

RESOLUTION NO. 121019

**RESOLUTION REGARDING OVERPAYMENTS TO
THE MUNICIPAL SEWER UTILITY**

WHEREAS, the McCordsville Municipal Utility Board has been made aware by staff that certain past customers have overpaid their account; and

WHEREAS, the McCordsville Municipal Utility Board has been advised by staff that said outstanding overpayments have existed for a period in excess of seven (7) years after the termination of service for which the overpayment was made; and

WHEREAS, pursuant to Indiana Code 36-9-23-28.5(d), any overpayment that remains unclaimed by a customer for more than seven (7) years after termination of the service for which the overpayment was made becomes the property of the municipality.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of McCordsville, Indiana, as follows:

SECTION I

Pursuant to Indiana Code 36-9-23-28.5(d), the Municipal Sewer Utility is hereby authorized to claim the overpayments set forth on Exhibit A adding the same to the operating fund for the Municipal Sewer Utility, because said overpayments have remained unclaimed for more than seven (7) years after the termination of the service for which the overpayment was made.

SECTION II

The provisions of this Resolution shall be in full force and effect from and after its

due passage.

Adopted this 10th day of December, 2019.

TOWN OF McCORDSVILLE, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative:

Voting Opposed:

Thomas R. Strayer

Thomas R. Strayer

Bryan T. Burney

Bryan T. Burney

Larry J. Longman

Larry J. Longman

Branden D. Williams

Branden D. Williams

Barry A. Wood

Barry A. Wood

ATTEST:

Catherine C. Gardner
Clerk-Treasurer

This instrument was prepared by Gregg H. Morelock, BRAND & MORELOCK, 6 West South Street, Greenfield, IN 46140.