putnam Public Service District.

Entered into the permanent records of Putnam County, West Virginia, this 3rd day of December, 1981.

Leff Moore, President

Leff Moore

R. B. Allen, Commission

R. B. Allen

Ronald K. Brown, Commission

Ronald K. Brown

ATTEST:

Charles E. Farley, Clerk

STATE OF W[illegible] [illegible] CLERK'S OFFICE
I, Charles [illegible] of the [illegible] Commission do
hereby certi[illegible] [illegible] rect copy
and transcr[illegible] [illegible]
Given u[illegible] [illegible] ommission,
at Winfield [illegible] [illegible] ay of _____, 19[illegible]
_____ _____ Book [illegible] Page _____
CHARLES E. FAR[illegible] [illegible] AM COUNTY COMMISSION
By _____ Deputy

STATE OF WEST VIRGINIA, PUTNAM COUNTY CLERK'S OFFICE
I, Charles E. Farley, Clerk of the Putnam County Commission do
hereby certify that this foregoing is a true and correct copy
and transcript from the record of my office.
Given under my hand and seal of the said commission,
at Winfield, West Virginia, this the 16 day of Feb, 1982
Court Order Book 28 At Page 314
CHARLES E. FARLEY, CLERK, PUTNAM COUNTY COMMISSION
By K. Erwin Deputy

3-10-81

A RESOLUTION AND ORDER EXPANDING THE BOUNDARIES OF THE TEAYS VALLEY PUBLIC SERVICE DISTRICT HEREINAFTER TO BE KNOWN AS THE SOUTH PUTNAM PUBLIC SERVICE DISTRICT WITHIN PUTNAM COUNTY, WEST VIRGINIA.

WHEREAS, the County Commission of Putnam County, West Virginia, did heretofore by a resolution and order adopted on the 27th of January, 1981, fixed a date for a public hearing on the expansion of the Teays Valley Public Service District, hereafter to be known as the South Putnam Public Service District, and in and by, said resolution and order provide that all persons residing in or owning or having any interest in property in the proposed public service district might appear before the County Commission at this meeting, and have an opportunity to be heard for and against the creation of the said public service district; and,

WHEREAS, notice of this hearing was duly given in a manner provided and required by the said resolution and order and by Article 13A, Chapter 16, of the West Virginia Code, and all interested persons have been afforded an opportunity of being heard for and against the creation of the said district, but no written protest has been filed by the requisite number of qualified voters registered and residing within the proposed expanded public service district area or the existing boundaries of the Teays Valley Public Service District, and said County Commission has given due consideration to all matters for which such hearing was offered; and,

WHEREAS, it is now deemed desirable by said County Commission to adopt a resolution and order expanding and establishing the said district;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED AND ORDERED by the County Commission of Putnam County, West Virginia as follows:

Section 1: That the physical, geographical, territorial limits of the Teays Valley Public Service District, a public corporation, are hereby enlarged, expanded, and extended to include all of the properties described hereinafter as follows:

AN AREA comprising the magisterial districts of Teays Valley, Scott, Curry, and that portion of Buffalo, south of the Kanawha River, including the area currently known as the Teays Valley Public Service District, but excluding the areas currently known as the Water and/or Sewer Utilities of Record.

These areas [illegible] be excepted from the certificate of jurisdiction of the South Putnam Public District are described hereinafter as follows:

(1) Lake Washington Public Service District, for water service only, more particularly defined as follows:

Beginning at a point in which the easterly line of Block C intersects the northerly right-of-way of U.S. Route 60, thence, N. 32° 13' W. 305.0 feet, N. 00° 50' W. 176.07 feet, thence, N. 4° 22' W. 315.1 feet, thence, N. 27° 40' W. 1,728.7 feet, thence, S. 44° 18' W. 585.0 feet, thence, S. 43° 56' W. 1,693 feet, thence, S. 6° 20' E. 255.9 feet, thence, S. 40° 41' E. 70.0 feet, thence, S. 74° 07' E. 1,162.68 feet, thence, crossing U.S. Route 60, S. 15° 56' W. 270.7 feet, thence, S. 39° 18' W. 469.0 feet, thence, N. 85° 17' W. 198.0 feet, thence, S. 71° 38' W. 549.2 feet, thence, S. 70° 35' W. 705.12 feet, thence, S. 58° 06' W. 478.3 feet, thence, S. 58° 42' W. 437.75 feet, thence, S. 68° 34' W. 108.0 feet, thence, with West Virginia Route 34, S. 55° 45' E. 763.0 feet, thence, S. 85° 09' E. 609.3 feet, thence, S. 87° 41' E. 1,309.8 feet, thence, S. 24° 57' E. 546.9 feet, thence, S. 53° 14' E. 947.88 feet, thence, N. 71° 57' E. 380.48 feet, thence, N. 40° 07' E. 880.48 feet, thence, S. 60° 03' E. 1,461.4 feet, thence, N. 6° 15' E. 848.7 feet, thence, N. 16° 17' W. 99.0 feet, thence, S. 87° 25' E. 113.5 feet, thence, S. 67° 45' E. 138.4 feet, thence, S. 38° 10' E. 105.4 feet, thence, S. 45° 35' E. 1[illegible]1.3 feet, thence, S. 42° 05' E. 123.0 feet, thence, S. 33° 40' E. 279.9 feet, thence, S. 46° 25' E. 253 feet, thence, S. 30° 25' E. 125.0 feet, thence, S. 21° 45' E. 240.5 feet, thence, S. 50° 25' E. 225.0 feet, thence, N. 35° 40' E. 119.5 feet, thence, N. 20° 01' W. 798.0 feet, thence, N. 56° 00' E. 77.33 feet, thence, N. 30° 05' E. 794.47 feet, thence, N. 66° 00' E. 433.95 feet, thence, N. 78° 00' E. 423.7 feet, thence, N. 54° 44' W. 312.42 feet, thence, N. 38° 11' W. 577.0 feet, thence, N. 38° 17' W. 739.68 feet, thence, crossing U.S. Route 60, N. 13° 16' E. 990.0 feet, thence, along Route 60, S. 70° 05' W. 400.0 feet, thence, S. 58° 55' W. 400.0 feet, thence, S. 72° 00' W. 350.0 feet, to place of beginning, containing an area of 0.67 square miles.

(2) Kanawha Orchard Public Service District, more particularly defined as follows:

Beginning at a point in the northerly right-of-way of Interstate Route 64 and 0.15 miles west of the center of McCloud Road, thence, N 26° 40' E 1.18 miles, thence, N. 63° 40' E. 1.34 miles, thence, N. 20° 35' W. 2.03 miles, thence, N. 69° 25' 0.81 miles to center of Kanawha River, thence, up Kanawha River S. 20° 25' E. 0.32 miles, thence, S. 69° 25' W. 0.29 miles to the center of West Virginia Route 17, thence, with Route 17 S. 20° 35' E. 0.25 miles, thence, S. 4° 45' E. 0.19 miles to a point in said State Route 17 having a latitude of N. 38° 30' and longitude W. 81° 30' 30", thence, leaving West Virginia Route 17 N. 69° 25' E. 0.30 miles to center of Kanawha River, thence, with center of the River and up stream 1.68 miles, thence, leaving the River S. 39° 40' 0.65 miles to a point having a latitude of N. 38° 28' 29" and longitude of W. 81° 50' thence, S. 63° 40' W. 1.55 miles, thence, to the northerly right-of-way of Interstate Route 64 S. 6° 15' E. 0.75

miles, [illegible]ce, with northerly right-of[illegible]y line of Interstate 64 1.10 miles more or less to place of beginning containing 3.70 square miles.

(3) Putnam Utilities Corporation, more particularly defined as follows:

TRACT A: Beginning at a stone on a ridge in a line of the Cargill land, the said stone being a common corner to the land owned by A. C. Radford and Hazel B. Radford, his wife; thence, with the said line of the Cargill land, S. 63° 30' W. 181.5 feet, to a white oak stump in a low gap, thence, N. 87° 30' W. 940.5 feet to a stake, thence, S. 63° 30' W. 495 feet to a stone by some hickories, thence, N. 87° 30' W. 792 feet, to a stone, corner to a tract of land owned by Charles C. Payne, thence, with the northeasterly line of the said Payne land, N. 47° 45' W. 1,812.5 feet, to an iron pipe, thence, N. 41° 7' E. 696 feet to an iron pipe in the southwesterly line of the said Radford land, thence, with the line of the Radford land, S. 64° 30' E. 3,886.5 feet to the place of beginning, containing 62.44 acres, more or less.

TRACT B: Beginning at an iron pipe in the southerly right-of-way of U.S. Route 35, the said iron pipe being a common corner to a tract of land owned by A. C. Radford and Hazel B. Radford, his wife, thence, with the southeasterly line of the said Radford land, S. 36° 00' E. 1,800 feet to an iron pipe, thence, S. 64° 30' E. 455 feet to an iron pipe, thence, leaving the Radford land, S. 41° 7' W. 696 feet to an iron pipe in the northeasterly line of a tract of land owned by Charles C. Payne, thence with the said line of the Payne land, N. 47° 45' W. 330 feet to an iron pipe, thence, N. 36° 30' W. 1,482 feet to an iron pipe in the southerly line of Rockystep Branch Road, thence, with the right-of-way line of the said road, N. 51° 48' E. 29.5 feet to an iron pipe, thence, N. 35° 40' W. 336.6 feet to an iron pipe at the intersection of the easterly right-of-way line of Rockystep Branch Road and the southerly right-of-way line of U.S. Route 35, thence, running with U.S. Route 35, N. 55° 32' E. 542.4 feet to the place of beginning, containing 30.9 acres, more or less.

TRACT C: Beginning at an iron pipe in the common division line between the land owned by Charles C. Payne and the property herein conveyed, said iron pipe being located N. 36° 00' W. 444.4 feet from a stake in the northerly right-of-way line of U.S. Route 35, thence, with the common division line between the property herein conveyed and the Payne property, N. 36° 00' W. 201 feet to a stake at the edge of Kanawha River, thence, running up the river and binding thereon, N. 49° 37' E. 209.1 feet, to an iron pipe, thence, running S. 36° 00' E. 217 feet, thence, running S. 54° 00' W. 208.5 feet to the place of beginning, containing 1 acre.

(4) Riverdale Utility Company, more particularly defined as follows:

TRACT 2: Beginning at an iron pipe in the northerly right-of-way line of State Route 17, at the point where the division line between the lands of Walter M. Raynes and F. F. Morris intersect said northerly right-of-way line, thence, leaving the said right-of-way

line and running with the division line between Morris and Raynes & Morris and Rose, N. 3° 00' 1,734 feet to an iron pipe where originally stood a stake 9 feet above a marked beech, thence, leaving Rose and running up the Kanawha River with pool stage, S. 81° 00' E. 543 feet to an iron pipe at the corner of Parcel 1 and 2, thence, leaving the river and running across the bottom with the division line between Parcels Nos. 1 and 2, S. 2° 00' E. 1,555 feet to an iron pipe in the northerly right-of-way of State Highway No. 17, thence, running in a westerly direction with the said northerly right-of-way line, a distance of 305 feet to the point of beginning, containing 19.6 acres, more or less.

(5) Sunnybrook Public Service District, more particularly defined as follows:

Beginning at a point in the Teays Valley Public Service District line 200 feet south of the center line of West Virginia Primary Route 34, having latitude N. 38° 26' 30" and longitude W. 81° 59' 04", thence, S. 68° 15' W. for 0.30 miles parallel with West Virginia Route 34, to a point having latitude N. 38° 26' 24" and longitude W. 81° 59' 23", thence, N. 37° 09' W. for 0.15 miles, crossing West Virginia Route 34 at about 200 feet to a point having latitude N. 38° 26' 31" and longitude W. 81° 59' 29", thence, N. 45° 59' W. for 0.1[illegible] miles to a point on the south right-of-way of Old County Route 34/22 having latitude N. 38° 26' 34" and longitude W. 81° 59' 34", thence, with the road right-of-way S. 37° 00' W. for 0.08 miles to a point on the right-of-way having latitude N. 38° 26' 32" and longitude W. 81° 59' 36", thence, N. 14° 00' W. with a fence line for 0.[illegible] miles to a point on the Interstate Route 64 right-of-way having latitude N. 38° 27' 05" and longitude W. 81° 59' 51", thence, N. 68° 00' E. with the Interstate right-of-way line for 0.46 miles to a point on the right-of-way line having latitude N. 38° 27' 11" and longitude W. 81° 59' 22", thence, in a southerly direction for 0.32 miles with the Sunnybrook Estates-Springdale Estates Subdivision boundary line to a point having latitude N. 38° 26' 54" and longitude W. 81° 59' 15", thence, N. 82° 45' E. for 0.19 miles to a point on the Teays Valley Public Service District boundary line, having latitude N. 38° 26' 55" and longitude W. 81° 59' 04", thence, S. for 0.48 miles with the Teays Valley Public Service District boundary line to the point of beginning, and containing an area of 0.402 square miles in Teays Valley Magisterial District of Putnam County, West Virginia.

(6) Culloden Sanitary Sewer and Water Service are to be excluded from the Teays Valley Public Service District proposed expansion area, more particularly defined as follows: Culloden Area No. 1

Beginning at a point reference to the West Virginia Plane Coordinate System, South Zone, said Coordinate System referenced to the North American Datum, 1927 adjustment, said point having the coordinates N518475, E1698600 and being approximately situated on the Cabell-Putnam County line, thence, with the following

bearings and distances, based on the before named Plane Coordinate System, 1° 05' 28" W, 2,625.48 feet, thence, N 63° 52' 06" E, 1,475.85 feet, thence, S 33° 23' 19" E, 1,317.43 feet, thence, S 42° 35' 59" W, 2,954.75 feet, to the true point of beginning.

Culloden Area No. 2

Beginning at a point referenced to the West Virginia Plane Coordinate System, South Zone, said Coordinate System referenced to the North American Datum, 1927 adjustment, said point having the coordinates N516900, E1698725 and being approximately situated on the Cabell-Putnam County Line, thence, with the southerly right-of-way line of the Service Wholesale Access Road, 1,250 feet, more or less, to the westerly right-of-way line of Putnam County Route 60/1 (Thompson Road); thence, with the said westerly right-of-way line 2,200 feet, more or less, to a point; thence, leaving said westerly right-of-way line with the following bearings and distances based on the before named Plane Coordinate System; S 53° 07' 48" W, 125.00 feet, thence, S 38° 39' 35" E, 1,120.55 feet, thence, N 66° 48' 05" E, 761.58 feet, thence, S 70° 33' 36" E, 1,640.00 feet, thence, S 61° 54' 24" W, 1,707.71 feet, thence, S 78° 38' 01" E, 3,503.00 feet, thence, N 03° 55' 33" W, 4,100 feet, to the true point of beginning.

(7) City of Hurricane Water Service Area, more particularly defined as follows:

Beginning at a point referenced to the West Virginia Plane Coordinate System, South Zone, said Coordinate System referenced to the North American Datum, 1927 adjustments, and having the coordinates N521750, E1700000, thence, with the following bearings and distances based on the before named Plane Coordinate System: N 63° 47' 00" E, 7,356.80 feet, thence, N 47° 01' 17" W, 1,503.54 feet, thence, N 31° 05' 50" E, 1,839.33 feet, thence, S 70° 01' 01" E, 1,463.09 feet, thence, S 07° 18' 21" E, 982.98 feet, thence, S 35° 38' 28" E, 693.27 feet, thence, N 53° 44' 46" E, 1,860.11 feet; thence, N 58° 32' 09" E, 3,927.47 feet, thence, S 29° 41' 27" E, 3,280.72 feet, thence, N 54° 46' 57" E, 1,560.65 feet, thence, S 16° 41' 57" E, 1,044.03 feet, thence, S 70° 07' 59" W, 6,326.53 feet, thence, S 04° 23' 55" W, 1,303.84 feet, thence, S 58° 23' 33" W, 3,052.87 feet, thence, S 07° 41' 46" E, 1,866.82 feet, thence, S 33° 06' 41" W, 1,372.95 feet, thence, N 52° 18' 21" W, 1,390.14 feet, thence, S 86° 11' 09" W, 2,254.99 feet, thence, S 09° 03' 28" E, 3,493.57 feet, thence, S 46° 32' 53" W, 654.31 feet, thence, N 75° 22' 45" W, 1,782.73 feet, thence, S 73° 18' 03" W, 522.02 feet, thence, N 50° 54' 22" W, 1,030.78 feet, thence, N 45° 00' 00" E, 353.55 feet, thence, N 17° 31' 32" W, 498.12 feet, thence, N 40° 56' 26" W, 2,746.93 feet, thence, N 02° 20' 14" E, 1,226.02 feet, thence, N 42° 22' 25" E, 1,928.89 feet, thence, N 29° 03' 17" W, 1,029.56 feet to the true point of beginning.

(8) City of Hurricane Sanitary Sewer Service Area, more particularly defined as follows:

Beginning at a point referenced to the West Virginia Plane Coordinate System, South Zone, said Coordinate System referenced to the North American Datum, 1927 adjustment, said point having the coordinates N522825, E1701990, and being approximately situated on the southerly right-of-way line of Interstate Route 64; thence, with the following bearings and distances based on the before named Plane Coordinate System; N 63° 56' 44" E, 5,521.07 feet, thence, N 74° 55' 53" E,

1,346.29 c, thence, S 29° 44' 42" E, 67 feet, thence, N 70° 42' 36" E, 529.74 feet, thence, S 33° 41' 24" E, 180.28 feet, thence, N 64° 29' 10" E, 2,437.72 feet, thence, S 28° 18' 03" E, 369.12 feet, thence, S 65° 11' 09" W, 2,561.49 feet, thence, S 24° 56' 39" E, 2,371.18 feet, more or less, to a point in the center of Hurricane Creek, thence, with the center of Hurricane Creek in a southwesterly, upstream, direction 3,800 feet, more or less, to the center of the West Virginia Route 34 Hurricane Creek Bridge, thence, leaving the center line of Hurricane Creek with the following bearings and distances based on the before named Plane Coordinate System: S 61° 36' 08" W, 2,796.52 feet, thence, N 53° 03' 16" W, 2,025.14 feet, thence, S 33° 09' 48" W, 603.26 feet, thence, N 55° 00' 29" W, 305.16 feet, thence, N 26° 33' 54" E, 279.51 feet, thence, N 56° 18' 36" W, 901.39 feet, thence, S 33° 41' 24" W, 721.11 feet, thence, N 55° 00' 29" W, 305.16 feet, thence, S 30° 20' 36" W, 1,187.70 feet, thence, S 53° 07' 48" E, 625.00 feet, thence, S 35° 32' 16" W, 430.12 feet, thence, N 54° 41' 20" W, 735.27 feet, thence, N 32° 39' 39" E, 1,158.12 feet, thence, N 51° 20' 25" W, 160.08 feet, thence, N 29° 25' 39" E, 1,119.43 feet, thence, N 31° 56' 41" E, 2,003.40 feet, to the true point of beginning.

(9) Ventroux Water Association, for water service <u>only</u>, more particularly defined as follows:

Beginning at a point which is the intersection of the western right-of-way line of U.S. Route 35 and the southern edge of Scary Creek: thence, 700 feet in a southerly direction with the Route 35 line to a point, thence, N 84° 15' W, 2,360 feet, leaving the Route 35 line to a point, thence, S 03° 24' W, 1,350 feet to a point, thence, N 87° 18' W, 500 feet to a point, thence, N 01° 36' E, 2,130 feet to a point, thence, N 61° 32' E, 2,190 feet to a point in the southern edge of Scary Creek, thence, 1,500 feet with the southern edge of Scary Creek to the point of beginning, containing an area of 0.13 square miles.

(10) Town of Winfield, more particularly defined as follows:

Beginning at the southern most point in the original Town limits, thence, S 36° E, 1,270.50 feet, leaving the Town limits to a point, thence, S 57° E, 4,075.50 feet to a point, thence, S 45-1/2° W, 412.50 feet to a point, thence, S 85-1/2° W, 511.50 feet to a point, thence, N 87° 30' W 478.50 feet to a point, thence, S 33-1/2° E, 2,739.00 feet to a point, thence, S 80-1/2° W, 1,435.50 feet to a point, thence, N 29° W, 39.60 feet to a point, thence, S 81-1/2° W, 1,386.0 feet, crossing Route 29/1 to a point, thence, N 31-1/2° E, 334.60 feet, again crossing Route 29/1 to a point, thence, S 75° W 264 feet to a point, thence, N 68° W 453.80 feet to a point, thence, W 1,386.0 feet, crossing Route 29/1 to a point, thence, N 71° 00" W, 1,250 feet, crossi Route 29/1 to a point, thence, S 51° 58' W 450 feet to a point, thence, S 48° 45' W, 1,455.20 feet, crossing Routes 29/1 and 29, thence, N 67° 15' W, 760.80 feet to a point, thence, N 33° 30' E, 128.70 feet to a point, thence, N 18° 45' E, 184.70 feet to a point, thence, N 29° 15' E, 286.50 feet to a point, thence, N 19° 30' E, 415.70 feet to a point, thence, N 60° 50' W 411.60 feet to a point, thence, N 55° 40' W, 378.60 feet to a point, thence, N 46° W, 436.60 feet to a point in the eastern right-of-way line of Route 34, thence, N 4° E, 2,715 feet crossing Routes 34 and 35 to a point in the southern edge of Kanawha River, thence, N 71° 35' E, 285 feet with the river to a point, thence, N 36° 15' E, 250 feet with the river to a point, thence, N 46° 37' E, 500 feet with the river to a point, thence, N 59° 40' E, 440 feet with the river to a point, thence, N 56-1/2° E, 471 feet with the river to a

point, thence, N 53-1/2° E, 146 feet with the river to a point, thence, N 5° E, 231 feet with the river to a point, thence, N 57° 30' E, 280 feet with the river to a point, thence, N 57° E 294 feet with the river to a point, thence, N 52° E, 587.80 feet with the river to a point, thence, N 52° E, 569.30 feet with the river to a point, thence, N 50° E, 1,155 feet with the river to a point in the original Town Limits.

Section 2: (a) The name and corporate title of the expanded Teays Valley Public Service District shall be "South Putnam Public Service District".

(b) That the said area of the Teays Valley Public Service District, hereafter known as the South Putnam Public Service District, is hereby enlarged, extended, and expanded to include all of the aforementioned area as described herein, and is hereby made a part of the said area included and embraced within the South Putnam Public Service District, and that the same shall be henceforth and hereafter included, annexed, and made a part of, the South Putnam Public Service District, and shall henceforth and hereafter become and constitute an integral part of the said South Putnam Public Service District.

ENTERED into the permanent records of Putnam County, West Virginia, this 10th day of March, 1981.

Left Moore, President

R. B. Allen, Commissioner

Ronald K. Brown, Commissioner

ATTEST:

Charles E. Farley, Jr., Clerk

Transmitted to the County Clerk's Office, March 11, 1981

Received by: _____

9-1-1959

A RESOLUTION AND ORDER creating
Teays Valley Public Service District
in Putnam County, West Virginia

WHEREAS, the County Court of Putnam County, West Virginia, did heretofore by a resolution and order adopted September 1, 195 fix a date for a public hearing on the creation of the proposed Tea Valley Public Service District and in and by said resolution and or provide that all persons residing in or owning or having any intere in property in the proposed public service district might appear b fore the County Court at this meeting and have the opportunity to b heard for and against the creation of said district: and,

WHEREAS, notice of this hearing was duly given in the manner provided and required by said resolution and order and by Article 13-A of Chapter 16 of the West Virginia Code, and all interested persons have been afforded an opportunity of being heard for and against the creation of said district, but no written protest has b filed by the requisite number of qualified voters registered and residing within said proposed public service district and said County Court has given due consideration to all matters for which such hea was offered; and,

WHEREAS, it is now deemed desirable by said County Court to adopt a resolution and order creating said district:

NOW, THEREFORE, Be It and It Is Hereby Resolved and Ordered by the County Court of Putnam County, West Virginia as follows:

Section 1. That a public service district within Putnam Count West Virginia, is hereby created, and said district shall have the following boundaries:

Beginning at a point of intersection of the center line of Wes Virginia Secondary Route No. 44 and the northerly right-of-way line the Chesapeake and Ohio Railway Company at a latitude of N. 38° 26' and longitude W. 81° 51' 24", thence with the northerly right-of-wa line of the Chesapeake and Ohio Railway Company in a westerly direc 6.90 miles, more or less, to a point having a latitude of N. 38° 26' 23" and a longitude of W. 81° 59' 08", thence North 0.83 miles to the southerly right-of-way line of Interstate Route No. 64, thence with the southerly right-of-way line of Interstate Route No. 64, in an easterly direction 7.35 miles, thence south 30° 00' W. 0.85 miles to the place of beginning containing 5.14 square miles, more or less, being a portion of Scott Magisterial District and containir generally the area north of the northerly right-of-way line of the Chesapeake and Ohio Railway and the southerly right-of-way line of Interstate Route No. 64, all of which are in Putnam County, State of West Virginia, as shown upon map prepared by J. H. Milam, Inc., 1214 Myers Avenue, Dunbar, West Virginia, dated June 30, 1959.

Section 2. That said Public service district so created shall have the name and corporate title of "Teays Valley Public Service District", and shall constitute a public corporation and political subdivision of the State of West Virginia having all of the rights

and powers conferred on public service districts by the laws of the State of West Virginia, and particularly Article 13A of Chapter 16 of the West Virginia Code.

Section 3. That the County Court of Putnam County, West Virgini has determined that the territory within Putnam County, West Virgini having the hereintoatove described boundaries, is to situated that the construction or acquisition by purchase or otherwise and the maintenance, operation, improvement and extension of properties supplying sewerage and/or water services within such territory by sa public service district will be conducive to the preservation of pub health and comfort and convenience of such area.

ADOPTED BY THE COUNTY COURT September 1, 1959.

President

Attest;

Clerk

STATE OF WEST VIRGINIA

COUNTY OF PUTNAM, SS:

I, J. M. LAKE, Clerk of the County Commission of Putnam County, West Virginia, hereby certify that the foregoing is a full, true, correct and complete copy of the instrument as same appears of record in my office in Court Order Book Number 19 Page 63.

Given under my hand and seal of said Commission this the 22nd day of May, 1978

J. M. Lake Clerk
Putnam County Commission
Winfield, West Virginia

Kay Hart
BY DEPUTY CLERK

8-4-59

Winfield, West Virginia
August 4, , 195

The County Court of Putnam County, West Virginia, met in regula session pursuant to law and to the rules of said court at the County Court House, Winfield, West Virginia, at 10:00 o'clock A.M. The meeting was called to order and the roll being called there were present Carl B. Miller, President, presiding, and the following named commissioners.

Absent: None

This being the date fixed by prior action of the County Court for conducting the public hearing on the creation of the proposed Teays Valley Public Service District, as contemplated and provided fo in a resolution and order adopted by the County Court on August 4, 1959, the president announced that all persons residin in or owning or having any interest in property in such proposed publ service district desiring to be heard for or against the creation of said district would be heard and all such interested persons desiring to be heard were given full opportunity.

The County Court then further discussed the creation of said public service district, whereupon Homer West introduced and caused to be read a proposed resolution and order, entitled:

"A RESOLUTION AND ORDER creating Teays Valley Public Service District, Putnam County, West Virginia",

and moved that all rules otherwise requiring deferred consideration or several readings be suspended and said proposed resolution and order be adopted. Harold D. Brown seconded the motion and after due consideration the President put the question on the motion and the roll being called, the following voted:

Aye: All three

Nay:

Whereupon the President declared the motion duly carried and said resolution and order duly adopted.

Homer West introduced and caused to be read a proposed resolution and order, entitled:

"A RESOLUTION AND ORDER appointing members to the public service board of the Teays Valley Public Service District".

and moved that all rules otherwise requiring deferred consideration or several readings be suspended and said proposed resolution and order by adopted, A. C. Neal & H.D.Brown seconded the motion and after due consideration the President put the question on the motion and the roll being called, the following voted.

Aye: all three

Nay:

Whereupon the President declared the motion duly carried and said resolution and order duly adopted.

On motion and vote the meeting adjourned.

President

Attest:

Clerk

NOTICE OF PUBLIC HEARING ON CREATION OF TEAYS VALLEY PUBLIC SERVICE DISTRICT

Notice is hereby given that a legally sufficient petition has been filed with the Clerk of the County Court of Putnam County, West Virginia, and has been presented to the County Court of Putnam for the creation of a public service district within Putnam County, for the purpose of contracting or acquiring by purchase or otherwise and the maintenance, operation, improvement and extension of public service properties supplying water and/or sewerage services within said district and also outside said district to the extent permitted by law; to be named "Teays Valley Public Service District", and having the following described boundaries:

Beginning at a point of intersection of the center line of West Virginia Secondary Route No. 44 and the northerly right-of-way line of the Chesapeake and Ohio Railway Company at a latitude of N. 38° 38' 10" and longitude W. 81° 31' 36", thence with the northerly right-of-way line of the Chesapeake and Ohio Railway Company in a westerly direction 0.90 miles, more or less, to a point having a latitude of N. 38° 38' 22" and a longitude of W. 81° 38' 04", thence North 6.22 miles to the southerly right-of-way line of Interstate Route No. 64, thence with the southerly right-of-way line of Interstate Route No. 64 in an easterly direction 7.36 miles, thence south 33° 00' W. 0.15 miles to the place of beginning containing 3.14 square miles, more or less, being a portion of Scott Magisterial District and containing generally the area north of the northerly right-of-way line of the Chesapeake and Ohio Railway and the southerly right-of-way line of Interstate Route No. 64, all of which are in Putnam County, State of West Virginia, as shown upon map prepared by J. H. Milam, Inc., 1214 Myers Avenue, Dunbar, West Virginia, dated June 14, 1986.

All persons residing in or owning or having any interest in property in said proposed public service district are hereby notified that the County Court of Putnam County will conduct a public hearing on September 1, 1986, at 10:00 o'clock A. M., in the County Court House at Winfield, West Virginia, at which time and place all interested persons may appear before the County Court and shall have an opportunity to be heard for and against the creation of the proposed public service district.

By order of the County Court this 6th day of August, 1986.

A. M. BROWN
County Court Clerk

Entered by the County Court August 4, 1986.

C. R. MILLER
President

A. M. BROWN
Clerk

NOTICE OF PUBLIC HEARING ON CREATION OF TEAYS VALLEY PUBLIC SERVICE DISTRICT

Notice is hereby given that a legally sufficient petition has been filed with the Clerk of the County Court of Putnam County, West Virginia, and has been presented to the County Court of Putnam for the creation of a public service district within Putnam County, for the purpose of contracting or acquiring by purchase or otherwise and the maintenance, operation, improvement and extension of public service properties supplying water and/or sewerage services within said district and also outside said district to the extent permitted by law; to be named "Teays Valley Public Service District", and having the following described boundaries:

Beginning at a point of intersection of the center line of West Virginia Secondary Route No. 44 and the northerly right-of-way line of the Chesapeake and Ohio Railway Company at a latitude of N. 38° 38' 19" and longitude W. 81° 31' 24", thence with the northerly right-of-way line of the Chesapeake and Ohio Railway Company in a westerly direction 0.00 miles, more or less, to a point having a latitude of N. 38° 38' 23" and a longitude of W. 81° 38' 54", thence North 6.32 miles to the southerly right-of-way line of Interstate Route No. 64, thence with the southerly right-of-way line of Interstate Route No. 64 in an easterly direction 7.34 miles, thence south 33° 00' W. 0.15 miles to the place of beginning containing 5.14 square miles, more or less, being a portion of Scott Magisterial District and containing generally the area north of the northerly right-of-way line of the Chesapeake and Ohio Railway and the southerly right-of-way line of Interstate Route No. 64, all of which are in Putnam County, State of West Virginia, as shown upon map prepared by J. H. Milam, Inc., 1224 Myers Avenue, Dunbar, West Virginia, dated June 14, 1956.

All persons residing in or owning or having any interest in property in said proposed public service district are hereby notified that the County Court of Putnam County will conduct a public hearing on September 1, 1961, at 10:00 o'clock A. M., in the County Court House at Winfield, West Virginia, at which time and place all interested persons may appear before the County Court and shall have an opportunity to be heard for and against the creation of the proposed public service district.

By order of the County Court this 4th day of August, 1960.

A. M. BROWN
County Court Clerk

Sworn by the County Court August 4, 1960.

C. R. MILLER
President

A. M. BROWN
Clerk

A Resolution and order fixing a date of hearing on the creation of a proposed public service district within Putnam County, West Virginia; and providing for the publication of a notice of such hearing.

WHEREAS, there has heretofore been filed in the office of the Clerk of the County Court of Putnam County, West Virginia, a petition to this County Court, for the creation of a public service district within Putnam County, West Virginia; and

WHEREAS, said County Court Clerk has presented such petition to this County Court at this meeting; and

WHEREAS, Pursuant to the provisions of Article 13A of Chapter 16 of the West Virginia Code this County Court upon presentation of such petition is required to fix a date of hearing on the creation of the proposed public service district:

NOW, THEREFORE, Be It and It Is Hereby Resolved and Ordered by the County Court of Putnam County, West Virginia, as follows:

Section 1. That the County Court of Putnam County, West Virginia hereby finds and declares that there has been filed in the office of the County Court Clerk and presented by said County Court Clerk to the County Court a petition for the creation of a public service district within Putnam County, West Virginia, which petition contains a description sufficient to identify the territory to be embraced within the proposed public service district and which petition has been signed by at least one hundred legal voters resident within and owning real property within the limits of the proposed public service district, and said County Court further finds and declares that said petition in all respects meets the requirements of Article 13A of Chapter 16 of the West Virginia Code.

Section 2. That said petition, among other things, states as follows:

(a). The name and corporate title of said Public service distric shall be "Teays Valley Public Service District".

(b). The territory to be embraced in said Public Service Distric shall be as follows:

Beginning at a point of intersection of the center line of West Virginia Secondary Route No. 44 and the Northerly right-of-way line of the Chesapeake and Ohio Railway Company at a latitude of N. 38° 26' 10" and longitude W. 81° 51' 24", thence with the northerly right-of-way line of the Chesapeake and Ohio Railway Company in a westerly direction 6.90 miles, more or less, to a point having a latitude of N. 38° 26' 23" and a longitude of W. 81° 59' 03", thence North 0.83 miles to the southerly right-of-way line of Interstate Route No. 64, thence with the southerly right-of-way lin of Interstate Route No. 64, in an easterly direction 7.35 miles, thenc south 30° 00' W. 0.85 miles to the place of beginning containing 5.14 square miles, more or less, being a portion of Scott Magisterial Distr and containing generally the area north of the northerly right-of-way line of the Chesapeake and Ohio Railway and the southerly right-of-way line of Interstate Route No. 64, all of which are in Putnam County, State of West Virginia, as shown upon map prepared by J. E. Milam, Inc. 1214 Myers Avenue, Dunbar, West Virginia, dated June 30, 1959.

(c). The purpose of said Public service district shall be to construct, or acquire by purchase or otherwise and maintain, operate, improve and extend properties supplying water and/or sewage services within such territory and also outside such territory to the extent permitted by law.

(d). The territory described above does not include within its limits the territory of any other Public Service District organized under Article 13A of Chapter 16 of the West Virginia Code, nor does such territory include within its limits any city, incorporated town or other municipal corporation.

Section 3. That on September 1, _____, 1959, at the hour of 10:00 o'clock A.M., this County Court shall meet in the County Court House at Winfield, West Virginia for the purpose of conducting a public hearing on the creation of the proposed public service district at which time and place all persons residing in or owning or having any interest in property in the proposed public service district may appear before this County Court and shall have an opportunity to be heard for and against the creation of said district, and at such hearing, this County Court shall consider and determine the feasibility of the creation of the proposed public service district

Section 4. That the County Court Clerk is hereby authorized and directed to cause notice of such hearing in substantially the form hereinafter set out to be published on ~~Aug. 7 and 14th, 1959,~~ in the Hurricane Breeze and Putnam Democrat, a newspaper of general circulation published in Putnam County.

NOTICE OF PUBLIC HEARING
ON CREATION OF TEAYS VALLEY
PUBLIC SERVICE DISTRICT

Notice is hereby given that a legally sufficient petition has been filed with the Clerk of the County Court of Putnam County, West Virginia, and has been presented to the County Court of Putnam for the creation of a public service district within Putnam County, for the purpose of constructing or acquiring by purchase or otherwise an the maintenance, operation, improvement and extension of public service properties supplying water and/or sewerage services within said district and also outside said district to the extent permitted by law; to be named "Teays Valley Public Service District", and havi the following described boundaries:

Beginning at a point of intersection of the center line of West Virginia Secondary Route No. 44 and the northerly right-of-way line of the Chesapeake and Ohio Railway Company at a latitude of N. 38° 26' 10" and longitude W. 81° 51' 24", thence with the northerly right of-way line of the Chesapeake and Ohio Railway Company in a westerly direction 6.90 miles, more or less, to a point having a latitude of N. 38° 26' 23" and a longitude of W. 81° 59' 00", thence North 0.63 miles to the southerly right-of-way line of Interstate Route No. 64, thence with the southerly right-of-way line of Interstate Route No. 64, in an easterly direction 7.35 miles, thence south 30° 00' W. 0.85 miles to the place of beginning containing 5.14 square miles, more or less, being a portion of Scott Magisterial District and containing generally the area north of the northerly right-of-way line of the Chesapeake and Ohio Railway and the southerly right-of-way line of Interstate Route No. 64, all of which are in Putnam County, State of

West Virginia, as shown upon map prepared by J. H. Milam, Inc., 1214 Myers Avenue, Dunbar, West Virginia, dated June 30, 1959.

All persons residing in or owning or having any interest in property in said proposed public service district are hereby notified that the County Court of Putnam County will conduct a public hearing on September 1, 1959, at 10:00 o'clock A.M., in the County Court House at Winfield, West Virginia, at which time and place all interested persons may appear before the County Court and shall have an opportunity to be heard for and against the creation of the proposed public service district.

By order of the County Court this 4th day of August, 1959.

A M Brown
County Court Clerk

Adopted by the County Court August 4, 1959.

C B Mullins
President

Attest:

A M Brown
Clerk

STATE OF WEST VIRGINIA)
) SS
COUNTY OF PUTNAM)

I, A. M. Brown, hereby certify that I am the duly qualified and acting Clerk of the County Court of Putnam County, West Virginia, and that the foregoing constitutes a true, correct and

OFFICIAL OATH

STATE OF WEST VIRGINIA,

PUTNAM COUNTY, SS:

I, Paul Callahan, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of West Virginia, and that I will Faithfully discharge the duties of the office of PUTNAM PUBLIC SERVICE DISTRICT BOARD with term effective August 31, 2013 with term to expire on August 31, 2019 to the best of my skill and judgment, SO HELP ME GOD.

Subscribed and sworn to before me this 20th day of December, 2013.

Paul D. Callahan

Brian Wood CLERK

PUTNAM COUNTY COMMISSION
WINFIELD, WV

By: Jill Burnside DEPUTY

OFFICIAL OATH

STATE OF WEST VIRGINIA,

PUTNAM COUNTY, SS:

I, Mark L. Smith, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of West Virginia, and that I will Faithfully discharge the duties of the office of PUTNAM COUNTY PUBLICSERVICE DISTRICT BOARD with term effective April 30, 2014 and with term to expire on April 17, 2017 to the best of my skill and judgment, SO HELP ME GOD.

Subscribed and sworn to before me this 23rd day of April, 2014.

_____

_____ CLERK

PUTNAM COUNTY COMMISSION
WINFIELD, WV

By: _____ DEPUTY

PUTNAM PUBLIC SERVICE DISTRICT
Regular Meeting of the PSD Board
14 January 2016

MINUTES

Chairman Paul Callahan called to order the regular meeting of the PSD Board with Board members Mark Smith and Stanley Booth present at 9:00 am. Staff members present included Mike McNulty.

RECOGNITION OF GUESTS
Individuals present for professional obligations will be addressed under the designated agenda item.

The Board welcomed Eric Coberly, P.E. and Randall Lewis with EL Robinson Engineering and Deborah Letourneau.

ELECTION OF OFFICERS
Mark Smith made the motion to elect Paul Callahan Chairman of the Board. Stanley Booth seconded the motion and it was approved by unanimous vote.

Paul Callahan made the motion to elect Mark Smith Secretary of the Board. Stanley Booth seconded the motion and it was approved by unanimous vote.

Mark Smith made the motion to elect Stanley Booth Treasurer of the Board. Paul Callahan seconded the motion and it was approved by unanimous vote.

MINUTES OF PREVIOUS MEETING
Mark Smith made the motion to approve the Minutes of the December 17, 2015 regular meeting of the PSD Board and the January 7, 2016 special meeting of the PSD Board that were provided to the Board prior to the meeting for review. Stanley Booth seconded the motion and it was approved by unanimous vote.

FINANCIAL REPORT & PAYMENT OF REQUISITIONS
A status report of the District's bank accounts was provided to the Board for review and discussion.

Requisition #1229 in the amount of $261,994.31 was presented to the Board for re-approval; and Requisition #1230 in the amount of $292,469.68 was presented to the Board for approval; and Requisition #1231 in the amount of $233,620.18 was presented to the Board for approval.

Following review, Mark Smith made the motion approving the Requisitions as presented for payment. Stanley Booth seconded the motion and it was approved by unanimous vote.

CUSTOMER ADJUSTMENT REQUESTS

Mr. McNulty presented the customer adjustment requests as outlined below.

Name/Address	Water	Sewer	Action
Georgia Hanson 982 Rocky Step Rd., Scott Depot	$6.61 $18.88	$15.68 $44.80	Approved
LF Thornton Rt. 1 Box 73, Poca	---	$483.88 $885.58	Approved
Mary Ord 109 First Ave., Bancroft	---	$146.72	Approved
David Isner 619 6th Ave. N., Hometown	---	$138.88	Approved
Paul Martin 117 Overlook Dr., Hurricane	---	$312.48	Approved
Stephen & Denise Elmore 143 Scary Ck. Rd., Scott Depot	$10.38	$24.64	Approved
Grace Allred 44 Teays Pt., Saint Albans	$9.91 $135.93	$23.52 $331.52	Approved
Lucy McCormick 883 Ventroux Rd., Saint Albans	$51.92 $8.50	$123.20 $20.16	Approved
Caitlyn Dean & Bradley Preece 218 Maplewood Est., Scott Depot	$124.86 $125.72	$303.52 $305.76	Approved
Shirley Walters 179 Gables Dr., Hurricane	$24.54	$58.24	Approved
Richard & Robin Phelps 23 Deer Valley Dr., Hurricane	$12.27 $33.98	$29.12 $80.64	Approved
Stephanie White 28 Eldorado Cir., Hurricane	$24.07	$57.12	Approved
Glen Miller 830 Daniel Boone Tr., Hurricane	---	$127.68 $98.56	Approved
Judy Davis 450 Davis Dr., Poca	---	$118.03	Approved
Crystal Mayville 1876 Hurricane Ck. Rd., Hurricane	$21.71	---	Approved
Stephen Porto 314 Poplar Dr., Scott Depot	$82.60 $148.67	---	Approved

Tammy Lambert 118 Dawn Heights, Scott Depot	$8.02	$19.04	Approved
Elizabeth Cantrell 1527 Poindexter Ck. Rd., Hurricane	$156.22 $326.96	---	Approved
Mike McClelland 110 Marina Pk., Hurricane	$14.16	$33.60	Approved

Following review, Mark Smith made the motion approving the customer adjustment requests as presented. Stanley Booth seconded the motion and it was approved by unanimous vote.

PUBLIC COMMENTS

Chairman Callahan recognized Deborah Letourneau to address the Board. Ms. Letourneau asked the Board to reconsider increasing sewer rates. She stated that many citizens in Putnam County are not wealthy nor did they want the new sewer collection system constructed. She also stated that in the summer months her bill is as much as $80.

Next Mr. McNulty provided Ms. Letourneau with a copy of a summary of the current rates for Putnam PSD and the Town of Poca Sanitary Board and the proposed rates after the increase and tariff consolidation.

The Board thanked Ms. Letourneau for attending the meeting and sharing her concerns.

OLD BUSINESS

POCA SANITARY BOARD ACQUISITION

Staff updated the Board on the status of the District Boundary expansion. Mr. McNulty attended the Putnam County Commission meeting on January 12, 2016 and presented the proposed order for expanding the District's boundaries to include the Town of Poca Sanitary Board service territory. The Commissioners set the hearing date for February 9, 2016 during their regular scheduled meeting.

Next Staff presented a Resolution authorizing the Chairman to execute all documents necessary and required to consummate the transfer from the Town of Poca to the Putnam Public Service District.

Following discussion, Mark Smith made the motion to approve the resolution as presented. Stanley Booth seconded the motion and it was approved by unanimous vote.

RT. 33 / RT. 60 / MARINA PARK SEWER EXTENSION PROJECT

Mr. McNulty updated the Board regarding B. Moore and J.&J. Nida. Mike Enyart, President of Mike Enyart & Sons Inc., submitted a letter stating that he will make the repairs to Mr. Moore's

driveway in the Spring. The letter was subsequently provided to the Public Service Commission of West Virginia.

Next Mr. McNulty updated the Board regarding J.&J. Nida. Mr. McNulty responded to Tom Peyton with the Peyton Law Firm but to date has not received any additional information.

Next Mr. Lewis updated the Board about his meeting with Kelly Lewis and Jana Lowery with USDA Rural Development. USDA will not allow the District to move forward with the Poca project until the acquisition is completed.

Next Mr. Coberly updated the Board regarding the Hollywood Emergency By-Pass. The By-Pass is operational and he is waiting for the contractor to submit the final documentation for payment.

2012 WATER PROJECT / COW CREEK UPGRADE WATER PROJECT

Staff updated the Board on the status of the Cow Creek Upgrade Water Project. Mr. Lewis informed the Board that some additional environmental assessment may be required by USDA Rural Development prior to moving forward with the project.

NEW BUSINESS

DEVELOPER PLANS

No plans were presented.

OTHER BUSINESS

Mr. McNulty updated the Board about the recent vandalism of the Kings River water tank. The tank was shot several times, spray painted, the fence was damaged, and telemetry cabinets were damaged. The insurance company has been notified.

EXECUTIVE SESSION

Upon the request of Staff, Mark Smith made the motion at 10:30 am to recess the regular meeting and enter into Executive Session to discuss a personnel issue. Stanley Booth seconded the motion and it was approved by unanimous vote.

At 10:44 am, Mark Smith made the motion to come out of Executive Session and reconvene the regular meeting. Stanley Booth seconded the motion and it was approved by unanimous vote.

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ADJOURNMENT

There being no further business, Mark Smith made the motion to adjourn the regular meeting at 10:45 am. Stanley Booth seconded the motion and it was approved by unanimous vote.

Paul D. Callahan, Chairman

Stanley W. Booth, Treasurer

Mark L. Smith, Secretary

RULES OF PROCEDURE

SOUTH PUTNAM PUBLIC SERVICE DISTRICT

ARTICLE I

NAME AND PLACE OF BUSINESS

Section 1. Name: SOUTH PUTNAM PUBLIC SERVICE DISTRICT.

Section 2. The principal office of this Public Service District will be located at 107 South Poplar Fork Road, Scott Depot, Putnam County, West Virginia.

Section 3. The Common Seal of the District shall consist of 2 concentric circles between which circles shall be inscribed South Putnam Public Service District, and in the center "seal" as follows:

Section 4: The fiscal year of the District shall begin on July 1 of each year and shall end on the following June 30.

ARTICLE II

PURPOSE

This District is organized exclusively for the purposes set forth in Chapter 16, Article 13A of the Code of West Virginia of 1931, as amended (the "Act").

ARTICLE III

MEMBERSHIP

Section 1. The members of the Public Service Board of this District shall be those persons appointed by The County Commission of Putnam County, West Virginia, or otherwise appointed pursuant to the Act, who shall serve for such terms as may be specified in the order of the County Commission or otherwise.

Section 2. Should any member of the Public Service Board resign or otherwise become legally disqualified to serve as a member of the Public Service Board, the Secretary shall immediately notify the County Commission or other entity provided under the Act and request the appointment of a qualified person to fill such vacancy. Prior to the end of the term of any member of the Public Service Board, the Secretary shall notify the County Commission or other entity provided under the Act of the pending termination and request the County Commission or other entity provided under the Act to enter an order of appointment or re-appointment to maintain a fully qualified membership of the Public Service Board.

ARTICLE IV

MEETINGS OF THE PUBLIC SERVICE BOARD

Section 1. The members of the Public Service Board of this District shall hold regular monthly meetings on the second and fourth Tuesdays of each month, at such place and hour as the members shall determine from time to time. If the day stated shall fall on a legal holiday, the meeting shall be held on the following day. Special meetings of the Public Service Board may be called at any time by the Chairman or by a quorum of the Board.

Section 2. At any meeting of the Public Service Board of the District, 2 members shall constitute a quorum. Each member of the Public Service Board shall have one vote at any membership meeting and if a quorum is not present, those present may adjourn the meeting to a later date.

Section 3. Unless otherwise agreed, notice to members of regular meetings shall not be required. Unless otherwise waived, notice of each special meeting of the membership shall be given to all members by the Secretary by fax, telephone, mail or other satisfactory means at least 3 days before the date fixed for such special meeting. The notice of any special meeting shall state briefly the purposes of such meeting and the nature of the business to be transacted thereat, and no business other than that stated in the notice or incidental thereto shall be transacted at any such special meeting.

PUBLIC NOTICE OF MEETINGS

Section 4. Pursuant to Section 3, Article 9A, Chapter 6 of the West Virginia Code of 1931, as amended (1999 Revision), notice of the date, time, place and agenda of all regularly scheduled meetings of such Public Service Board, and the date, time, place and purpose of all special meetings of such Public Service Board, shall be made available, in advance, to the public and news media (except in the event of an emergency requiring immediate action) as follows:

A. Regular Meetings. A notice shall be posted and maintained by the Secretary of the Public Service Board of the Public Service District at the front door or bulletin board of the Putnam County Courthouse and at the front door or bulletin board of the place fixed for regular meetings of the Public Service Board of the date, time and place fixed and entered of record by the Public Service Board for the holding of regularly scheduled meetings. In addition, a copy of the agenda for each regularly scheduled meeting shall be posted at the same locations by the Secretary of the Public Service Board not less than 72 hours before such regular meeting is to be held. If a particular regularly scheduled meeting is cancelled or postponed, a notice of such cancellation or postponement shall be posted at the same locations as soon as feasible after such cancellation or postponement has been determined.

B. Special Meetings. A notice shall be posted by the Secretary of the Public Service Board at the front door or bulletin board of the Putnam County Courthouse and at the front door or bulletin board of the place fixed for the regular meetings of the Public Service Board not less than 72 hours before a specially scheduled meeting is to be held, stating the date, time, place and purpose for which such special meeting shall be held. If the special meeting is cancelled, a notice of such cancellation shall be posted at the same locations as soon as feasible after such cancellation has been determined.

ARTICLE V

OFFICERS

Section 1. The officers of the Public Service Board shall be a Chairman, a Secretary and a Treasurer. The Chairman shall be elected from the members of the Public Service Board. The Secretary and Treasurer need not be members of the Public Service Board, and may be the same person.

Section 2. The officers of the Public Service Board shall be elected each year by the members at the first meeting held in such year. The officers so elected shall serve until the next annual election by the membership and until their successors are duly elected and qualified. Any vacancy occurring among the officers shall be filled by the members of the Public Service Board at a regular or special meeting. Persons selected to fill vacancies shall serve until the following January meeting of the Board when their successors shall be elected hereinabove provided.

ARTICLE VI

DUTIES OF OFFICERS

Section 1. When present, the Chairman shall preside as Chairman at all meetings of the Public Service Board. The Chairman shall, together with the Secretary, sign the minutes of all meetings at which he or she shall preside. The Chairman shall attend generally to the executive business of the Board and exercise such powers as may be conferred by the Board, by these Rules of Procedure, or as prescribed by law. The Chairman shall execute, and if necessary, acknowledge for record, any deeds, deeds of trust, contracts, notes, bonds, agreements or other papers necessary, requisite, proper or convenient to be executed by or on behalf of the Board when and if directed by the members of the Board.

Section 2. The Secretary shall keep a record of all proceedings of the Board which shall be available for inspection as other public records. The Secretary shall, together with the Chairman, sign the minutes of the meetings at which he or she is present. The Secretary shall have charge of the minute book, be the custodian of the Common Seal of the District and all deeds and other writings and papers of the Board. The Secretary shall also perform such other duties as he or she may have under law by virtue of the office or as may be conferred from time to time by the members of the Board, these Rules of Procedure or as prescribed by law.

Section 3. The Treasurer shall be the lawful custodian of all funds of the District and shall disburse funds of the District on orders authorized or approved by the Board. The Treasurer shall keep or cause to be kept proper and accurate books of accounts and proper receipts and vouchers for all disbursements made by or through him and shall prepare and submit such reports and statements of the financial condition of the Board as the members may from time to time prescribe. He shall perform such other duties as may be required of him by law or as may be conferred upon him by the members of the Board, these Rules of Procedure or as prescribed by law.

Section 4. If the Chairman, Secretary or Treasurer is absent from any meeting, the remaining members of the Board shall select a temporary chairman, secretary

P.S.C. W. Va. No. 12
Canceling P.S.C. W. Va. No. 11

PUTNAM PUBLIC SERVICE DISTRICT

OF

SCOTT DEPOT, WEST VIRGINIA

RATES, RULES AND REGULATIONS FOR FURNISHING

SEWERAGE AND SEWAGE DISPOSAL SERVICE

(C) at Teays Valley (including the territories formerly served by North Putnam *Public Service District, Putnam Utilities Corporation and Town of Poca*), Putnam County, West Virginia

Filed with THE PUBLIC SERVICE COMMISSION of WEST VIRGINIA

Issued: February 23, 2016 Effective for service rendered on and after: April 8, 2016

Issued Pursuant To *West Virginia Code §16-13A-9*, January 28, 2016 Resolution of the Putnam Public Service District, and the February 23, 2016 Resolution of the Putnam County Commission

Issued by Putnam Public Service District

By Robert R. Podesta

Its Counsel
Title

(C) Indicates change in text

RULES AND REGULATIONS

I. Rules and Regulations for the Government of Sewerage Utilities, adopted by the Public Service Commission of West Virginia, and now in effect, and all amendments thereto and modifications thereof hereafter made by said Commission.

SCHEDULE NO. 1

(C) APPLICABILITY

Applicable within the entire territory served including the areas formerly served by Putnam Utilities Corporation, North Putnam Public Service District and Town of Poca.

AVAILABILITY

Available for general domestic, commercial, industrial and sale for resale water service.

(I) RATE (customers with metered water supply)

Each 1,000 gallons used per month $11.88 per 1,000 gallons.

(I) MINIMUM BILL

No bill will be rendered for less than $23.76 per month, which is equal to 2,000 gallons used.

DELAYED PAYMENT PENALTY

The above schedule is net. On all accounts not paid in full when due, ten percent will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

ALTERNATIVE MEASUREMENT OF SEWAGE

Customers having water use which results in a substantial portion of the water purchased not being discharged into the sanitary sewer system shall be entitled, at the option and sole cost of the customer, to request Putnam Public Service District to purchase, install and maintain special meters to measure the volume of waste water discharged into the sanitary sewer system. The customer shall advance to the District, upon demand, the District's estimated cost of purchasing and installing the meter and, upon installation of such waste discharge meter, the rates of the customer shall be based upon the volume of waste discharged into the system rather than upon the volume of water purchased by the customer. Normal expenses incurred by the District for the maintenance of the meter shall be billed to the customer; the customer shall advance to the District, on demand, the District's estimated cost of any unusual maintenance.

(C) Indicates change in text
(I) Indicates increase in rates

SCHEDULE NO. 1 (Continued)

TAP FEE

The following charges are to be made whenever the utility installs a new tap to serve an applicant.

A tap fee of $100.00 will be charged to customers applying for service before construction is completed adjacent to the customer's premises in connection with a certificate proceeding before the Commission. This pre-construction tap fee will be invalid after the completion of construction adjacent to an applicant's premises that is associated with a certificate proceeding.

A tap fee of $300.00 will be charged to all customers who apply for service outside of a certificate proceeding before the Commission for each new tap to the system.

DISCONNECT/RECONNECT/ADMINISTRATIVE FEES

To apply to all users who receive sewer service from the District and water service from Hurricane. Whenever water has been disconnected for non-payment of sewer bills in conjunction with a water service termination agreement with Hurricane, a disconnection fee of $25.00 shall be charged; or in the event the delinquent sewer bill is collected by Hurricane in the field, an administrative fee of $25.00 shall be charged.

Whenever water service, which has been previously disconnected or otherwise withheld for non-payment of a sewer bill in conjunction with a water service termination agreement with Hurricane, is reconnected, a reconnection fee of $25.00 shall be charged.

SCHEDULE NO. 1 (Continued)

DISCONNECT/RECONNECT/ADMINISTRATIVE FEES (Continued)

To apply to all users who receive sewer service from the District and water service from WVAWC. Whenever water service has been disconnected for non-payment of sewer bills in conjunction with a water service termination agreement with WVAWC, a disconnection fee of $20.00 shall be charged.

Whenever water service, which has been previously disconnected or otherwise withheld for non-payment of a sewer bill in conjunction with a water service termination agreement with WVAWC, is reconnected, a reconnection fee of $20.00 shall be charged.

(I) LEAK ADJUSTMENT RATE

$3.43 per 1,000 gallons of water is to be used when the bill reflects unusual water consumption which can be attributed to eligible leakage on customer's side of meter. This rate shall be applied to all such consumption above the customer's historical average usage.

(I) Increase in rate for former Town of Poca sewer customers

SCHEDULE NO. 2

APPLICABILITY

Applicable within the entire territory served

AVAILABILITY

Available for sanitary sewer service to unmetered water users and users who obtain water from wells

(I) FLAT RATE

Equivalent of 3,000 gallons of water usage, $35.64 per month

(I) Indicates increase in rates

SCHEDULE NO. 3

SURCHARGE FORMULA
TO BE APPLIED IN THE CASES OF USERS PRODUCING UNUSUAL WASTE

The charge for the treatment of unusual waste will be calculated on the basis of the following formula:

$$Ci = VoVi + BoBi + SoSi$$

Ci	=	charge to unusual users per year
Vo	=	average unit cost of transport and treatment chargeable to volume, in dollars per pound
Vi	=	volume of wastewater from unusual users in gallons per year
Bo	=	average unit cost of treatment, chargeable to Biochemical Oxygen Demand (BOD) in dollars per pound
Bi	=	weight of BOD from unusual users in pounds per year
So	=	average unit cost of treatment (including sludge treatment) chargeable to total solids in dollars per pound
Si	=	weight of total solids from unusual users in pounds per year

When an unusual user is to be served, a preliminary study of its wastes, and the cost of transport and treatment thereof, will be made. Waste containing materials which, in the judgment of the Putnam Public Service District, should not be introduced into the sewer system need not be handled by it. The results of this preliminary study will be used to determine the feasibility of the proposed sewer service and the charge therefore, based upon the formula set out above.

Thereafter, unusual sewage will be monitored on a regular basis and at the conclusion of each fiscal year, based on the investigation aforesaid and audit of the Putnam Public Service District records, new cost figures will be calculated for use in the above formula. The cost of establishing the monitoring facilities shall be paid by the unusual user. Based on these audited figures, additional billings covering the past fiscal year will be made for payment by each unusual user, or refund given by the Putnam Public Service District, as the case may be. Such audited figures will then be used for the preliminary billing for the next fiscal year, at the end of which an adjustment will be made as aforesaid.

SCHEDULE NO. 4

APPLICABLE INSIDE AND OUTSIDE THE CORPORATE LIMITS OF THE PUTNAM PUBLIC SERVICE DISTRICT

Where the amount of sanitary sewage discharged into the Putnam waste treatment system by certain industrial plant or plants cannot be accurately determined by the use of the plant's water meter or meters, and the plant cannot install a flow meter to measure such waste, a special formula will be used whereby such plant or plants will pay to the Putnam Public Service District a sewer charge calculated at fifty (50) gallons of water per each employee at the plant each working day.

SURCHARGE FORMULA TO BE APPLIED IN CASES WHERE SURFACE DRAINAGE IS CONNECTED TO THE DISTRICT'S SANITARY SYTEM

APPLICABILITY

Wherever the District has discovered that a customer's roof drain, downspout, storm sewer or other similar facility conducting surface water has been connected to the District's sewer system, and such customer has failed to take appropriate action within thirty (30) days of receipt of a demand by the District, in accordance with the rules and regulations of the Public Service Commission, to eliminate such connection, a surcharge will be imposed upon the customer calculated on the basis of the following formula:

$$S = A \times R \times .0006233 \times C$$

S	-	the surcharge in dollars
A	-	the area under roof and/or the area of any other water collection surface connected to the sanitary sewer, in square feet
R	-	the measured monthly rainfall in inches
.0006233	-	the conversion factor to change inches of rain x square feet of surface to thousands of gallons of water
C	-	The District's approved rate per thousand gallons of metered water usage

SCHEDULE NO. 4 (Continued)

SURCHARGE FORMULA TO BE APPLIED IN CASES WHERE SURFACE DRAINAGE IS CONNECTED TO THE DISTRICT'S SANITARY SYTEM (Continued)

APPLICABILITY (Continued)

The District shall not impose the surcharge unless and until the customer has been notified by certified mail, return receipt requested, or by hand delivery, that it has been established by smoke testing, dye testing, or on-site inspection that rain or surface water is being introduced into the sanitary sewer system at the customer's location, and that the customer has not acted within thirty (30) days from receipt of such notice to divert the water from the sanitary sewer system.

Said surcharge shall be calculated and imposed for each month the condition continues to exist. Failure to pay the surcharge and/or correct the situation shall give rise to the possible termination of water service in accordance with the rules and regulations of the Public Service Commission of West Virginia.

RESOLUTION INCREASING SEWER RATES, FEES AND CHARGES

Whereas, Putnam Public Service District, in order to meet its current operating expenses and maintain its sewer system, finds it necessary to increase its current sewer rates, fees and charges; and,

Whereas, Putnam Public Service District currently provides sewer service to its customers under its Sewer Tariff No. 11 and to the former sewer customers of the Town of Poca under Poca's Sewer Tariff No. 10; and

Whereas, the proposed new rates, fees and charges will unify all of the District's sewer customers under one tariff.

NOW, THEREFORE, the Board of the Putnam Public Service District proposes the adoption of the following rates, fees and charges to be billed to all of its sewer customers:

SCHEDULE NO. 1

APPLICABILITY
Applicable within the entire territory served including the areas formerly served by Putnam Utilities Corporation, North Putnam Public Service District, and the Town of Poca.

AVAILABILITY
Available for general domestic, commercial, industrial and sale for resale sewer service.

RATE (customers with metered water supply)
Each 1,000 gallons used per month $11.88 per 1,000 gallons.

MINIMUM BILL
No bill will be rendered for less than $23.76 per month.

DELAYED PAYMENT PENALTY
The above schedule is net. On all accounts not paid in full when due, ten percent will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

ALTERNATIVE MEASUREMENT OF SEWAGE
Customers having water use which results in a substantial portion of the water purchased not being discharged into the sanitary sewer system shall be entitled, at the option and sole cost of the customer, to request Putnam Public Service District to purchase, install and maintain special meters to measure the volume of waste water

discharged into the sanitary sewer system. The customer shall advance to the District, upon demand, the District's estimated cost of purchasing and installing the meter and, upon installation of such waste discharge meter, the rates of the customer shall be based upon the volume of waste discharged into the system rather than upon the volume of water purchased by the customer. Normal expenses incurred by the District for the maintenance of the meter shall be billed to the customer; the customer shall advance to the District, on demand, the District's estimated cost of any unusual maintenance.

TAP FEE

The following charges are to be made whenever the utility installs a new tap to serve an applicant.

A tap fee of $100.00 will be charged to customers applying for service before construction is completed adjacent to the customer's premises in connection with a certificate proceeding before the Commission. This pre-construction tap fee will be invalid after the completion of construction adjacent to an applicant's premises that is associated with a certificate proceeding.

A tap fee of $300.00 will be charged to all customers who apply for service outside of a certificate proceeding before the Commission for each new tap to the system.

DISCONNECT/RECONNECT/ADMINISTRATIVE FEES

To apply to all users who receive sewer service from the District and water service from Hurricane. Whenever water service has been disconnected for non-payment of sewer bills in conjunction with a water service termination agreement with Hurricane, a disconnection fee of $25.00 shall be charged; or in the event the delinquent sewer bill is collected by Hurricane in the field, an administrative fee of $25.00 shall be charged.

Whenever water service, which has been previously disconnected or otherwise withheld for non-payment of a sewer bill in conjunction with a water service termination agreement with Hurricane, is reconnected, a reconnection fee of $25.00 shall be charged.

To apply to all users who receive sewer service from the District and water service from WVAWC. Whenever water service has been disconnected for non-payment of sewer bills in conjunction with a water service termination agreement with WVAWC, a disconnection fee of $20.00 shall be charged.

Whenever water service, which has been previously disconnected or otherwise withheld for non-payment of a sewer bill in conjunction with a water service termination agreement with WVAWC, is reconnected, a reconnection fee of $20.00 shall be charged.

LEAK ADJUSTMENT RATE
$3.43 per 1,000 gallons of water is to be used when a bill reflects unusual water consumption which can be attributed to eligible leakage on customer's side of meter. This rate shall be applied to all such consumption above the customer's historical average usage.

SCHEDULE NO. 2

APPLICABILITY
Applicable within the entire territory served

AVAILABILITY
Available for sanitary sewer service to unmetered water users and users who obtain water from wells

FLAT RATE
Equivalent of 3,000 gallons of water usage, $35.64 per month

SCHEDULE NO. 3

SURCHARGE FORMULA
TO BE APPLIED IN THE CASES OF USERS PRODUCING UNUSUAL WASTE

The charge for the treatment of industrial waste will be calculated on the basis of the following formula:

$$Ci = VoVi + BoBi + SoSi$$

Ci = charge to unusual users per year

Vo = average unit cost of transport and treatment chargeable to volume, in dollars per pound

Vi = volume of wastewater from unusual users in gallons per year

Bo = average unit cost of treatment, chargeable to Biochemical Oxygen Demand (BOD) in dollars per pound

Bi = weight of BOD from unusual users in pounds per year

So = average unit cost of treatment (including sludge treatment) chargeable to total solids in dollars per pound

Si = weight of total solids from unusual users in pounds per year

When an unusual user is to be served, a preliminary study of its wastes, and the cost of transport and treatment thereof, will be made. Waste containing materials which, in the judgment of the Putnam Public Service District, should not be introduced into the sewer system need not be handled by it. The results of this preliminary study will be used to determine the feasibility of the proposed sewer service and the charge therefore, based upon the formula set out above.

Thereafter, unusual sewage will be monitored on a regular basis and at the conclusion of each fiscal year, based on the investigation aforesaid and audit of the Putnam Public Service District records, new cost figures will be calculated for use in the above formula. The cost of establishing the monitoring facilities shall be paid by the unusual user. Based on these audited figures, additional billings covering the past fiscal year will be made for payment by each unusual user, or refund given by the Putnam Public Service District, as the case may be. Such audited figures will then be used for the preliminary billing for the next fiscal year, at the end of which an adjustment will be made as aforesaid.

SCHEDULE NO. 4
APPLICABLE INSIDE AND OUTSIDE THE CORPORATE LIMITS OF THE PUTNAM PUBLIC SERVICE DISTRICT

Where the amount of sanitary sewage discharged into the Putnam waste treatment system by certain industrial plant or plants cannot be accurately determined by the use of the plant's water meter or meters, and the said plant cannot install a flow meter to measure such waste, a special formula will be used whereby such plant or plants will pay to the Putnam Public Service District a sewer charge calculated at fifty (50) gallons of water per each employee at the plant each working day.

SURCHARGE FORMULA TO BE APPLIED IN CASES WHERE SURFACE DRAINAGE IS CONNECTED TO THE DISTRICT'S SANITARY SEWER SYTEM

APPLICABILITY

Wherever the District has discovered that a customer's roof drain, downspout, storm sewer or other similar facilities conducting surface water have been connected to the District's sewer system, and such customer has failed to take appropriate action within thirty (30) days of receipt of a demand by the District, in accordance with the rules and regulations of the Public Service Commission, to eliminate such connection, a surcharge will be imposed upon the customer calculated on the basis of the following formula:

$$S = A \times R \times .0006233 \times C$$

S - the surcharge in dollars

A - the area under roof and/or the area of any other water collection surface connected to the sanitary sewer, in square feet

R - the measured monthly rainfall in inches

.0006233 - the conversion factor to change inches of rain x square feet of surface to thousand gallon of water

C - the District's approved rate per thousand gallons of metered water usage

The District shall not impose the surcharge unless, and until, the customer has been notified by certified mail, return receipt requested, or by hand delivery, that it has been established by smoke testing, dye testing, or on-site inspection that rain or other surface water is being introduced into the sanitary sewer system at the customer's location, and that the customer has not acted within thirty (30) days from receipt of such notice to divert the water from the sanitary sewer system.

Said surcharge shall be calculated and imposed for each month that said condition continues to exist. Failure to pay the surcharge and/or correct the situation shall give rise to the possible termination of water service in accordance with the rules and regulations of the Public Service Commission of West Virginia.

Upon the first reading hereof, the District, pursuant to the provisions of *West Virginia Code* §16-13A-9(a)(2)(B), shall publish Notice of this Resolution and the proposed rates in *The Hurricane Breeze,* being a newspaper published and of general circulation in Putnam County. Said Notice shall be published as a Class I publication occurring at least five (5) days prior to the date set before the meeting of the Board at which a public hearing, a final reading and a vote on this Resolution will be held. Said notice shall state that this Resolution has been introduced, and that any person interested may appear on the **28th day of January, 2016, at 9:00 a.m.,** at the District's office and present protests, if any, and that a copy of the proposed rates is available at the District's office for public inspection. At such hearing all objections and suggestions shall be heard and the Board shall take such action as it shall deem proper on the premises.

Following the public hearing and upon adoption of this Resolution, the District Board shall forward a copy of the increased rates, fees and charges to the Putnam County Commission for its action within forty-five (45) days from receipt of the approved rates from the District.

First reading presented on January 14, 2016.

Adopted following public hearing on this 28th day of January, 2016.

Paul D. Callahan, Chairman

Mark L. Smith, Secretary

Stanley W. Booth

Stan Booth, Treasurer

RESOLUTION AND ORDER

REVIEW OF
PUTNAM PUBLIC SERVICE DISTRICT
PROPOSED SEWER RATE INCREASE

The Putnam Public Service District has presented to the Putnam County Commission a Resolution adopted by the District on January 28, 2016, increasing the rates, fees and charges for furnishing sewer service to the District's sewer customers including those sewer customers formerly served by the Town of Poca. The proposed new rates, fees and charges, which will unify all of the District's sewer customers under one tariff, are as follows:

SCHEDULE NO. 1

APPLICABILITY
Applicable within the entire territory served including the areas formerly served by Putnam Utilities Corporation, North Putnam Public Service District, and the Town of Poca.

AVAILABILITY
Available for general domestic, commercial, industrial and sale for resale sewer service.

RATE (customers with metered water supply)
Each 1,000 gallons used per month $11.88 per 1,000 gallons.

MINIMUM BILL
No bill will be rendered for less than $23.76 per month.

DELAYED PAYMENT PENALTY
The above schedule is net. On all accounts not paid in full when due, ten percent will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

ALTERNATIVE MEASUREMENT OF SEWAGE
Customers having water use which results in a substantial portion of the water purchased not being discharged into the sanitary sewer system shall be entitled, at the option and sole cost of the customer, to request Putnam Public Service District to purchase, install and maintain special meters to measure the volume of waste water discharged into the sanitary sewer system. The customer shall advance to the District, upon demand, the District's estimated cost of purchasing and installing the meter and, upon installation of such waste discharge meter, the rates of the customer shall be based upon the volume of waste discharged into the system rather than upon the volume of water purchased by the customer. Normal expenses incurred by the District for the maintenance of the meter shall be billed to the customer; the customer shall

advance to the District, on demand, the District's estimated cost of any unusual maintenance.

TAP FEE

The following charges are to be made whenever the utility installs a new tap to serve an applicant.

A tap fee of $100.00 will be charged to customers applying for service before construction is completed adjacent to the customer's premises in connection with a certificate proceeding before the Commission. This pre-construction tap fee will be invalid after the completion of construction adjacent to an applicant's premises that is associated with a certificate proceeding.

A tap fee of $300.00 will be charged to all customers who apply for service outside of a certificate proceeding before the Commission for each new tap to the system.

DISCONNECT/RECONNECT/ADMINISTRATIVE FEES

To apply to all users who receive sewer service from the District and water service from Hurricane. Whenever water service has been disconnected for non-payment of sewer bills in conjunction with a water service termination agreement with Hurricane, a disconnection fee of $25.00 shall be charged; or in the event the delinquent sewer bill is collected by Hurricane in the field, an administrative fee of $25.00 shall be charged.

Whenever water service, which has been previously disconnected or otherwise withheld for non-payment of a sewer bill in conjunction with a water service termination agreement with Hurricane, is reconnected, a reconnection fee of $25.00 shall be charged.

To apply to all users who receive sewer service from the District and water service from WVAWC. Whenever water service has been disconnected for non-payment of sewer bills in conjunction with a water service termination agreement with WVAWC, a disconnection fee of $20.00 shall be charged.

Whenever water service, which has been previously disconnected or otherwise withheld for non-payment of a sewer bill in conjunction with a water service termination agreement with WVAWC, is reconnected, a reconnection fee of $20.00 shall be charged.

LEAK ADJUSTMENT RATE

$3.43 per 1,000 gallons of water is to be used when a bill reflects unusual water consumption which can be attributed to eligible leakage on customer's side of meter. This rate shall be applied to all such consumption above the customer's historical average usage.

SCHEDULE NO. 2

APPLICABILITY
Applicable within the entire territory served

AVAILABILITY
Available for sanitary sewer service to unmetered water users and users who obtain water from wells

FLAT RATE
Equivalent of 3,000 gallons of water usage, $35.64 per month

SCHEDULE NO. 3

SURCHARGE FORMULA
TO BE APPLIED IN THE CASES OF USERS PRODUCING UNUSUAL WASTE

The charge for the treatment of industrial waste will be calculated on the basis of the following formula:

$$Ci = VoVi + BoBi + SoSi$$

Ci = charge to unusual users per year

Vo = average unit cost of transport and treatment chargeable to volume, in dollars per pound

Vi = volume of wastewater from unusual users in gallons per year

Bo = average unit cost of treatment, chargeable to Biochemical Oxygen Demand (BOD) in dollars per pound

Bi = weight of BOD from unusual users in pounds per year

So = average unit cost of treatment (including sludge treatment) chargeable to total solids in dollars per pound

Si = weight of total solids from unusual users in pounds per year

When an unusual user is to be served, a preliminary study of its wastes, and the cost of transport and treatment thereof, will be made. Waste containing materials which, in the judgment of the Putnam Public Service District, should not be introduced into the sewer system need not be handled by it. The results of this preliminary study will be used to determine the feasibility of the proposed sewer service and the charge therefore, based upon the formula set out above.

Thereafter, unusual sewage will be monitored on a regular basis and at the conclusion of each fiscal year, based on the investigation aforesaid and audit of the Putnam Public Service District records, new cost figures will be calculated for use in the above formula. The cost of establishing the monitoring facilities shall be paid by the unusual user. Based on these audited figures, additional billings covering the past fiscal year will be made for payment by each unusual user, or refund given by the Putnam Public Service District, as the case may be. Such audited figures will then be used for the preliminary billing for the next fiscal year, at the end of which an adjustment will be made as aforesaid.

SCHEDULE NO. 4
APPLICABLE INSIDE AND OUTSIDE THE CORPORATE LIMITS OF THE PUTNAM PUBLIC SERVICE DISTRICT

Where the amount of sanitary sewage discharged into the Putnam waste treatment system by certain industrial plant or plants cannot be accurately determined by the use of the plant's water meter or meters, and the said plant cannot install a flow meter to measure such waste, a special formula will be used whereby such plant or plants will pay to the Putnam Public Service District a sewer charge calculated at fifty (50) gallons of water per each employee at the plant each working day.

SURCHARGE FORMULA TO BE APPLIED IN CASES WHERE SURFACE DRAINAGE IS CONNECTED TO THE DISTRICT'S SANITARY SEWER SYTEM

APPLICABILITY

Wherever the District has discovered that a customer's roof drain, downspout, storm sewer or other similar facilities conducting surface water have been connected to the District's sewer system, and such customer has failed to take appropriate action within thirty (30) days of receipt of a demand by the District, in accordance with the rules and regulations of the Public Service Commission, to eliminate such connection, a surcharge will be imposed upon the customer calculated on the basis of the following formula:

$$S = A \times R \times .0006233 \times C$$

S - the surcharge in dollars

A - the area under roof and/or the area of any other water collection surface connected to the sanitary sewer, in square feet

R - the measured monthly rainfall in inches

.0006233 - the conversion factor to change inches of rain x square feet of surface to thousand gallon of water

C - the District's approved rate per thousand gallons of metered water usage

The District shall not impose the surcharge unless, and until, the customer has been notified by certified mail, return receipt requested, or by hand delivery, that it has been established by smoke testing, dye testing, or on-site inspection that rain or other surface water is being introduced into the sanitary sewer system at the customer's location, and that the customer has not acted within thirty (30) days from receipt of such notice to divert the water from the sanitary sewer system.

Said surcharge shall be calculated and imposed for each month that said condition continues to exist. Failure to pay the surcharge and/or correct the situation shall give rise to the possible termination of water service in accordance with the rules and regulations of the Public Service Commission of West Virginia.

Pursuant to *West Virginia Code* §16-13a-9(a)(2)(E), Class I legal publication of notice of the proposed rates, fees and charges was made by the County Commission in *The Hurricane Breeze* on February 11, 2016, and in *The Putnam Herald* on February 12, 2016. The publications further set forth the hearing date at which the County Commission would review the proposed rates and advised that any interested person could appear at said meeting and present comments or protests.

A public hearing was held before the County Commission on February 16, 2016, at which public comments were presented.

On February 23, 2016, the County Commission held a second public hearing after which it proceeded with a vote on the proposed rates. The County voted to accept the proposed rates. Said proposed rates shall become effective no sooner than forty-five (45) days from this 23rd day of February, 2016.

PRESIDENT

ATTEST:

COUNTY CLERK

COMMISSIONER

COMMISSIONER

PUTNAM PUBLIC SERVICE DISTRICT
Regular Meeting of the PSD Board
26 May 2016

MINUTES

Chairman Paul Callahan called to order the regular meeting of the PSD Board with Board members Mark Smith and Stanley Booth present at 8:30 am. Staff members present included Mike McNulty, John Inghram, David Mercer, Alice Parsons, and Sharra Huffman.

RECOGNITION OF GUESTS
Individuals present for professional obligations will be addressed under the designated agenda item.

The Board welcomed Mayor William Jones and Jolita Raine with the Town of Poca. Also in attendance were John Stump and Katy Mallory with Steptoe & Johnson.

MANAGEMENT REPORTS
Operational reports by Senior Management and Supervisors were presented to the Board.

MINUTES OF PREVIOUS MEETING
Mark Smith made the motion to approve the Minutes of the May 12, 2016 regular meeting of the PSD Board that were provided to the Board prior to the meeting for review. Stanley Booth seconded the motion and it was approved by unanimous vote.

FINANCIAL REPORT & PAYMENT OF REQUISITIONS
A status report of the District's bank accounts was provided to the Board for review and discussion.

Requisition #1248 in the amount of $227,286.85 was presented to the Board for re-approval; and Requisition #1249 in the amount of $67,781.91 was presented to the Board for approval; and Requisition #1250 in the amount of $271,446.39 was presented to the Board for approval.

Following review, Mark Smith made the motion approving the Requisitions as presented for payment. Stanley Booth seconded the motion and it was approved by unanimous vote.

CUSTOMER ADJUSTMENT REQUESTS
Mr. McNulty presented the customer adjustment requests as outlined below.

Name/Address	Water	Sewer	Action
Phillip Hayes RR 1, Poca	---	$213.69	Approved
Stephon Davis TV Road, Hurricane	$58.53	$138.88	Approved

Dallas Sheldon Thornbush Rd., Scott Depot	---	$168.00	Approved
Bethany Slawter Rt. 34, Hurricane	$3.78	---	Approved
Debra May Hapi-Day Park, Winfield	$2.36	$5.60	Approved
Danny Downey Christy Ln., Winfield	$3.78	$8.96	Approved
Katie Humphreys Little John Dr., Scott Depot	$6.14	$14.56	Approved
Junior Wayne Hedrick Poca	---	$29.09	Approved
Leo Arthur Charleston Rd., Red House	---	$68.32	Approved

Following review, Mark Smith made the motion approving the customer adjustment requests as presented. Stanley Booth seconded the motion and it was approved by unanimous vote.

OLD BUSINESS

POCA SANITARY BOARD ACQUISITION & SEWER RATE INCREASE

Chairman Callahan recognized John Stump. Mr. Stump presented the following documents:

- RESOLUTION APPROVING THE ACQUISITION OF THE TOWN OF POCA'S SEWERAGE SYSTEM BY PUTNAM PUBLIC SERVICE DISTRICT
- APPROVAL OF THE AGREEMENT OF PURCHASE
- APPROVAL OF THE ASSUMPTION OF THE TOWN OF POCA'S SEWER REVENUE BONDS

Following discussion, Mark Smith made the motion to approve the resolution, agreement of purchase and assumption of the Town of Poca revenue bonds. Stanley Booth seconded the motion and it was unanimously approved.

Next, the Board ordered that the said Resolution be adopted and be in full force and effect on and from the date hereof.

WATER UTILITY RATE INCREASE

Mr. McNulty updated the Board on the status of the water rate increase. The Putnam County Commissioners have scheduled a public meeting for Tuesday, May 31st at 7:00 pm.

The purpose of the meeting will be for the District to present its request for an increase in rates and allow time for the general public to comment.

RT. 33 / RT. 60 / MARINA PARK SEWER EXTENSION PROJECT

Poca Sewer Treatment Plant Upgrade and Raymond City Bottom Upgrade Project

Staff updated the Board on the status of the project. Project plans and specifications have been submitted to the West Virginia Department of Health and Human Resources for their approval and to the USDA Rural Development for their approval.

2012 WATER PROJECT / COW CREEK UPGRADE WATER PROJECT

Staff updated the Board on the status of the project. Plans and specifications are in the final review stage prior to being submitted to the West Virginia Department of Health and Human Resources for their approval and to the USDA Rural Development for their approval.

NEW BUSINESS

DEVELOPER PLANS

No plans were presented.

OTHER BUSINESS

PUTNAM PSD V. D. KEENEY

Mr. McNulty informed the Board that Mr. Keeney has informed the District's legal counsel he does not intend to pay the compensation to the District as he agreed to do in the mediation.

The Board authorized Jenkins Fenstermaker, PLLC to file a petition with the Putnam County Circuit Court to enforce the settlement.

WATER & SEWER UTILITY BUDGETS FOR FISCAL YEAR 2016 / 2017

Staff presented the Draft Water & Sewer Utility Budgets for Fiscal Year 2016 / 2017. The Budgets will be placed on the agenda for the next regular scheduled board meeting.

JUNE MEETING DATES

Mark Smith made the motion to move the second meeting in June from the 23rd to the 29th due to a scheduling conflict. Stanley Booth seconded the motion and it was approved by unanimous vote.

EXECUTIVE SESSION

PERSONNEL MATTERS

The Board did not enter into executive session.

ADJOURNMENT

There being no further business, Mark Smith made the motion to adjourn the regular meeting at 11:05 am. Stanley Booth seconded the motion and it was approved by unanimous vote.

Paul D. Callahan, Chairman

Stanley W. Booth, Treasurer

Mark L. Smith, Secretary

PUTNAM PUBLIC SERVICE DISTRICT
Regular Meeting of the PSD Board
18 February 2014

MINUTES

Chairman Paul Callahan called to order the regular meeting of the PSD Board with Board members Calvin Hatfield and Joe Miller present. Staff members present included Mike McNulty.

RECOGNITION OF GUESTS

Individuals present for professional obligations will be addressed under the designated agenda item.

The Board welcomed Brian Morton, P.E. with EL Robinson Engineering Company.

MINUTES OF PREVIOUS MEETING

Calvin Hatfield made the motion approving the Minutes of the January 23, 2014 regular meeting of the PSD Board that were provided to the Board prior to the meeting for review. Joe Miller seconded the motion and it was approved by unanimous vote.

FINANCIAL REPORT & PAYMENT OF REQUISITIONS

A status report of the District's bank accounts was provided to the Board for review and discussion.

Requisition #1,127 in the amount of $81,776.25 was presented to the Board for re-approval; and
Requisition #1,128 in the amount of $74,076.16 was presented to the Board for re-approval; and
Requisition #1,129 in the amount of $214,376.32 was presented to the Board for approval; and
Requisition #1,130 in the amount of $190,343.42 was presented to the Board for approval; and
Requisition #1,131 in the amount of $270,831.07 was presented to the Board for approval.

Following review, Calvin Hatfield made the motion approving the Requisition as presented for payment. Joe Miller seconded the motion and it was approved by unanimous vote.

CUSTOMER ADJUSTMENT REQUESTS

Mr. McNulty presented the customer adjustment requests as outlined below.

Name/Address	Water	Sewer	Action
Brenda Campbell 100 Marina Park, Hurricane	$38.37	$86.22	Approved
Barbara Brock Granada Cir., Hurricane	$23.81	$53.51	Approved
Tessa Bentley Bell Ln., Hurricane	$138.15	$323.07	Approved
Pete Bishop RR4, Hurricane	$2.21	—	Approved
Wade Taylor RR4, Hurricane	$65.65	—	Approved

Charles Woods Candlewyck Dr., Hurricane	$151.41	$353.79	Approved
Philip Graziano Weather Ridge, Hurricane	$2.24	$5.95	Approved
Stephen Bailey 1st Ave., Hometown	---	$205.14 $225.95	Approved
Andrea Lewis Charleston Rd., Red House	---	$912.71 $970.19	Approved
Virgil Adkins Rosewood Dr., Hurricane	$3.97	$8.92	Approved
John Stancik Sherwood Cir., Hurricane	$72.32	$162.52	Approved
Gregory Wyatt Taylor Dr., Hurricane	$64.83	$145.68	Approved
Lois Workman Trace Creek Rd., Hurricane	$47.03	---	Approved
Teresa Thomas Oakbridge Dr., Hurricane	$19.85	$44.60	Approved
Dennis McComas Will Scarlet Ct., Scott Depot	---	$42.88	Approved
George Fulks Hidden Acres, Scott Depot	$30.84	---	Approved
Sherry Hager Rt. 34, Winfield	$59.54	---	Approved
Stephen Diehl Augusta Ln., Hurricane	---	$27.52	Approved
Tanya Gibson Sugar Camp Rd., Winfield	$70.12	---	Approved
Edward Sowards Marina Park, Hurricane	---	$293.12	Approved
Riverside Sod Farm LLC Stewart Acres, Winfield	$641.10	---	Approved
Robert Vernon Jr. Melody Ln., Scott Depot	$49.78	---	Approved
Sherry Hawley Acorn Ln., Scott Depot	$42.78 $37.93	$96.13 $85.23	Approved
Cecil McDaniel Nottingham Dr., Scott Depot	$24.26	$54.51	Approved
Irene Spurlock Marina Park, Hurricane	$71.88	$161.53	Approved
Deborah Pauley Marina Park, Hurricane	$621.56 $51.16	$1,519.20 $114.96	Approved

Bryan Bolin Marie Dr., Hurricane	$103.10	$232.89	Approved
Tim Ferguson Frazier Way, Scott Depot	$45.86	$103.06	Approved
Jason Pringle Barrington Dr., Scott Depot	---	$51.20	Approved

Following review, Calvin Hatfield made the motion approving the customer adjustment requests as presented. Joe Miller seconded the motion and it was approved by unanimous vote.

OLD BUSINESS

WATER TREATMENT PLANT CLARIFICATION ENHANCEMENT PROJECT

Staff presented USDA Estimate of Funds Needed No.30 relating to project services for the **Water Treatment Plant Clarification Enhancement Project** authorizing payment in the amount of $2,910.00.

Following review, Calvin Hatfield made the motion to approve the USDA Estimate of Funds Needed No.30 for the **Water Treatment Plant Clarification Enhancement Project** in the amount of $2,910.00 as presented and authorizing the Chairman to sign on behalf of the District. Joe Miller seconded the motion and it was approved by unanimous vote.

Staff presented Resolution No. 41 approving the invoices relating to construction and other services for the **Water Treatment Plant Clarification Enhancement Project** and authorizing payment in the amount of $2,910.00.

Following review, Calvin Hatfield made the motion to approve Resolution No.41 for the **Water Treatment Plant Clarification Enhancement Project** in the amount of $2,910.00 as presented. Joe Miller seconded the motion and it was approved by unanimous vote.

RT. 33 / RT. 60 / MARINA PARK SEWER EXTENSION PROJECT

Staff presented USDA Estimate of Funds Needed No.8 relating to project services for the **Rt. 33 / Rt. 60 / Marina Park Sewer Extension Project** authorizing payment in the amount of $1,151,319.75.

Following review, Calvin Hatfield made the motion to approve the USDA Estimate of Funds Needed No.8 for the **Rt. 33 / Rt. 60 / Marina Park Sewer Extension Project** in the amount of $1,151,319.75 as presented and authorizing the Chairman to sign on behalf of the District. Joe Miller seconded the motion and it was approved by unanimous vote.

Staff presented Resolution No. 10 approving the invoices relating to engineering services for the **Rt. 33 / Rt. 60 / Marina Park Sewer Extension Project** and authorizing payment in the amount of $1,151,319.75.

Following review, Calvin Hatfield made the motion to approve Resolution No.10 for the **Rt. 33 / Rt. 60 / Marina Park Sewer Extension Project** in the amount of $1,151,319.75 as presented. Joe Miller seconded the motion and it was approved by unanimous vote.

Calvin Hatfield made the motion to authorize Michael McNulty, General Manager to sign the contractor pay estimates related to the payment of the above Resolution. Joe Miller seconded the motion and it was approved by unanimous vote.

2012 WATER PROJECT & RT. 817/JOHN AMOS FIRE SUPPRESSION PROJECT
Staff presented USDA Estimate of Funds Needed No.7 relating to project materials and services for the **2012 Water Project** authorizing payment in the amount of $65,909.10.

Following review, Calvin Hatfield made the motion to approve the USDA Estimate of Funds Needed No.7 for the **2012 Water Project** in the amount of $65,909.10 as presented and authorizing the Chairman to sign on behalf of the District. Joe Miller seconded the motion and it was approved by unanimous vote.

Staff presented Resolution No.7 approving the invoices relating to project materials and services for the **2012 Water Project** and authorizing payment in the amount of $65,909.10.

Following review, Calvin Hatfield made the motion to approve Resolution No.7 for the **2012 Water Project** in the amount of $65,909.10 as presented. Joe Miller seconded the motion and it was approved by unanimous vote.

Calvin Hatfield made the motion to authorize Michael McNulty, General Manager to sign the contractor pay estimates related to the payment of the above Resolution. Joe Miller seconded the motion and it was approved by unanimous vote.

Next, Chairman Callahan recognized Mr. Morton to discuss each contract individually and provide the Board with an update on construction progress.

Next, Mr. Morton presented Change Order No. 1 for the 2012 Water Project, Contract No. 3: Poplar Fork Water Storage Tank & Rehabilitation with Mid Atlantic Storage Systems, Inc. to increase the Substantial Completion days by 138 and the Ready for Final Payment days by 138.

Following discussion Calvin Hatfield made the motion to approve Change Order No. 1 for the 2012 Water Project, Contract No. 3 as recommend by Mr. Morton. Joe Miller seconded the motion that was approved by unanimous vote.

Next, Mr. Morton presented Change Order No. 1 for the 2012 Water Project, Contract No. 1: Marina Park Waterline Replacement with Tri-State Pipeline, Inc. to increase the Substantial Completion days by 51 and the Ready for Final Payment days by 51.

Following discussion Calvin Hatfield made the motion to approve Change Order No. 1 for the 2012 Water Project, Contract No. 1 as recommend by Mr. Morton. Joe Miller seconded the motion that was approved by unanimous vote.

Next, Mr. Morton presented Change Order No. 1 for the 2009 Sewer Project, Contract No. 3: Marina Park Sanitary Sewer Replacement with Tri-State Pipeline, Inc. to increase the Substantial Completion days by 51 and the Ready for Final Payment days by 51.

Following discussion Calvin Hatfield made the motion to approve Change Order No. 1 for the 2009 Sewer Project, Contract No. 3 as recommend by Mr. Morton. Joe Miller seconded the motion that was approved by unanimous vote.

Next, Mr. Morton updated the Board on the status of the hydraulic analysis of the District's water system.

TOWN OF POCA SANITARY BOARD

Staff updated the Board on the acquisition. The Town of Poca held the election to sell the sanitary sewer system to Putnam PSD on February 1, 2014 and it passed in favor of the sale.

Next, Staff presented the Agreement of Purchase between the Town of Poca and the Putnam PSD. Following discussion, Calvin Hatfield made the motion to enter into an agreement with the Town of Poca to purchase the Town of Poca Sanitary Board's sanitary sewer system and treatment facility pursuant to the terms and conditions set forth in the Agreement of Purchase. Joe Miller seconded the motion and it was approved by unanimous vote.

DISPOSAL SERVICES INC. & THE CITY OF HURRICANE SANITARY BOARD

Staff updated the Board on the status of the complaint case filed by Disposal Services Inc. against the City of Hurricane Sanitary Board.

PUTNAM PSD & CITY OF HURRICANE WATER BOARD TERMINATION AGREEMENT

Staff updated the Board on the status of the agreement.

CREDIT & DEBIT CARD CUSTOMER PAYMENTS

Staff reported that credit and debit cards are now being processed.

SEWER BILL CREDIT

Staff reported that all of the District's sewer customers who are customers of WV American Water Company have received their $9.91 credit. This credit was provided to the District's customers for the flushing of their water residential water lines due to the water contamination from the Elk River chemical spill on January 9, 2014.

NEW BUSINESS

Developer Plans

No plans were presented.

OTHER BUSINESS

CMH Homes Inc.

Prior to the meeting, Staff provided the Board with the letter sent to them by Doug Carnathan, Real Estate Manager.

The Board concluded that CMH had ample time to obtain an appraisal or make an offer both before the petition was filed and while the condemnation action remained pending before the Circuit Court of Putnam County. Therefore, the Board determined that no further action would be taken regarding this matter.

EXECUTIVE SESSION

The Board did not enter into executive session.

ADJOURNMENT

There being no further business, Calvin Hatfield made the motion to adjourn the regular meeting at 8:45 pm. Paul Callahan seconded the motion and it was approved by unanimous vote.

Joe E. Miller, Chairman

Calvin L. Hatfield, Treasurer

Paul D. Callahan, Secretary

THIS DEED, made this 30th day of January, 2015, by and between the **Town of Poca**, a political subdivision of the State of West Virginia, hereinafter "Poca", party of the first part, and **Putnam Public Service District**, a political subdivision of the State of West Virginia, hereinafter "District", party of the second part.

WHEREAS, the District on or about September 11, 2014, by an Operation and Maintenance Agreement and by purchase, soon to be approved by the West Virginia Public Service Commission, will acquire the sewerage system of Poca; and,

WHEREAS, the parties hereto now wish to transfer and assign all of the rights of Poca to the District in real property, rights of way, easements and appurtenances thereto.

NOW, THEREFORE, WITNESSETH: That for and in consideration of the sum of Ten Dollars ($10.00) cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, the said party of the first part does hereby GRANT and CONVEY, unto said party of the second part, all of their rights, titles, and interest, together with all the tenements, hereditaments, and appurtenances thereunto belonging or in any manner appertaining, in and to the following described property, to-wit:

> All of those certain pieces, parcels or tracts of real estate situate in the Poca District, or the Town of Poca, Putnam County, West Virginia, being more particularly set forth in the *attached list* detailing the properties and rights of way owned by the Town of Poca.

FURTHER, the party of the first part agrees, as further consideration, to transfer any other property heretofore used by Poca for its sewerage system.

This conveyance is made subject to any and all existing out conveyances, covenants, agreements, reservations, restrictions, and leases as the same may appear in instruments of record in the aforesaid Clerk's Office.

The said party of the first part does hereby covenant and agree to and with the party of the second part that they will WARRANT SPECIALLY the title to the property hereby conveyed.

DECLARATION OF CONSIDERATION

Under penalties of fine and imprisonment as provided by law, the undersigned does hereby declare that the total consideration paid for the property conveyed by this document is exempt as a transfer to a political subdivision of the State of West Virginia.

WITNESS the following signatures and seals:

Doc ID: 003796290006 Type: DEED
Recorded: 03/11/2015 at 09:08:19 AM
Fee Amt: $17.00 Page 1 of 6
Putnam County Clerk
Brian Wood County Clerk
BK539 PG743-748

Return To: Putnam PSD
PO Box 806
Scott Depot, WV 25560

TOWN OF POCA

By: William Jones
Its Mayor

STATE OF WEST VIRGINIA,
COUNTY OF PUTNAM, TO-WIT:

The foregoing instrument was acknowledged before me on the 30th day of January, 2015, by William Jones to be the act and deed of the Town of Poca.

My commission expires: July 31, 2023

Tracey L. Casto
Notary Public

(Notary Seal)

OFFICIAL SEAL
STATE OF WEST VIRGINIA
NOTARY PUBLIC
Tracey L Casto
Town of Poca
PO Box 526
Poca WV 25159
My Commission Expires July 31, 2023

This instrument prepared by: RALPH W. BASSETT, JR., Attorney at Law (WV Bar #261), 1260 Lee Creek Road, Culloden, West Virginia 25510 (304) 208-5921, and unless a survey and separate title opinion are provided, said attorney, by the preparation of this instrument alone, makes no representations or assurances to any person of the extent or quality of the title to the herein described property.

F:\Active\P\Putnam PSD\Deeds and R-Ws - Sewer\Deed from Town of Poca 1-9-15.doc

DEED/RW	GRANTORS	BOOK/PG	DATE	DESCRIPTION
DEED	ARLIE & HELEN UTT	155/307	3/6/1963	ONE STOP
DEED	HELEN CLEARY	141/331	7/8/1961	?
DEED	WILLIAM & ANNA HANSHAW	155/338	12/17/1964	TAPS & CONNECTIONS TO SEWER
ORDER VESTING	NATIONAL BANK OF COMMERCE	302/457	4/21/1987	SEWER PLANT--6 ACRES --DAN DAVIS
DEED	BRADFORD COBB	304/543	7/13/1987	LINES AND LIFT STATION
DEED	BRADFORD COBB	304/540	7/13/1987	LINES AND LIFT STATION
INDENTURE	AEP	304/783	7/20/1987	SEWER
DEED	THOMAS & JEANNE ROBERTS	305/127	7/20/1987	.011 ACRE RAY CITY
ORDER VESTING	GEORGE & RUTH KING	306/447	9/23/1987	SEWER
DEED	JAMES & MARJORIE BLANKENSHIP	309/563	3/29/1988	SEWER
DEED	GEORGE & RUTH KING	316/341	2/14/1989	SEWER
ORDER	EVERETT & MARY POSTLETHWAIT	316/897	3/21/1989	SEWR
CORRECTIVE DEED	JAMES & MARJORIE BLANKENSHIP	317/699	4/18/1989	SEWER
FINAL ORDER	POSTLETHWAIT	321/635	10/26/1989	FORCE MAIN AND LIFT STATION
FINAL ORDER	NATIONAL BANK OF COMMERCE	323/737	3/1/1990	SEWER PLANT
PLAT	N/A	B/65	7/10/1986	.214 ACRE--POSSIBLE PUMP STATION
DEED	HAROLD & DOROTHY BARR	348/539	5/21/1993	OLD PLANT LOCATION/LINES STILL THERE
DEED	JERRY & LUANNE JIVIDEN	349/60	6/14/1993	OLD PLANT LOCATION/LINES STILL THERE
DEED	WILLIAMS WALTERS JR	349/881	7/26/1993	SEWER LINE EXTENSION
DEED	EDDIE & DIANE SMITH	357/163	6/28/1994	6" SEWER
DEED	EDDIE & DIANE SMITH	358/138	8/3/1994	SEWER P/W POCA TOWN R/W 6-28-94
DEED	KEVIN & CANDY SAYRE	361/209	12/24/1994	SW R/W MAP 12-14-94
DEED	TOM DAVIS	517/861	7/3/2012	SW 5-13-12
DEED	CHERLY PATTERSON BRISA MOORE	517/865	7/3/2012	SW 5-24-12
DEED	ANGELA DAVIS	517/870	7/3/2012	SEWER
DEED	TERRY DAVIS	517/875	7/3/2012	SEWER
DEED	ALBERT LEE DAVIS	517/880	7/3/2012	SEWER
DEED	BARBARA GALE RHODES	522/383	3/7/2013	LIFT STATION FORCE MAINS AND LINES
RW	WV STATE ROAD	140/438	4/29/1961	WM CARUTHERS AND JOHN WOLFE
RW	WILLIAM & ANNA HANSHAW	155/203	11/18/1964	POSSIBLE LIFT STATION
RW	REE M GROGHAN JR	292/164	12/11/1985	SEWER
RW	ELMER EUGENE KNELL	295/344	9/19/1985	SEWER
RW	WOODROW W WITHROW	295/343	5/27/1985	SEWER
RW	LAWRENCE ECHOLS	295/346	1/24/1986	SEWER
RW	JOHN COX	295/348	9/18/1985	SEWER
RW	JAMES CRANE	295/349	9/16/1985	SEWER
RW	ROY ALFORD	295/350	9/19/1985	SEWER--FOR MAIN AND LIFT STATION
RW	CLINTON R BEAL	295/351	9/20/1985	SEWER
RW	JOHN W BRITTON	295/353	1/24/1986	SEWER
RW	GARY CALLIFER	295/354	1/24/1986	SEWER

RW	HOMER E HAWLEY JR	295/345	9/19/1985	SEWER
RW	RONALD E JONES	295/359	9/20/1985	SEWER
RW	JAMES WARD KEELING	295/358	5/6/1986	SEWER
RW	BRUCE W KNULL	295/352	9/20/1985	SEWER
RW	JACKIE G WOODALL	295/360	5/6/1986	SEWER
RW	PAUL VICTOR WILSON	295/357	9/17/1985	SEWER
RW	CURTIS L WINTER	295/356	9/19/1985	SEWER
RW	THOMAS R STOVER JR	295/355	9/25/1985	SEWER--PINE DRIVE
RW	WILLIAM WALTERS	294/347	5/6/1986	SEWER
RW	CHARLENE T ESKEW	295/362	9/13/1985	SEWER
RW	BUCK M FARLEY	295/365	9/19/1985	SEWER
RW	GEORGE E CAWLEY	295/366	9/17/1985	SEWER
RW	DAVID N CAULEY	295/370	9/18/1985	SEWER
RW	JERRY E ANGEL	295/367	5/6/1986	SEWER LINES, FORCE MAIN & LIFT STATION
RW	JERRY E ANGEL	295/369	1/24/1986	SEWER LINES, FORCE MAIN & LIFT STATION
RW	JOHN DAVIS	295/368	9/16/1985	SEWER
RW	WILLIAM ESKEW	295/374	11/2/1985	SEWER
RW	CARNELUIS HAWKINS	295/364	9/17/1985	SEWER
RW	FRANK M HANSON	295/361	9/16/1985	SEWER
RW	ROBERT HIGGINBOTHAM	295/372	9/16/1985	SEWER
RW	LEMMA REALTY CO	295/363	9/25/1985	SEWER
RW	GARLET L RHODES	295/377	9/14/1985	HEIZER CREEK, SEWER ?
RW	ALBERT MCDANIEL	295/371	5/6/1986	SEWER
RW	JAMES MOORE	295/37	9/17/1985	SEWER
RW	JEPTHA REX PURVIS	295/379	9/16/1985	SEWER
RW	FREDA L MILAM	295/376	1/24/1986	SEWER
RW	DONALD MELTON	295/378	9/19/1985	SEWER
RW	JOHN SUMMERS	295/375	1/24/1986	SEWER
RW	ROBERT L CREMEANS	295/394	9/21/1985	SEWER
RW	WILFORD CLAY CAVENDER	295/395	9/13/1985	SEWER
RW	MACIL DAVIS	295/398	9/13/1985	SEWER
RW	HOWARD CLENDENIN	295/397	9/13/1985	SEWER
RW	HOWARD CLENDENIN	295/396	9/13/1985	SEWER
RW	JERRY HAWLEY, HAWLEYS PROP	295/401	5/27/1986	SEWER
RW	SADEE FARMER	295/399	9/13/1985	SEWER
RW	GEEORGE EDWARD KING	295/400	9/20/1985	SEWER LINES, FORCE MAIN, LIFT STATON
RW	GEORGE E KING	295/390	9/23/1985	SEWER LINES, FORCE MAIN, LIFT STATON
RW	OSCAR L GILLISPIE	295/385	5/12/1986	SEWER
RW	FLORA LANHAM	295/388	9/13/1986	SEWER
RW	DANNY K JIVIDEN	295/392	1/24/1986	SEWER
RW	CHARLES E LOUGHNER	295/382	5/6/1986	SEWER
RW	ARMINA PERSINGER	295/384	9/20/1985	SEWER
RW	JUANITA H MARTIN	295/383	5/20/1986	SEWER
RW	JOSEPHINE MCWILLIAMS	295/381	9/16/1985	SEWER
RW	DAVID SHAMBLIN	295/393	9/12/1985	SEWER
RW	ROBERT SHERMAN	295/391	9/14/1985	SEWER
RW	H D SCARBERRY	295/389	5/20/1986	SEWER

RW	PAUL B ZINK	295/387	5/13/1986	SEWER
RW	PAUL B ZINK	295/386	5/13/1986	SEWER
RW	JESSE JACKSON WEBB	295/380	9/24/1985	SEWER
RW	LEE ROY COOPER	295/414	9/15/1985	SEWER
RW	JOHN R DAVIS	295/402	5/6/1985	SEWER
RW	WILLIAM A DAVIS	295/403	5/6/1986	SEWER
RW	MAJORIE Y BARR	295/408	5/13/1986	SEWER
RW	WAYNE BAYLISS	295/413	9/13/1986	SEWER
RW	RONALD C BONNETT	295/415	9/12/1985	SEWER
RW	FRANKLIN L GRITT	295/416	9/12/1985	SEWER
RW	WILLIAM FRANKLIN GOFF	295/419	9/13/1985	SEWER
RW	RAY HELMICK	295/422	9/12/1985	SEWER
RW	WILLIAM B HILL	295/421	9/12/1985	SEWER
RW	DENNIS HARRIS	295/418	5/6/1986	SEWER
RW	JAMES E LLOYD	295/417	9/12/1985	SEWER
RW	KEITH R KARNES	295/412	5/6/1986	SEWER
RW	RONALD RHODES	295/420	9/12/1985	SEWER
RW	COLLEAN MCVEY	295/410	9/12/1985	SEWER
RW	ROUCO CONSTRUCTION	295/407	5/6/1986	SEWER
RW	LEONARD O NULL	295/406	9/12/1985	SEWER
RW	FRANKLIN L ROBERTS	295/404	5/5/1986	SEWER
RW	HOWARD EARL WEST	295/411	9/12/1985	SEWER
RW	ERNEST PORTER WEST	295/409	9/2/1985	SEWER
RW	H. P. WILLARD JR.	295/405	9/13/1986	SEWER
RW	CLAUDE D DAVIS	295/423	5/13/1986	SEWER
RW	JOHN WILLIAMS	304/98	6/9/1987	SEWER LINES
RW	BILLY SPEARS	304/126	6/13/1987	SEWER LINES
RW	ROGER L CARR	304/128	6/15/1987	SEWER LINES
RW	ROY & ALICE ALFORD	304/539	7/13/1987	SEWER LINES
RW	BRADORD COBB	305/622	8/18/1987	SEWER LINES
RW	GARLETT RHODES	306/834	10/13/1987	SEWER LINES
RW	JOHN SUMMERS	306/836	10/13/1987	SEWER LINES
RW	BOARD OF ED	306/837	10/13/1987	SEWER LINES
RW	ALBERT & VIRGINIA MCDANIEL	306/840	10/13/1987	SEWER LINES
RW	ESTATE OF MACIL DAVIS	306/832	10/13/1987	SEWER
RW	COREY DEVELOPMENT CORP	306/844	10/13/1987	SEWER
RW	HOWARD & NELLIE HEDRICK	306/831	10/13/1987	SEWER
RW	POCA VALUE RITE	384/741	8/26/1998	R/W 3-14-97
RW	POCA VALUE RITE	384/743	8/26/1997	R/W 3-7-97
RW	SHIRLEY BOWLING	510/736	10/21/2011	SEWER 8-4-11
RW	BETTY GIBSON	510/738	10/21/2011	SEWER 2-27-11
RW	JASON & AMBER CASTO	510/741	10/21/2011	SEWER
RW	GARY & PEGGY MILLER	510/762	10/21/2011	SEWER
RW	CLARENCE & KAREN HACKETT	510/765	10/21/2011	SEWER
RW	THOMAS ABNATHY	510/744	10/21/2011	SEWER
RW	DONNA REED	510/747	10/21/2011	SEWER

RW	LIONEL MCKOWN	510/750	10/21/2011	SEWER
RW	JAMES SLOAN	510/753	10/21/2011	SEWER
RW	BENJAMIN HOGAN	510/756	10/21/2011	SEWER
RW	DAVID M HANING	510/759	10/21/2011	SEWER
RW	TAMRA COWLEY WENTZ	510/768	10/21/2011	SEWER
RW	JAMES & CAROL BRADY	510/771	10/21/2011	SEWER
RW	ALBERT & PATRICIA HARMON	510/774	10/21/2011	SEWER
RW	JETTIE & PAULA RUCKER	510/777	10/21/2011	SEWER
RW	LARRY & JUANITA MARTIN	510/780	10/21/2011	SEWER
RW	GREGORY & KIMBERLY SCRAGG	510/783	10/21/2011	SEWER
RW	PATRICK & BRANDIE GARDNER	510/786	10/21/2011	SEWER
RW	JOHNIE BROWN	510/790	10/21/2011	SEWER
RW	JONATHAN CARUTHERS JAMES CARUTHERS	510/794	10/21/2011	SEWER
RW	LONNIE & AMY WHITTINGTON	511/176	11/9/2011	SEWER
RW	STACIE HUGHART	511/179	11/9/2011	SEWER
RW	WILLIAM & GWENDOLYN MORRIS	511/182	11/9/2011	SEWER
RW	JOYCE TAYLOR	511/185	11/9/2011	SEWER
RW	NICHOLAS KONNOVITCH	511/188	11/9/2011	SEWER
RW	TERRI GRIMM	511/191	11/9/2011	SEWER
RW	CHERYL TAYLOR	511/195	11/9/2011	SEWER
RW	MAXWELL MILBEE	511/599	11/23/2011	SEWER
RW	HARLES & NANCY DUFFIEL	511/602	11/23/2011	SEWER
RW	WHIRLWIND PROPERTIES	511/696	11/30/2011	SEWER
RW	CHAD BARTLETT ANGELA BILLS	511/699	11/30/2011	SEWER
RW	GARY & DREMA REEDY	511/702	11/30/2011	SEWER
RW	MARION & DIANNA LUSK	511/705	11/30/2011	SEWER
RW	DENZIL & CHRISTY WARD	511/708	11/30/2011	SEWER
RW	JEFFREY & BARBARA BUBAR	511/711	11/30/2011	SEWER
RW	JAMES & CATHY RASNAKE	511/714	11/30/2011	SEWER
RW	JOSEPH & RHONDA MILBEE	511/866	12/6/2011	SEWER
RW	DENNIS & KIMBERLY HUMPHREY	511/869	12/6/2011	SEWER
RW	LEOMA TEETS	511/872	12/6/2011	SEWER
RW	DAVID & CATHY WILCOX	513/740	2/24/2012	SEWER
RW	JOHN & ELIZABETH MITHCELL	513/745	2/24/2012	SEWER
RW	HERMIE COBB	513/750	2/24/2012	SEWER
RW	RUTH THOMPSON	513/754	2/24/2012	SEWER
RW	CLARENCE & KAREN HACKETT	513/874	3/5/2012	SEWER
RW	HAWLEY PROPERTIES INC	513/877	3/5/2012	SEWER
RW	BARBARA GALE RHODES	522/387	3/7/2013	LIFT STATION FORCE MAINS AND LINES
RW	GARY & CATHY MARTIN	522/696	3/20/2013	10' SEWER EASEMENT
RW	EILENE ANGEL	522/702	3/20/2013	10' SEWER EASEMENT

STATE OF WEST VIRGINIA, Putnam County Commission Clerk's Office 03/11/2015. The foregoing Deed together with the certificate of its acknowledgment was this day presented in said office and admitted to record.

Teste: ..... Clerk

Doc ID: 004056690007 Type: DEED
Recorded: 06/21/2016 at 12:35:28 PM
Fee Amt: $18.00 Page 1 of 7
Putnam County Clerk
Brian Wood County Clerk
BK551 PG640-646

CONFIRMATORY QUITCLAIM DEED
TOWN OF POCA

THIS CONFIRMATORY QUITCLAIM DEED, made this 26th day of May, 2016, by and between the Town of Poca, a municipal corporation and political subdivision of the State of West Virginia, party of the first part, hereinafter sometimes referred to as the "Town", and Putnam Public Service District, a public corporation and political subdivision of the State of West Virginia, party of the second part, hereinafter sometimes referred to as the "District".

WHEREAS, on November 5, 2013, the Town Council of the Town of Poca adopted a Resolution authorizing the sale of its public sewerage system to Putnam Public Service District; ordering that a special municipal election be held for the purpose of submitting to the qualified voters of the Town the question of whether the sewerage system should be sold to the District; and permitting the Mayor to undertake all actions necessary, including execution and delivery of documents required to consummate the transfer of the sewerage system assets of the Town to the District, subject to the approval of the Public Service Commission of West Virginia; and,

WHEREAS, on February 1, 2014, a Special Election was held in all electoral districts of the Town of Poca and the voters, as certified by the Board of Canvassers on February 3, 2014, voted in the majority to sell the Town's sewerage system to Putnam Public Service District for a cash consideration of $1.00 and in further

RETURN TO:
Robert Rodecker, Esquire
Kay Casto & Chaney PLLC
P.O. Box 2031
Charleston, WV 25327-2031

consideration of the assumption of all current outstanding liabilities of the Town related to the sewerage system by Putnam Public Service District; and,

WHEREAS, the Board of the Putnam Public Service District, at its February 18, 2014 Board Meeting, approved the District's entry into the Purchase Agreement with the Town of Poca setting forth the terms of the transfer of its sewerage system to the District conditioned upon obtaining the necessary approval of the Public Service Commission of West Virginia; and,

WHEREAS, the Public Service Commission of West Virginia, by Recommended Decision entered May 21, 2014 in Case No. 14-0293-S-PSD-PC, final as of June 10, 2014, approved the Putnam Public Service District's acquisition of the Town of Poca's sewerage facilities contingent upon the parties obtaining any necessary bondholder approval prior to consummating the transfer of the sewerage facilities; and

WHEREAS, the bondholders of the Town of Poca and the Putnam Public Service District have approved the transfer/acquisition; and,

WHEREAS, by Resolution and Order adopted January 14, 2016, the Board of the Putnam Public Service District approved the receipt of the Town of Poca's sewerage system and assumption of its outstanding debts and approved the District's Chairman undertaking all actions necessary, including execution and delivery of any and all documents required to consummate the transfer of the sewerage system assets from the Town of Poca to Putnam Public Service District.

NOW, THEREFORE, in consideration of the premises and One Dollar ($1.00), cash in hand paid, the receipt of which is hereby acknowledged, the party of the first part does hereby GRANT and CONVEY unto the party of the second part all of its right, title and interest in and to any and all real estate and interests in real estate, together with all improvements situate thereon and the appurtenances thereunto belonging, situate in Putnam County, West Virginia, specifically including, but not limited to, the real estate, with such improvements and appurtenances, described in Exhibit A attached hereto and incorporated herein by reference.

This conveyance is made subject to all exceptions, reservations, restrictions, easements, conditions and rights-of-way contained or mentioned in prior instruments of record affecting the subject property.

The undersigned party of the first part hereby declares that this conveyance is not subject to the West Virginia Excise Tax on the privilege of transferring real property because it is a conveyance from one political subdivision of the State of West Virginia to another political subdivision of the State of West Virginia.

IN WITNESS WHEREOF, the Town of Poca has caused its name to be signed and corporate seal to be affixed hereto by its proper officer thereunto duly authorized, all as of the day and year first above written.

TOWN OF POCA

By William Jones
Its Mayor

STATE OF WEST VIRGINIA,
COUNTY OF PUTNAM, TO-WIT:

I, Katy Mallory, a Notary Public in and for the County and State aforesaid, do certify that William Jones, who signed the hereto annexed Confirmatory Quitclaim Deed, bearing date the 26th day of May, 2016, in his capacity as Mayor of the Town of Poca, a municipal corporation, has this day in my said County, before me, acknowledged the said writing to be the act and deed of said corporation.

Given under my hand and official seal this the 26th day of May, 2016.

My commission expires August 10, 2021.

Official Seal
Notary Public, State of West Virginia
Katy Mallory
130 Ridgewood Forest
St. Albans, WV 25177
My Commission Expires August 10, 2021

Katy Mallory
Notary Public

This document was prepared by:

Robert R. Rodecker, Esquire
WV State Bar No. 3145
Kay, Casto & Chaney PLLC
Post Office Box 2031
Charleston, West Virginia 25327

EXHIBIT A

REAL ESTATE

All that certain piece, parcel or tract of real estate situate in the Town of Poca, Putnam County, West Virginia, being more particularly described as follows:

BEGINNING at a found pipe on the corner of a 2.82 acre tract, on the corner of Lee C. Barr Property and on line of the railroad right of way; thence running with the railroad right of way, S. 39° 08' 27" E. 505.18 feet to a found pin; thence, S. 39° 08' 27" 80.00 feet to a set 5/8 inch pin on corner of a 2.82 acre tract and the Town of Poca and on line of the railroad right of way; thence leaving the railroad right of way and running with the Town of Poca S. 51° 00' 50" W. 166.47 feet, crossing Davis Drive, to a set 5/8 inch pin; thence S. 51° 00' 50" W. 39.81 feet to a point at top of river bank of Kanawha River; thence running with the Kanawha River, N. 39° 17' 00" W. 601.30 feet to a point at the top of the river bank, corner of Lee C. Barr property and corner of a 2.82 acre tract; thence running with Lee C. Barr property, N. 55° 39' 00" E. 40.08 feet to a found railroad spike in Davis Drive; thence, N. 55° 39' 00" E. 158.50 feet to a found pin; Thence running, N. 51° 22' 38" E. 9.89 feet to the BEGINNING containing 2.82 acres, as designated and shown on the attached plat, titled "Map Showing a 2.82 Acre Tract To Be Transferred From: The Town of Poca, DB 323, P 737, To: Putnam Public Service District, Town of Poca District, Putnam County, West Virginia", prepared by Jimmy D. Calhoun, Calhoun Engineering and Surveying, Hurricane, West Virginia, PE #4782, PS # 1011, dated September 5, 2014, attached hereto and incorporated hereby.

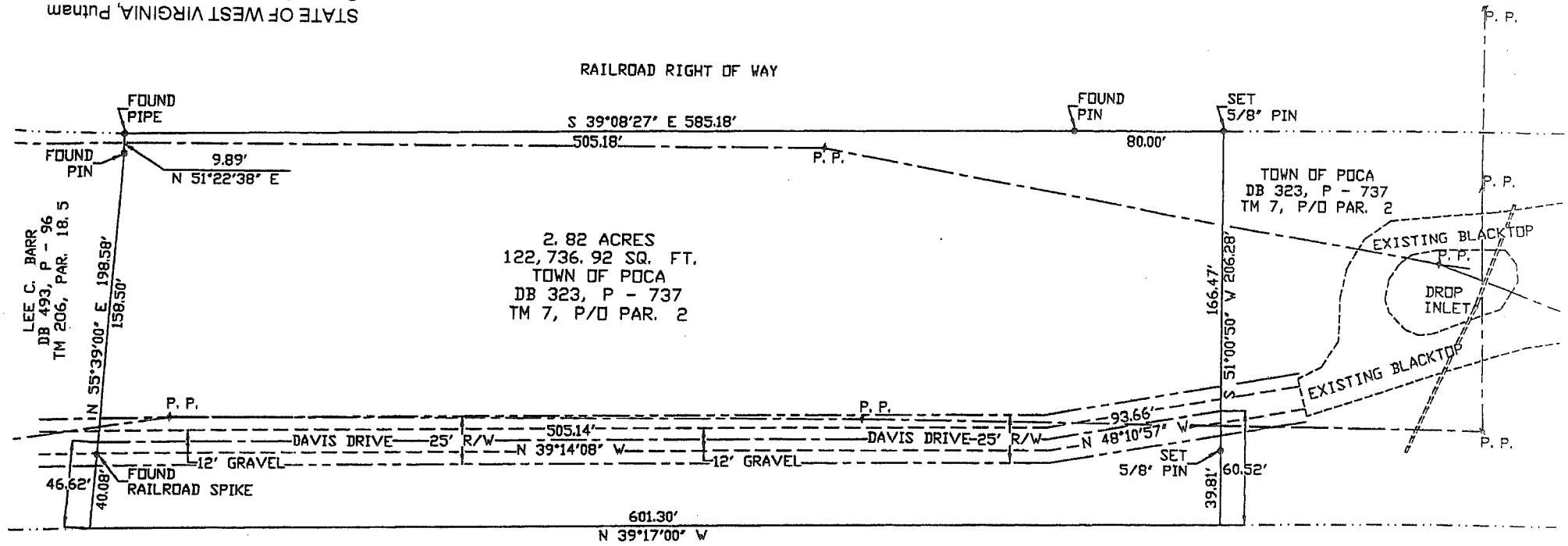
Excepting and reserving rights of way as shown on the attached plat.

And being a part of the same property conveyed to the Town of Poca, a municipal corporation, by Order Vesting Absolute and Indefeasible Title, Final Order dated February 26, 1990, and of record in the Office of the Clerk of the County Commission of Putnam County, West Virginia, in Deed Book 323, at Page 737.

PLAT ATTACHED

STATE OF WEST VIRGINIA, Putnam County Commission Clerk's Office 06/27/2016 The foregoing Deed together with the certificate of its acknowledgment was this day presented in said office and admitted to record

Teste: ..... Clerk



APPROVED
PUTNAM COUNTY
PLANNING COMMISSION
DATE

THE 2.82 ACRE TRACT IS LOCATED IN FLOOD ZONES "AE & X" - FEMA FIRM MAP PANEL NO. 54079C0252D. DATED: FEBRUARY 2, 2012

STATE OF WEST VIRGINIA, Putnam County Commission Clerk's Office 12/10/2015 The foregoing Deed together with the certificate of its acknowledgment was this day presented in said office and admitted to record

Teste: ..... Clerk

MAP SHOWING
A 2.82 ACRE TRACT
TO BE TRANSFERRED
FROM: THE TOWN OF POCA
DB 323, P - 737
TO: PUTNAM PUBLIC SERVICE DISTRICT
CALHOUN DISTRICT
PUTNAM COUNTY - WEST VIRGINIA
SEPTEMBER 5, 2014

SEAL
CALHOUN ENGINEERING & SURVEYING
P.E. 4782
P.L.S. 1011

SCALE: 1 INCH = 60 FEET

Doc ID: 004056730005 Type: MISC
Recorded: 06/21/2016 at 12:38:18 PM
Fee Amt: $11.00 Page 1 of 5
Putnam County Clerk
Brian Wood County Clerk
BK 77 PG 52-56

CONFIRMATORY BILL OF SALE OF TOWN OF POCA

THIS CONFIRMATORY BILL OF SALE, made this 26th day of May, 2016, by and between the Town of Poca, a municipal corporation and political subdivision of the State of West Virginia, party of the first part, and the Putnam Public Service District, a public corporation and political subdivision of the State of West Virginia, party of the second part.

WHEREAS, on November 5, 2013, the Town Council of the Town of Poca adopted a Resolution authorizing the sale of its public sewerage system to Putnam Public Service District; ordering that a special municipal election be held for the purpose of submitting to the qualified voters of the Town the question of whether the sewerage system should be sold to the District; and permitting the Mayor to undertake all actions necessary, including execution and delivery of documents required to consummate the transfer of the sewerage system assets of the Town to the District, subject to the approval of the Public Service Commission of West Virginia; and,

WHEREAS, on February 1, 2014, a Special Election was held in all electoral districts of the Town of Poca and the voters, as certified by the Board of Canvassers on February 3, 2014, voted in the majority to sell the Town's sewerage system to Putnam Public Service District for a cash consideration of $1.00 and in further consideration of the assumption of all current outstanding liabilities of the Town related to the sewerage system by Putnam Public Service District; and,

RETURN TO:
Robert Rodecker, Esquire
Kay Casto & Chaney PLLC
P.O. Box 2031
Charleston, WV 25327-2031

WHEREAS, the Board of the Putnam Public Service District, at its February 18, 2014 Board Meeting, approved the District's entry into the Purchase Agreement with the Town of Poca setting forth the terms of the transfer of its sewerage system to the District conditioned upon obtaining the necessary approval of the Public Service Commission of West Virginia; and,

WHEREAS, the Public Service Commission of West Virginia, by Recommended Decision entered May 21, 2014 in Case No. 14-0293-S-PSD-PC, final as of June 10, 2014, approved the Putnam Public Service District's acquisition of the Town of Poca's sewerage facilities contingent upon the parties obtaining any necessary bondholder approval prior to consummating the transfer of the sewerage facilities; and

WHEREAS, the bondholders of the Town of Poca and the Putnam Public Service District have approved the transfer/acquisition; and,

WHEREAS, by Resolution and Order adopted January 14, 2016, the Board of the Putnam Public Service District approved the receipt of the Town of Poca's sewerage system and assumption of its outstanding debts and approved the District's Chairman undertaking all actions necessary, including execution and delivery of any and all documents required to consummate the transfer of the sewerage system assets from the Town of Poca to Putnam Public Service District.

NOW THEREFORE, in consideration of the sum of One and 00/100 Dollar ($1.00), cash in hand paid by the Putnam Public Service District to the Town of Poca, and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the Town of Poca does hereby sell, assign, transfer, set over and deliver to Putnam Public Service District all personal property relating to its sewerage system

only, including, but not limited to, all inventory, accounts receivable, deposit accounts, certificates of deposit, other evidences of indebtedness of a third party to the Town of Poca, claims, causes of action, agreements, including, but not limited to, any indemnification agreements, contracts, equipment, supplies, vehicles, furniture, fixtures, furnishings, improvements, and any other tangible or intangible personal property, and any interest in personal property owned by the Town of Poca, wherever located and of whatever nature, specifically including, but not limited to, the personal property described in Exhibit A attached hereto and incorporated herein by reference.

Town of Poca hereby warrants to Putnam Public Service District that Town of Poca has clear and unencumbered title to the personal property transferred by this Bill of Sale, except for the lien of the holders of the following Town of Poca Sewer Revenue Bonds, which Bonds are being assumed by the Putnam Public Service District:

(1) Sewer Revenue Bonds, Series 1987 A, dated March 12, 1987 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $878,743;

(2) Sewer Revenue Bonds, Series 1987 B, dated March 12, 1987, issued in the original aggregate principal amount of $215,535;

(3) Sewer Revenue Bonds, Series 1990 A, dated February 23, 1990 (West Virginia Water Development Authority), issued in the original aggregate principal amount of $214,969;

(4) Sewer Revenue Bonds, Series 1990 B, dated February 23, 1990, issued in the original aggregate principal amount of $10,031; and

(5) Sewer Revenue Bonds, Series 2012 A (United States Department of Agriculture), dated July 23, 2012, issued in the original aggregate principal amount of $525,600.

The Town of Poca has delivered possession of the aforesaid personal property to Putnam Public Service District prior to the date of this Bill of Sale.

IN WITNESS WHEREOF, said Town of Poca has caused its name to be signed and corporate seal to be affixed hereto by its proper officer thereunto duly authorized, all as of the day and year first above written.

TOWN OF POCA

By William Jones
Its Mayor

STATE OF WEST VIRGINIA,
COUNTY OF PUTNAM, TO-WIT:

I, Katy Mallory, a Notary Public in and for the County and State aforesaid, do certify that William Jones, who signed the writing hereto annexed Confirmatory Bill of Sale, bearing date the 26th day of May, 2016, in his capacity as Mayor of the Town of Poca, a municipal corporation, has this day in my said County, before me, acknowledged the said writing to be the act and deed of said corporation.

Given under my hand and official seal this the 26th day of May, 2016.

My commission expires August 10, 2021.

[illegible] of West Virginia
[illegible] Mallory
[illegible] Ridgewood Forest
St. Albans, WV 25177
[illegible] Commission Expires August 10, 2021

Katy Mallory
Notary Public

This document was prepared by:

Robert R. Rodecker, Esquire
WV State Bar No. 3145
Kay, Casto & Chaney PLLC
Post Office Box 2031
Charleston, West Virginia 25327

EXHIBIT A

1. Accounts

Customer Deposits	$ 15,972.10
General Operating	$ 70,750.20
Construction Checking	$ 31,381.16
R&R Account	$ 3,055.77

ON DEPOSIT WITH MBC:

MBC Series 1990-B Reserve	$ 333.55
MBC Series 1990-A Reserve	$17,825.44
MBC Series 1987-A Reserve	$77,281.80
MBC Series 1987-B Reserve	$ 7,454.21

2. Miscellaneous Personal Property

Sewer collection and treatment facilities comprising the Town of Poca sewer system, including all improvements and appurtenances belonging to real property, rights-of-way, easements, and all other interests in the real property conveyed to the District by the Town, and all lines and mains of every kind and description, lift stations, valves, meters, services and connections used or useful in serving the sewer customers served by the system.

All tangible and intangible personal property necessary or incidental to the operation of the system or used or useful for providing sewer service to the sewer customers that can be conveyed, assigned or otherwise transferred to District at the closing, including any contracts, licenses, franchises, permits, agreements, certificates of convenience and necessity, customer lists and all other tangible and intangible personal property of like kind and nature; provided, however, that District agrees that it will not be entitled to receive any vehicles, backhoes or other power operated equipment used by the Town for other Town business unrelated to the sewer system.

STATE OF WEST VIRGINIA, Putnam County Commission Clerk's Office 06/21/2016. The foregoing Miscellaneous together with the certificate of its acknowledgment, was this day presented in said office and admitted to record

Teste: ..... Clerk

CONFIRMATORY ASSIGNMENT OF JUDGMENTS AND LIENS OF TOWN OF POCA

THIS CONFIRMATORY ASSIGNMENT OF JUDGMENTS AND LIENS, made this 26th day of May, 2016, by and between the Town of Poca, a municipal corporation and political subdivision of the State of West Virginia, party of the first part, hereinafter sometimes referred to as the "Town", and Putnam Public Service District, a public corporation and political subdivision of the State of West Virginia, party of the second part, hereinafter sometimes referred to as the "District".

WHEREAS, on November 5, 2013, the Town Council of the Town of Poca adopted a Resolution authorizing the sale of its public sewerage system to Putnam Public Service District; ordering that a special municipal election be held for the purpose of submitting to the qualified voters of the Town the question of whether the sewerage system should be sold to the District; and permitting the Mayor to undertake all actions necessary, including execution and delivery of documents required to consummate the transfer of the sewerage system assets of the Town to the District, subject to the approval of the Public Service Commission of West Virginia; and,

WHEREAS, on February 1, 2014, a Special Election was held in all electoral districts of the Town of Poca and the voters, as certified by the Board of Canvassers on February 3, 2014, voted in the majority to sell the Town's sewerage system to Putnam Public Service District for a cash consideration of $1.00 and in further consideration of the assumption of all current outstanding liabilities of the Town related to the sewerage system by Putnam Public Service District; and,

RETURN TO:
Robert Rodecker, Esquire
Kay Casto & Chaney PLLC
P.O. Box 2031
Charleston, WV 25327-2031

Doc ID: 004056720004 Type: ASSIGN
Recorded: 06/21/2016 at 12:37:41 PM
Fee Amt: $11.00 Page 1 of 4
Putnam County Clerk
Brian Wood County Clerk
BK58 PG785-788

WHEREAS, the Board of the Putnam Public Service District, at its February 18, 2014 Board Meeting approved the District's entry into the Purchase Agreement with the Town of Poca setting forth the terms of the transfer of its sewerage system to the District conditioned upon obtaining the necessary approval of the Public Service Commission of West Virginia; and,

WHEREAS, the Public Service Commission of West Virginia, by Recommended Decision entered May 21, 2014 in Case No. 14-0293-S-PSD-PC, final as of June 10, 2014, approved the Putnam Public Service District's acquisition of the Town of Poca's sewerage facilities contingent upon the parties obtaining any necessary bondholder approval prior to consummating the transfer of the sewerage facilities; and

WHEREAS, the bondholders of the Town of Poca and the Putnam Public Service District have approved the transfer/acquisition; and,

WHEREAS, by Resolution and Order adopted January 14, 2016, the Board of the Putnam Public Service District approved the receipt of the Town of Poca's sewerage system and assumption of its outstanding debts and approved the District's Chairman undertaking all actions necessary, including execution and delivery of any and all documents required to consummate the transfer of the sewerage system assets from the Town of Poca to Putnam Public Service District; and,

WHEREAS, this Confirmatory Assignment of Judgments and Liens is being executed to evidence the transfer of all right, title and interest in and to any and all judgments and liens obtained in the course of collecting debts due the Town relating to the provision of sewer service to the District.

NOW, THEREFORE, in consideration of the sum of One and 00/100 Dollar ($1.00), cash in hand paid by the District to the Town, and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the Town does hereby assign, transfer, set over and deliver to District all of its right, title and interest in and to any and all judgments and liens obtained in the course of collecting debts due the Town of Poca relating to its provision of sewer service.

[Remainder of Page Intentionally Blank]

IN WITNESS WHEREOF, said Town of Poca has caused its name to be signed and corporate seal to be affixed hereto by its proper officer thereunto duly authorized, all as of the day and year first above written.

TOWN OF POCA

By _____
Its Mayor

STATE OF WEST VIRGINIA,
COUNTY OF PUTNAM, TO-WIT:

I, Katy Mallory, a Notary Public in and for the County and State aforesaid, do certify that William Jones, who signed the hereto annexed Confirmatory Assignment of Judgments and Liens, bearing date the 26th day of May, 2016, in his capacity as Mayor of the Town of Poca, a municipal corporation, has this day, before me, acknowledged the said writing to be the act and deed of said corporation.

Given under my hand and official seal this the 26th day of May, 2016.

My commission expires August 10, 2021.

Official Seal
Notary Public, State of West Virginia
Katy Mallory
130 Ridgewood Forest
St. Albans, WV 25177
My Commission Expires August 10, 2021

_____
Notary Public

This document was prepared by:
Robert R. Rodecker [WV Bar No. 3145]
Kay, Casto & Chaney PLLC
Post Office Box 2031
Charleston, West Virginia 25327

STATE OF WEST VIRGINIA, Putnam County Commission Clerk's Office 06/21/2016. The foregoing Assignment together with the certificate of its acknowledgment, was this day presented in said office and admitted to record

Teste: _____ Clerk

CONFIRMATORY ASSIGNMENT OF TANGIBLE AND INTANGIBLE PERSONAL PROPERTY OF THE SEWERAGE SYSTEM OF THE TOWN OF POCA TO PUTNAM PUBLIC SERVICE DISTRICT

THIS CONFIRMATORY ASSIGNMENT OF TANGIBLE AND INTANGIBLE PERSONAL PROPERTY, made this 26th day of May, 2016, by and between the Town of Poca, a municipal corporation and political subdivision of the State of West Virginia, party of the first part, hereinafter sometimes referred to as the "Town", and Putnam Public Service District, a public corporation and political subdivision of the State of West Virginia, party of the second part, hereinafter sometimes referred to as the "District".

WHEREAS, on November 5, 2013, the Town Council of the Town of Poca adopted a Resolution authorizing the sale of its public sewerage system to Putnam Public Service District; ordering that a special municipal election be held for the purpose of submitting to the qualified voters of the Town the question of whether the sewerage system should be sold to the District; and permitting the Mayor to undertake all actions necessary, including execution and delivery of documents required to consummate the transfer of the sewerage system assets of the Town to the District, subject to the approval of the Public Service Commission of West Virginia; and,

WHEREAS, on February 1, 2014, a Special Election was held in all electoral districts of the Town of Poca and the voters, as certified by the Board of Canvassers on February 3, 2014, voted in the majority to sell the Town's sewerage system to Putnam Public Service District for a cash consideration of $1.00 and in further consideration of the

RETURN TO:
Robert Rodecker, Esquire
Kay Casto & Chaney PLLC
P.O. Box 2031
Charleston, WV 25327-2031

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Fee Amt: $11.00 Page 1 of 4
Putnam County Clerk
Brian Wood County Clerk
BK58 PG781-784

assumption of all current outstanding liabilities of the Town related to the sewerage system by Putnam Public Service District; and,

WHEREAS, the Board of the Putnam Public Service District, at its February 18, 2014 Board Meeting, approved the District's entry into the Purchase Agreement with the Town of Poca setting forth the terms of the transfer of its sewerage system to the District conditioned upon obtaining the necessary approval of the Public Service Commission of West Virginia; and,

WHEREAS, the Public Service Commission of West Virginia, by Recommended Decision entered May 21, 2014 in Case No. 14-0293-S-PSD-PC, final as of June 10, 2014, approved the Putnam Public Service District's acquisition of the Town of Poca's sewerage facilities contingent upon the parties obtaining any necessary bondholder approval prior to consummating the transfer of the sewerage facilities; and

WHEREAS, the bondholders of the Town of Poca and the Putnam Public Service District have approved the transfer/acquisition; and,

WHEREAS, by Resolution and Order adopted January 14, 2016, the Board of the Putnam Public Service District approved the receipt of the Town of Poca's sewerage system and assumption of its outstanding debts and approved the District's Chairman undertaking all actions necessary, including execution and delivery of any and all documents required to consummate the transfer of the sewerage system assets from the Town of Poca to Putnam Public Service District; and

WHEREAS, this Confirmatory Assignment of Tangibles and Intangibles is being executed to evidence the transfer of all right, title and interest of the Town to the District in

and to the intangible personal property of the Town used exclusively in rendering sewer service to the customers of the Town of Poca, including but not limited to:

A. Public Service Commission certificate(s) of convenience and necessity, including the right to serve existing sewer customers of the Town;

B. All sewer revenues accrued but unbilled at the date of closing;

C. All right, title, and interest in, to, and under notes, customer accounts receivable and other receivables of the Town arising exclusively from the operation of Town's sewerage system;

D. All books and records relating exclusively to the operations of the sewerage system, including, but not limited to, all books of account, journals and ledgers, files, correspondence, memoranda, maps, plats, customer lists, supplier lists, building and machinery diagrams, plans, continuing property records, customer deposit list, customer account histories, and all other records maintained pursuant to requirements of the Public Service Commission;

E. As of the date of closing, all right, title, and interest of the Town in and to all debts, claims and causes of action (whether or not contingent), and all other intangible personal property of like kind and character relating exclusively to the sewerage system of the Town, whether evidenced in writing or not and whether identified on the books and records of the Town or not; and,

F. Specifically excluded from assignment to the District are any vehicles, backhoes or other power operated equipment used by the Town for other Town business unrelated to the sewerage system.

NOW, THEREFORE, in consideration of the sum of One and 00/100 Dollar ($1.00), cash in hand paid by the District to the Town, and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the Town does hereby assign, transfer, set over and deliver to District all of its right, title and interest in and to any and all intangibles obtained in the course of the operation of the sewerage system by the Town.

IN WITNESS WHEREOF, said Town of Poca has caused its name to be signed and corporate seal to be affixed hereto by its proper officer thereunto duly authorized, all as of the day and year first above written.

TOWN OF POCA

By William Jones
Its Mayor

STATE OF WEST VIRGINIA,
COUNTY OF PUTNAM, TO-WIT:

I, Katy Mallory, a Notary Public in and for the County and State aforesaid, do certify that William Jones, who signed the hereto annexed Confirmatory Assignment of Tangible and Intangible Personal Property, bearing date the 26th day of MAY, 2016, in his capacity as Mayor of the Town of Poca, a municipal corporation, has this day in my said County, before me, acknowledged the said writing to be the act and deed of said corporation.

Given under my hand and official seal this the 26th day of May, 2016.

My commission expires August 10, 2021.

Official Seal
Notary Public, State of West Virginia
Katy Mallory
130 Ridgewood Forest
St. Albans, WV 25177
My Commission Expires August 10, 2021

Katy Mallory
Notary Public

This document was prepared by:

Robert R. Rodecker [WV State Bar No. 3145]
Kay, Casto & Chaney PLLC
Post Office Box 2031
Charleston, West Virginia 25327

STATE OF WEST VIRGINIA, Putnam County Commission Clerk's Office 06/21/2016. The foregoing Assignment together with the certificate of its acknowledgment, was this day presented in said office and admitted to record.

Teste: ..... Clerk

Doc ID: 004056700004 Type: ASSIG
Recorded: 06/21/2016 at 12:36:38 P
Fee Amt: $11.00 Page 1 of 4
Putnam County Clerk
Brian Wood County Clerk
BK58 PG777-780

CONFIRMATORY ASSIGNMENT OF RIGHTS OF WAY AND EASEMENTS OF TOWN OF POCA

THIS CONFIRMATORY ASSIGNMENT OF RIGHTS OF WAY AND EASEMENTS, made this 26th day of May, 2016, by and between the Town of Poca, a municipal corporation and political subdivision of the State of West Virginia, party of the first part, hereinafter sometimes referred to as the "Town", and Putnam Public Service District, a public corporation and political subdivision of the State of West Virginia, party of the second part, hereinafter sometimes referred to as the "District".

WHEREAS, on November 5, 2013, the Town Council of the Town of Poca adopted a Resolution authorizing the sale of its public sewerage system to Putnam Public Service District; ordering that a special municipal election be held for the purpose of submitting to the qualified voters of the Town the question of whether the sewerage system should be sold to the District; and permitting the Mayor to undertake all actions necessary, including execution and delivery of documents required to consummate the transfer of the sewerage system assets of the Town to the District, subject to the approval of the Public Service Commission of West Virginia; and,

WHEREAS, on February 1, 2014, a Special Election was held in all electoral districts of the Town of Poca and the voters, as certified by the Board of Canvassers on February 3, 2014, voted in the majority to sell the Town's sewerage system to Putnam Public Service District for a cash consideration of $1.00 and in further

RETURN TO:
Robert Rodecker, Esquire
Kay Casto & Chaney PLLC
P.O. Box 2031
Charleston, WV 25327-2031

consideration of the assumption of all current outstanding liabilities of the Town related to the sewerage system by Putnam Public Service District; and,

WHEREAS, the Board of the Putnam Public Service District, at its February 18, 2014 Board Meeting, approved the District's entry into the Purchase Agreement with the Town of Poca setting forth the terms of the transfer of its sewerage system to the District conditioned upon obtaining the necessary approval of the Public Service Commission of West Virginia; and,

WHEREAS, the Public Service Commission of West Virginia, by Recommended Decision entered May 21, 2014 in Case No. 14-0293-S-PSD-PC, final as of June 10, 2014, approved the Putnam Public Service District's acquisition of the Town of Poca's sewerage facilities contingent upon the parties obtaining any necessary bondholder approval prior to consummating the transfer of the sewerage facilities; and

WHEREAS, the bondholders of the Town of Poca and the Putnam Public Service District have approved the transfer/acquisition; and,

WHEREAS, by Resolution and Order adopted January 14, 2016, the Board of the Putnam Public Service District approved the receipt of the Town of Poca's sewerage system and assumption of its outstanding debts and approved the District's Chairman undertaking all actions necessary, including execution and delivery of any and all documents required to consummate the transfer of the sewerage system assets from the Town of Poca to Putnam Public Service District; and

WHEREAS, this Confirmatory Assignment of Rights of Way and Easements is being executed to evidence the transfer of all right, title and interest in and to any and all rights of way and easements owned by, or reserved to, the Town for its sewerage system to the District.

NOW, THEREFORE, in consideration of the sum of One and 00/100 Dollar ($1.00), cash in hand paid by the District to the Town, and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the Town does hereby assign, transfer, set over and deliver to the District all of its right, title and interest in and to any and all rights of way and easements owned by, or reserved to, the Town, for its sewerage system, including all of those conveyed to the Town by conveyances of record in the Office of the Clerk of the County Commission of Putnam County, West Virginia, by Sewer User Agreements, or by any other conveyances, recorded or unrecorded, without limitation.

[Remainder of Page Intentionally Blank]

IN WITNESS WHEREOF, said Town of Poca has caused its name to be signed and corporate seal to be affixed hereto by its proper officer thereunto duly authorized, all as of the day and year first above written.

TOWN OF POCA

By William Jones
Its Mayor

STATE OF WEST VIRGINIA,
COUNTY OF PUTNAM, TO-WIT:

I, Katy Mallory, a Notary Public in and for the County and State aforesaid, do certify that William Jones, who signed the hereto annexed Confirmatory Assignment of Rights of Way and Easements, bearing date the 26th day of May, 2016, in his capacity as Mayor of the Town of Poca, a municipal corporation, has this day, before me, acknowledged the said writing to be the act and deed of said corporation.

Given under my hand and official seal this the 26th day of May, 2016.

My commission expires August 10, 2021.

Official Seal
Notary Public, State of West Virginia
Katy Mallory
130 Ridgewood Forest
St. Albans, WV 25177
My Commission Expires August 10, 2021

Katy Mallory
Notary Public

This document was prepared by:

Robert R. Rodecker [WV Bar No. 3145]
Kay, Casto & Chaney PLLC
Post Office Box 2031
Charleston, West Virginia 25327

STATE OF WEST VIRGINIA, Putnam County Commission Clerk's Office 06/21/2016. The foregoing Assignment together with the certificate of its acknowledgment, was this day presented in said office and admitted to record.

Teste: ..... Clerk

WV MUNICIPAL BOND COMMISSION
900 Pennsylvania Avenue
Suite 1117
Charleston, WV 25301
(304) 558-3971

NEW ISSUE REPORT FORM

Date of Report: 6/30/2016

ISSUE: Putnam Public Service District Sewer Revenue Bonds, Series 1987 A (West Virginia Water Development Authority) ; (formerly Town of Poca Sewer Revenue Bonds, Series 1987 A (West Virginia Water Development Authority)

ADDRESS: P.O. Box 147, Scott Depot, WV 25560 COUNTY: Putnam

PURPOSE OF ISSUE:
New Money: _____
Refunding: _____

REFUNDS ISSUE(S) DATED: NA

ISSUE DATE: 3/12/1987 CLOSING DATE: 3/12/1987

ISSUE AMOUNT: $878,743 RATE: 8.380%

1ST DEBT SERVICE DUE: _____ 1ST PRINCIPAL DUE: _____

1ST DEBT SERVICE AMOUNT _____ PAYING AGENT: MBC

BOND COUNSEL:
Firm: Steptoe & Johnson PLLC
Contact John Stump, Esquire
Phone: (304) 353-8196

UNDERWRITERS COUNSEL
Firm: _____
Contact: _____
Phone: _____

CLOSING BANK:
Bank: N/A
Contact: _____
Phone: _____

ESCROW TRUSTEE:
Firm: _____
Contact: _____
Phone: _____

KNOWLEDGEABLE ISSUER CONTACT
Contact: Mike McNulty
Position: General Manager
Phone: 304.757.6551

OTHER:
Agency: _____
Contact: _____
Position: _____
Phone: _____

DEPOSITS TO MBC AT CLOSE
By: _____ Wire _____ Accrued Interest: $ _____
_____ Check _____ Capitalized Interest: $ _____
_____ Reserve Account: $ _____
_____ Other: $ _____

REFUNDS & TRANSFERS BY MBC AT CLOSE
By: _____ Wire _____ To Escrow Trustee $ _____
_____ Check _____ To Issuer $ _____
_____ IGT _____ To Cons. Invest. Fund $ _____
_____ To Other: _____ $ _____

NOTES: _____

FOR MUNICIPAL BOND COMMISSION USE ONLY:
DOCUMENTS REQUIRED: _____
TRANSFERS REQUIRED: _____

WV MUNICIPAL BOND COMMISSION
900 Pennsylvania Avenue
Suite 1117
Charleston, WV 25301
(304) 558-3971

NEW ISSUE REPORT FORM

Date of Report: 6/30/2016

ISSUE: Putnam Public Service District Sewer Revenue Bonds, Series 1987 B (West Virginia Water Development Authority) ; (formerly Town of Poca Sewer Revenue Bonds, Series 1987 B (West Virginia Water Development Authority)

ADDRESS: P.O. Box 147, Scott Depot, WV 25560 COUNTY: Putnam

PURPOSE OF ISSUE:
New Money: _____
Refunding: _____

REFUNDS ISSUE(S) DATED: NA

ISSUE DATE: 3/12/1987 CLOSING DATE: 3/12/1987

ISSUE AMOUNT: $215,536 RATE: 0%

1ST DEBT SERVICE DUE: _____ 1ST PRINCIPAL DUE: _____

1ST DEBT SERVICE AMOUNT _____ PAYING AGENT: MBC

BOND COUNSEL:
Firm: Steptoe & Johnson PLLC
Contact John Stump, Esquire
Phone: (304) 353-8196

UNDERWRITERS COUNSEL
Firm: _____
Contact: _____
Phone: _____

CLOSING BANK:
Bank: N/A
Contact: _____
Phone: _____

ESCROW TRUSTEE:
Firm: _____
Contact: _____
Phone: _____

KNOWLEDGEABLE ISSUER CONTACT
Contact: Mike McNulty
Position: General Manager
Phone: 304.757.6551

OTHER:
Agency: _____
Contact: _____
Position: _____
Phone: _____

DEPOSITS TO MBC AT CLOSE
By: _____ Wire
_____ Check

_____ Accrued Interest: $ _____
_____ Capitalized Interest: $ _____
_____ Reserve Account: $ _____
_____ Other: $ _____

REFUNDS & TRANSFERS BY MBC AT CLOSE
By: _____ Wire
_____ Check
_____ IGT

_____ To Escrow Trustee $ _____
_____ To Issuer $ _____
_____ To Cons. Invest. Fund $ _____
_____ To Other: _____ $ _____

NOTES: _____

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TRANSFERS REQUIRED: _____

WV MUNICIPAL BOND COMMISSION
900 Pennsylvania Avenue
Suite 1117
Charleston, WV 25301
(304) 558-3971

NEW ISSUE REPORT FORM

Date of Report: 6/30/2016

ISSUE: Putnam Public Service District Sewer Revenue Bonds, Series 1990 A (West Virginia Water Development Authority) ; (formerly Town of Poca Sewer Revenue Bonds, Series 1990 A (West Virginia Water Development Authority)

ADDRESS: P.O. Box 147, Scott Depot, WV 25560 COUNTY: Putnam

PURPOSE OF ISSUE:
New Money: _____
Refunding: _____

REFUNDS ISSUE(S) DATED: NA

ISSUE DATE: 2/23/1990 CLOSING DATE: 2/23/1990

ISSUE AMOUNT: $214,969 RATE: 7.850%

1ST DEBT SERVICE DUE: _____ 1ST PRINCIPAL DUE: _____

1ST DEBT SERVICE AMOUNT _____ PAYING AGENT: MBC

BOND COUNSEL:
Firm: Steptoe & Johnson PLLC
Contact John Stump, Esquire
Phone: (304) 353-8196

UNDERWRITERS COUNSEL
Firm: _____
Contact: _____
Phone: _____

CLOSING BANK:
Bank: N/A
Contact: _____
Phone: _____

ESCROW TRUSTEE:
Firm: _____
Contact: _____
Phone: _____

KNOWLEDGEABLE ISSUER CONTACT
Contact: Mike McNulty
Position: General Manager
Phone: 304.757.6551

OTHER:
Agency: _____
Contact: _____
Position: _____
Phone: _____

DEPOSITS TO MBC AT CLOSE
By: _____ Wire _____ Accrued Interest: $ _____
_____ Check _____ Capitalized Interest: $ _____
_____ Reserve Account: $ _____
_____ Other: $ _____

REFUNDS & TRANSFERS BY MBC AT CLOSE
By: _____ Wire _____ To Escrow Trustee $ _____
_____ Check _____ To Issuer $ _____
_____ IGT _____ To Cons. Invest. Fund $ _____
_____ To Other: _____ $ _____

NOTES: _____

FOR MUNICIPAL BOND COMMISSION USE ONLY:
DOCUMENTS REQUIRED: _____
TRANSFERS REQUIRED: _____

WV MUNICIPAL BOND COMMISSION
900 Pennsylvania Avenue
Suite 1117
Charleston, WV 25301
(304) 558-3971

NEW ISSUE REPORT FORM

Date of Report: 6/30/2016

ISSUE: Putnam Public Service District Sewer Revenue Bonds, Series 1990 B (West Virginia Water Development Authority) ; (formerly Town of Poca Sewer Revenue Bonds, Series 1990 B (West Virginia Water Development Authority)

ADDRESS: P.O. Box 147, Scott Depot, WV 25560 COUNTY: Putnam

PURPOSE OF ISSUE:
New Money: _____
Refunding: _____

REFUNDS ISSUE(S) DATED: NA

ISSUE DATE: 2/23/1990

CLOSING DATE: 2/23/1990

ISSUE AMOUNT: $10,031

RATE: 0.000%

1ST DEBT SERVICE DUE: _____

1ST PRINCIPAL DUE: _____

1ST DEBT SERVICE AMOUNT _____

PAYING AGENT: MBC

BOND COUNSEL:
Firm: Steptoe & Johnson PLLC
Contact John Stump, Esquire
Phone: (304) 353-8196

UNDERWRITERS COUNSEL
Firm: _____
Contact: _____
Phone: _____

CLOSING BANK:
Bank: N/A
Contact: _____
Phone: _____

ESCROW TRUSTEE:
Firm: _____
Contact: _____
Phone: _____

KNOWLEDGEABLE ISSUER CONTACT
Contact: Mike McNulty
Position: General Manager
Phone: 304.757.6551

OTHER:
Agency: _____
Contact: _____
Position: _____
Phone: _____

DEPOSITS TO MBC AT CLOSE
By: _____ Wire
_____ Check

_____ Accrued Interest: $ _____
_____ Capitalized Interest: $ _____
_____ Reserve Account: $ _____
_____ Other: $ _____

REFUNDS & TRANSFERS BY MBC AT CLOSE
By: _____ Wire
_____ Check
_____ IGT

_____ To Escrow Trustee $ _____
_____ To Issuer $ _____
_____ To Cons. Invest. Fund $ _____
_____ To Other: _____ $ _____

NOTES: _____

FOR MUNICIPAL BOND COMMISSION USE ONLY:
DOCUMENTS REQUIRED: _____
TRANSFERS REQUIRED: _____

WV MUNICIPAL BOND COMMISSION
900 Pennsylvania Avenue
Suite 1117
Charleston, WV 25301
(304) 558-3971

NEW ISSUE REPORT FORM

Date of Report: 6/30/2016

ISSUE: Putnam Public Service District Sewer Revenue Bonds, Series 2012 A (United States Department of Agriculture) ; (formerly Town of Poca Sewer Revenue Bonds, Series 2012 A (Unites States Department of Agriculture)

ADDRESS: P.O. Box 147, Scott Depot, WV 25560 COUNTY: Putnam

PURPOSE OF ISSUE:
New Money: _____
Refunding: _____

REFUNDS ISSUE(S) DATED: NA

ISSUE DATE: 7/23/2012 CLOSING DATE: 7/23/2012

ISSUE AMOUNT: $525,600 RATE: 3.5%

1ST DEBT SERVICE DUE: N/A 1ST PRINCIPAL DUE: N/A

1ST DEBT SERVICE AMOUNT N/A PAYING AGENT: Issuer

BOND COUNSEL:
Firm: Steptoe & Johnson PLLC
Contact John Stump, Esquire
Phone: (304) 353-8196

UNDERWRITERS COUNSEL
Firm: _____
Contact: _____
Phone: _____

CLOSING BANK:
Bank: N/A
Contact: _____
Phone: _____

ESCROW TRUSTEE:
Firm: _____
Contact: _____
Phone: _____

KNOWLEDGEABLE ISSUER CONTACT
Contact: Mike McNulty
Position: General Manager
Phone: 304.757.6551

OTHER:
Agency: _____
Contact: _____
Position: _____
Phone: _____

DEPOSITS TO MBC AT CLOSE
By: _____ Wire _____ Accrued Interest: $ _____
_____ Check _____ Capitalized Interest: $ _____
_____ Reserve Account: $ _____
_____ Other: $ _____

REFUNDS & TRANSFERS BY MBC AT CLOSE
By: _____ Wire _____ To Escrow Trustee $ _____
_____ Check _____ To Issuer $ _____
_____ IGT _____ To Cons. Invest. Fund $ _____
_____ To Other: _____ $ _____

NOTES: _____

FOR MUNICIPAL BOND COMMISSION USE ONLY:
DOCUMENTS REQUIRED: _____
TRANSFERS REQUIRED: _____