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United	States Bankr strict of New Ha	cuptcy C	Court				Voluntary Petition
Name of Debtor (if individual, enter Last, First Cherb, LLC				of Joint D	ebtor (Spous	e) (Last, First,	Middle):
All Other Names used by the Debtor in the last (include married, maiden, and trade names):	8 years					Joint Debtor i I trade names)	in the last 8 years:
Last four digits of Soc. Sec. or Individual-Taxp (if more than one, state all) 02-0526834		olete EIN	(if more	than one, state	e all)		axpayer I.D. (ITIN) No./Complete EIN
Street Address of Debtor (No. and Street, City, Riverway East Milford, NH	and State);	ZIP Code	Street	Address o	f Joint Debto	r (No. and Str	eet, City, and State):  ZIP Code
County of Residence or of the Principal Place o Hillsborough		3055	Coun	y of Resid	ence or of the	e Principal Pla	ce of Business:
Mailing Address of Debtor (if different from str PO Box 227 Milford, NH	0	ZIP Code 13055	Mailii	ng Address	of Joint Deb	tor (if differen	t from street address):  ZIP Code
(if different from street address above):							
Type of Debtor  (Form of Organization) (Check one box)  Individual (includes Joint Debtors)  See Exhibit D on page 2 of this form.  Corporation (includes LLC and LLP)  Partnership  Other (If debtor is not one of the above entities, check this box and state type of entity below.)  Chapter 15 Debtors		al Estate as de 01 (51B)	efined	☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt	the ter 7 ter 9 ter 11 ter 12	Petition is Fil	apter 15 Petition for Recognition a Foreign Main Proceeding apter 15 Petition for Recognition a Foreign Main Proceeding apter 15 Petition for Recognition a Foreign Nonmain Proceeding of Debts
Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:		he United State	(Check one box)  Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as business debt incurred by an individual primarily for			■ Debts are primarily business debts.	
Filing Fee (Check one box  Full Filing Fee attached  Filing Fee to be paid in installments (applicable to attach signed application for the court's considerati debtor is unable to pay fee except in installments. I Form 3A.  Filing Fee waiver requested (applicable to chapter attach signed application for the court's consideration.	individuals only). Must on certifying that the Rule 1006(b). See Officia 7 individuals only). Must	Check all t d Deb Check all Check all Check all A p. Acc	otor is a sr otor is not otor's aggr less than sa applicable lan is bein eptances	egate nonco \$2,490,925 (egate boxes; ag filed with of the plan w	debtor as definess debtor as on the debtor as on the debtor as on the debt of	ated debts (excl to adjustment o	
Statistical/Administrative Information  ■ Debtor estimates that funds will be available  □ Debtor estimates that, after any exempt proputere will be no funds available for distribution	erty is excluded and a	dministrative		s paid,		THIS	SPACE IS FOR COURT USE ONLY
1- 50- 100- 200- 49 99 199 999	1,000- 5,001-		 5,001- 0,000	50,001- 100,000	OVER 100,000		
\$50,000 \$100,000 \$500,000 to \$1 to million to	\$1,000,001 \$10,000,001 to \$10	to \$100 to	00,000,001 \$500 Ilion	\$500,000,001 to \$1 billion			
	\$1,000,001 \$10,000,001		00,000,001 \$500	\$500,000,001 to \$1 billion	More than \$1 billion		

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DI (Official Fol	m 1)(04/13)		1 agc 2	
,	y Petition	Name of Debtor(s): Cherb, LLC		
(This page mu	ust be completed and filed in every case)	(0.37) (70) (4-1) (4-1)	180 - 1-LA	
Ttion	All Prior Bankruptcy Cases Filed Within Last	- <b>,</b>		
Location Where Filed:	- None -	Case Number:	Date Filed:	
Location Where Filed:		Case Number:	Date Filed:	
	ending Bankruptcy Case Filed by any Spouse, Partner, or			
Name of Debt - None -	.or:	Case Number:	Date Filed:	
District:		Relationship:	Judge:	
forms 10K a pursuant to S and is reques	Exhibit A  coleted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 sting relief under chapter 11.)  A is attached and made a part of this petition.	(To be completed if debtor is an individual I, the attorney for the petitioner named have informed the petitioner that [he of 12, or 13 of title 11, United States Cod	hibit B whose debts are primarily consumer debts.) I in the foregoing petition, declare that I or she] may proceed under chapter 7, 11, de, and have explained the relief available ify that I delivered to the debtor the notice  (Date)	
	Exhibit C is attached and made a part of this petition.	nibit C pose a threat of imminent and identifiable	harm to public health or safety?	
☐ Exhibit I	leted by every individual debtor. If a joint petition is filed, each D completed and signed by the debtor is attached and made a	a part of this petition.	separate Exhibit D.)	
	Information Regarding	g the Debtor - Venue		
<b>■</b>	(Check any appropriate of this petition or for a court is a debtor in a foreign proceeding and has its prince this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or the sought in this District.	oplicable box) al place of business, or principal assets a longer part of such 180 days than in eneral partner, or partnership pending is cipal place of business or principal ass in the United States but is a defendan	n any other District. in this District. sets in the United States in nt in an action or	
	Certification by a Debtor Who Resides		ty	
	(Check all appl Landlord has a judgment against the debtor for possession	' '	complete the following.)	
	(Name of landlord that obtained judgment)			
	(Address of landlord)			
	Debtor claims that under applicable nonbankruptcy law, the the entire monetary default that gave rise to the judgment for	ere are circumstances under which the or possession, after the judgment for J	e debtor would be permitted to cure possession was entered, and	
	Debtor has included with this petition the deposit with the after the filing of the petition.	court of any rent that would become d	lue during the 30-day period	
	Debtor certifies that he/she has served the Landlord with th	is certification. (11 U.S.C. § 362(l)).		

B1 (Official Form 1)(04/13)	Page 3		
Voluntary Petition	Name of Debtor(s): Cherb, LLC		
(This page must be completed and filed in every case)	Chern, LLO		
	natures		
Signature(s) of Debtor(s) (Individual/Joint)  I declare under penalty of perjury that the information provided in this petition is true and correct.  [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).  I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.  X  Signature of Debtor  X  Signature of Joint Debtor	Signature of a Foreign Representative  I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.  (Check only one box.)  I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.  Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.  X  Signature of Foreign Representative  Date		
Telephone Number (If not represented by attorney)	Signature of Non-Attorney Bankruptcy Petition Preparer		
Date Signature of Attorney*	I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b),		
X /s/ William S. Gannon Signature of Attorney for Debtor(s) William S. Gannon 0892 Printed Name of Attorney for Debtor(s) William S. Gannon PLLC Firm Name 889 Elm Street, 4th Floor Manchester, NH 03101	110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptey petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.  Printed Name and title, if any, of Bankruptcy Petition Preparer  Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition		
Address	preparer.)(Required by 11 U.S.C. § 110.)		
Email: bgannon@gannonlawfirm.com 603 621-0833  Telephone Number June 26, 2013  Date  *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	Address  X		
Signature of Debtor (Corporation/Partnership)	Date		
I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.  The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.  X /s/ Cheryl T. Hardman	Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.  Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:		
Signature of Authorized Individual  Cheryl T. Hardman	If more than one person prepared this document, attach additional sheets		
Printed Name of Authorized Individual  Member  Title of Authorized Individual  June 26, 2013	conforming to the appropriate official form for each person.  A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.		

Date

#### CERTIFICATE OF FORMATION

#### LIMITED LIABILITY COMPANY

CHERB, L.L.C.

1. Name of Limited Liability Company.

CHERB, L.L.C.

DEC 1 9 2001
WILLIAM M. GARDNER
NEW HAMPSHIRE

**SECRETARY OF STATE** 

2. Nature of Primary Business and Purposes of the Limited Liability Company:

The purposes for which CHERB, L.L.C. is formed are:

The ownership and management of residential and commercial real estate; and

To engage in such other lawful acts or activities for which Limited Liability Companies may be formed under Section 7 of the New Hampshire RSA Chapter 304-C.

3. Registered Office and Name and Address of Registered Agent for Service of Process:

The registered office of CHERB, L.L.C. shall be 14 Grove Street, PO Box 270, Peterborough, NH 03458, and the registered agent for service of process is Mark D. Fernald.

4. Termination.

CHERB, L.L.C. shall have perpetual life.

5. Management.

Management of the Limited Liability Company is vested in the Members.

6. Indemnification:

The company shall indemnify any person who is or was a party, or who is threatened to be made a party, to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, including all appeals, by reason of the fact that he or she is or was a member, managing member or employee of the company, or is or was serving at the request of the company as a director, trustee, officer or employee of another limited liability company, corporation, partnership, joint venture, trust or other enterprise, against any and all expenses (including reasonable attorneys' fees), judgments, decrees, fines, penalties and amounts paid in settlement, which were actually and reasonably incurred by him or her in connection with such action, suit or proceeding, if he or she acted in good

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faith and in a manner which he or she reasonably believed to be in, or at least not opposed to, the best interests of the company, and, with respect to any criminal action or proceeding, he or she had no reasonable cause to believe his or her conduct was unlawful. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or pleas of nolo contendere or its equivalent shall not, of itself, create a presumption that the person did not act in good faith and in a manner which he or she reasonably believed to be in, or at least not opposed to, the best interests of the company.

The foregoing indemnification shall not apply in the case of an action, suit or proceeding instituted by one or more members of the Company, if the claim, matter or issue raised therein is determined by a court of competent jurisdiction to have resulted from the negligence or misconduct of the member(s) seeking indemnification; provided, however, that such indemnification shall nonetheless apply if, in view of all of the circumstances of the case, such court shall determine that such member(s) is/are fairly and reasonably entitled to indemnification, with respect to such expenses, judgments, decrees, fines, penalties and amounts paid in settlement as determined by the court.

Expenses of each person indemnified hereunder, incurred in defending against a civil, criminal, administrative or investigative action, suit or proceeding (including all appeals), or threat thereof, may be paid by the company in advance of the final disposition of such action, suit or proceeding, as authorized by a majority in interest of the members, upon receipt of an undertaking by such person to repay such amount unless it shall ultimately be determined that he or she is entitled to be indemnified by the corporation.

### 7. Units of Ownership:

The units of equity ownership of the company are one class.

## 8. Securities Act Compliance:

Units (generally, membership units interest) will be sold or offered for sale within the meaning of New Hampshire RSA 421-B (New Hampshire Securities Act).

Executed this 13th day of December, 2000, under the provisions of New Hampshire RSA Chapter 304-C, Section 12.

Herbert S. Hardman

Cheryl T. Hardman

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# CERTIFICATE OF LIMITED LIABILITY COMPANY RESOLUTIONS AND AUTHORITY OF CHERB, LLC, A LIMITED LIABILITY COMPANY

We, Cheryl T. Hardman and Herbert S. Hardman, Managers of Cherb, LLC, a New Hampshire limited liability company (the "Limited Liability Company"), hereby certify that, as the Managers of the Limited Liability Company, we adopted the following resolutions:

- 1. The resolutions set forth in the attached Schedule of Resolutions were duly and lawfully adopted by the Members of the Limited Liability Company on June 24, 2013 at 9:00 a.m. and became effective at that time (the "Effective Date and Time").
  - 2. Each of the Resolutions is in full force and effect.
- 3. There is no provision in the Limited Liability Company Agreement which precludes me from adopting these Resolutions and taking the actions contemplated by them.

IN WITNESS WHEREOF we have executed this Certificate of Limited Liability Company Resolutions and Authority on this date.

Dated: June 26, 2013

Øhery∕l 7∕. Hareman Duly Authorized

Manager

Herbert S. Hardman

**Duly Authorized** 

Manager

# A SCHEDULE OF RESOLUTIONS

This schedule is annexed to, forms and integral part of and is incorporated into the Certificate of Limited Liability Company Resolutions as fully as if completely set forth in it.

#### **RESOLVED:**

That in the judgment of the Manager, it is desirable and in the best interests of the Limited Liability Company, its creditors, members and other interested parties, that a petition is to be filed by the Limited Liability Company seeking relief under the provision of Chapter 11, Title 11, United States Code.

#### **RESOLVED:**

That the Manager of the of the Limited Liability Company, is authorized and directed, on behalf of and in the name of the Limited Liability Company, to execute and verify a petition substantially in the form set out in the Official Forms of Bankruptcy and to cause the same to be filed with the United States Bankruptcy Court for the District of New Hampshire as soon as practicable.

#### **RESOLVED:**

That the Manager of the Limited Liability Company is authorized to execute and file all petitions, schedules, lists and other papers as soon as practicable and to take any and all action which they deem necessary or proper in connection with the Chapter 11 case.

#### **RESOLVED:**

That the Manager is hereby authorized and empowered to retain the law firm of William S. Gannon to assist with the preparation and filing of a petition under Chapter 11 of the Bankruptcy Code and to represent this Limited Liability Company in all matters during such Chapter 11 proceedings.

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B4 (Official Form 4) (12/07)

#### United States Bankruptcy Court District of New Hampshire

In re	Cherb, LLC		Case No.	
		Debtor(s)	Chapter	11

#### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
American Security & Fire Protection PO Box 1003 Amherst, NH 03031	American Security & Fire Protection PO Box 1003 Amherst, NH 03031	Services		345.00
ASR Roofing 301 Newbury Street, #123 Danvers, MA 01923	ASR Roofing 301 Newbury Street, #123 Danvers, MA 01923	Services		2,200.00
Barlo Signs 158 Greeley Street Hudson, NH 03051	Barlo Signs 158 Greeley Street Hudson, NH 03051	Services		2,835.00
BioTech Pest Control, Inc. 22 Windmere Dr. Raymond, NH 03077	BioTech Pest Control, Inc. 22 Windmere Dr. Raymond, NH 03077	Services		450.00
Connecticut Underwriters Inc. PO Box 2784 Middletown, CT 06457	Connecticut Underwriters Inc. PO Box 2784 Middletown, CT 06457	Insurance		5,354.92
Eastern MacDuffie PO Box 38 Hudson, NH 03051	Eastern MacDuffie PO Box 38 Hudson, NH 03051	Services		11,626.15
EMC Insurance Companies PO Box 219225 Kansas City, MO 64121-9225	EMC Insurance Companies PO Box 219225 Kansas City, MO 64121-9225	Insurance		918.07
Environmental Protection Division PO Box 4600 Manchester, NH 03108-4600	Environmental Protection Division PO Box 4600 Manchester, NH 03108-4600	Trade debt		692.23
Fernald, Taft, Falby & Little PO Box 270 Peterborough, NH 03458	Fernald, Taft, Falby & Little PO Box 270 Peterborough, NH 03458	Services		13,022.30
John Turner 20 Grove Street Peterborough, NH 03458	John Turner 20 Grove Street Peterborough, NH 03458	Services		2,500.00
Liberty Utilities PO Box 11735 Newark, NJ 07101-4735	Liberty Utilities PO Box 11735 Newark, NJ 07101-4735	Utilities		911.16

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B4 (Offi	cial Form 4) (12/07) - Cont.			
In re	Cherb, LLC		Case No.	
	De	btor(s)		

#### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
MD's Trash Removal PO Box 155 Milford, NH 03055	MD's Trash Removal PO Box 155 Milford, NH 03055	Services		3,662.98
Prime Roofing Corp. PO Box 478 New Ipswich, NH 03071	Prime Roofing Corp. PO Box 478 New Ipswich, NH 03071	Services		11,580.00
Prolman Realty 100 Elm Street Nashua, NH 03060	Prolman Realty 100 Elm Street Nashua, NH 03060	Services		3,823.20
Public Service of NH PO Box 360 Manchester, NH 03105	Public Service of NH PO Box 360 Manchester, NH 03105	Utilities		3,198.48
Secondwind Water Systems 735 E Industrial Park Dr. Manchester, NH 03109	Secondwind Water Systems 735 E Industrial Park Dr. Manchester, NH 03109	Services		1,503.00
The Cincinnati Insurance Group PO Box 145496 Cincinnati, OH 45250-5496	The Cincinnati Insurance Group PO Box 145496 Cincinnati, OH 45250-5496	Insurance		1,908.00
Town of Amherst Tax Collector PO Box 960 Amherst, NH 03031	Town of Amherst Tax Collector PO Box 960 Amherst, NH 03031	Taxes		2,381.81
Town of Milford Water Utilities Dept. 564 Nashua St. Milford, NH 03055	Town of Milford Water Utilities Dept. 564 Nashua St. Milford, NH 03055	Utilities		2,417.45
Town of Milford Tax Collector PO Box 981036 Boston, MA 02298	Town of Milford Tax Collector PO Box 981036 Boston, MA 02298	Taxes		18,610.62

# DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, the Member of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date	June 26, 2013	Signature	/s/ Cheryl T. Hardman
			Cheryl T. Hardman
			Member

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

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## United States Bankruptcy Court District of New Hampshire

In re	Cherb, LLC		Case No.	
		Debtor(s)	Chapter	11
	VER	RIFICATION OF CREDITOR M.	ATRIX	
	Member of the corporation named tof my knowledge.	as the debtor in this case, hereby verify that the att	tached list of	creditors is true and correct to
Date:	June 26, 2013	/s/ Cheryl T. Hardman		
		<b>Cheryl T. Hardman/Member</b> Signer/Title		

American Security & Fire Protection PO Box 1003 Amherst, NH 03031

ASR Roofing 301 Newbury Street, #123 Danvers, MA 01923

Barlo Signs 158 Greeley Street Hudson, NH 03051

BioTech Pest Control, Inc. 22 Windmere Dr. Raymond, NH 03077

Bluestone Capital, LLC 3 Bessom St., #151 Marblehead, MA 01945-2371

Brookline Savings Bank Attn: Chris Williams PO Box 470469 Brookline Village, MA 02447

Connecticut Underwriters Inc. PO Box 2784 Middletown, CT 06457

Eastern MacDuffie PO Box 38 Hudson, NH 03051

Electrical Supply of Milford 318 South Street - Route 13 Milford, NH 03055

EMC Insurance Companies PO Box 219225 Kansas City, MO 64121-9225

Environmental Protection Division PO Box 4600 Manchester, NH 03108-4600

Fairpoint Communications PO Box 1 Worcester, MA 01654

Fernald, Taft, Falby & Little PO Box 270 Peterborough, NH 03458

John Turner 20 Grove Street Peterborough, NH 03458

Liberty Utilities PO Box 11735 Newark, NJ 07101-4735

Manchester Water Works PO Box 9677 Manchester, NH 03108-9677

MD's Trash Removal PO Box 155 Milford, NH 03055

Merrimack County Savings Bank PO Box 2826 Concord, NH 03302-2826

MetLife Auto & Home PO Box 41753 Philadelphia, PA 19101-1753

Prime Roofing Corp. PO Box 478
New Ipswich, NH 03071

Prolman Realty 100 Elm Street Nashua, NH 03060

Public Service of NH PO Box 360 Manchester, NH 03105

Rockland Trust 399 Highland Avenue Somerville, MA 02144

Secondwind Water Systems 735 E Industrial Park Dr. Manchester, NH 03109

The Cincinnati Insurance Group PO Box 145496 Cincinnati, OH 45250-5496

Town of Amherst Tax Collector PO Box 960 Amherst, NH 03031

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Town of Milford Water Utilities Dept. 564 Nashua St. Milford, NH 03055

Town of Milford Tax Collector PO Box 981036 Boston, MA 02298