

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 02/24/2009 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2009/59

Accepting completion of improvements and declaring the widening of Oakgate Drive as a County road, for Subdivision MS 04-00020, for project being developed by Oak Gate Properties, LLC, as recommended by the Public Works Director, Danville (Blackhawk) area. (District III)

The Public Works Director has notified this Board that the improvements in Subdivision MS 04-00020 have been completed as provided in the Subdivision Agreement with Oak Gate Properties, LLC, heretofore approved by this Board in conjunction with the filing of the Subdivision Map.

The Public Works Department having also notified this Board that these improvements have been completed with the exception of minor deficiencies, for which a \$4,500.00 cash deposit (Auditor's Deposit Permit No. 512114, dated October 22, 2008) was made by Oak Gate Properties, LLC to insure the application of Type II Slurry.

NOW THEREFORE BE IT RESOLVED that the improvements have been COMPLETED as of February 24, 2009 thereby establishing the six month terminal period for the filing of liens in case of action under said Subdivision Agreement:

DATE OF AGREEMENT NAME OF BANK/SURETY June 27, 2006 Developers Surety and Indemnity Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety and rider for \$115,900.00, Bond No. 720014S issued by the above surety be RETAINED for the six month lien guarantee period until August 24, 2009, at which time the Clerk of the Board is AUTHORIZED to release the surety less the amount of any claims on file.

Contact: Jocelyn LaRocque 313-2315

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 24, 2009

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: J. Carlson, Engineering Services, K. Guruwaya, Construction, H. Finch, Maintenance, I. Bergeron, Mapping, L. Hunt, Records, P. Edwards, Engineering Services, Matt Beinke, Oak Gate Properties, LLC, Jeanne Winter, Developers Surety and Indemnity Company

BE IT FURTHER RESOLVED that the widening of Oakgate Drive the hereinafter described road, as shown and dedicated for public use on the Parcel Map of MS 04-00020 filed August 7, 2006, in Book 197 of Parcel Maps at Page 38, and the additional right-of-way as conveyed by separate instrument, recorded on April 20, 2006, Document Number DOC-2006-0123182-00, Official Records of Contra Costa County, State of California, is ACCEPTED and DECLARED to be a County road.

BE IT FURTHER RESOLVED that the private improvements have been COMPLETED and are NOT ACCEPTED NOR DECLARED as County Roads, at this time.

BE IT FURTHER RESOLVED that the beginning of the warranty period is hereby established, and the \$2,318.00 cash deposit (Auditor's Deposit Permit No. 465254, dated June 8, 2006) made by Oak Gate Properties, LLC and the performance/maintenance surety for \$34,770.00 Bond Rider No. 720014S issued by Developer's Surety and Indemnity Company be RETAINED pursuant to the requirements of Section 94 4.406 of the Ordinance Code until release by this Board.