

Recorded at the request of: Clerk of the Board
Return To: Engineering Services Division

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

Adopted this Resolution on 03/03/2009 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2009/77

Accepting completion of landscape improvements for Subdivision Agreement (Right-of-Way Landscaping) RA 05-01197, developed by Windemere BLC Land Company, LLC, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District III)

These improvements are approximately located at the intersection of Albion Road and Ivy Hill Way.

The Public Works Director has notified this Board that the Right-of-Way Landscaping Improvements in RA 05-01197 have been completed as provided in the Subdivision Agreement (Right-of-Way Landscaping) with Windemere BLC Land Company, LLC, heretofore approved by this Board.

NOW THEREFORE BE IT RESOLVED that the improvements have been COMPLETED as of March 03, 2009 thereby establishing the six month terminal period for the filing of liens in case of action under said Subdivision Agreement (Right-of-Way Landscaping):

DATE OF AGREEMENT NAME OF BANK/SURETY November 14, 2006 Fidelity and Deposit Company of Maryland

Contact: J. 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: March 3, 2009

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

By: , Deputy

cc: J. Carlson, Engineering Services

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$16,000.00, Bond No. 08862523 issued by the above surety be RETAINED for the six month lien guarantee period until September 03, 2009, at which time the Clerk of the Board is AUTHORIZED to release the surety less the amount of any claims on file.

BE IT FURTHER RESOLVED that the Right-of-Way Landscaping Improvements at the intersection of Albion Road and Ivy Hill Way are ACCEPTED AS COMPLETE.

BE IT FURTHER RESOLVED that upon acceptance by the Board of Supervisors, the San Ramon City Council shall accept the improvements for maintenance and ownership in accordance with the Dougherty Valley Memorandum of Understanding.

BE IT FURTHER RESOLVED that there is no warranty period required, and the Public Works Director is AUTHORIZED to refund the \$1,000.00 cash security for performance (Auditor's Deposit Permit No. 571590, dated October 5, 2006) plus interest in accordance with Government Code Section 53079, if appropriate, to Windemere BLC Land Company, LLC pursuant to the requirements of the Ordinance Code; and the Subdivision Agreement (Right-of-Way Landscaping) and surety bond, Bond No. 08862523, dated September 27, 2006, are exonerated.