

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

Adopted this Resolution on 04/07/2009 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**



**Resolution No. 2009/126**

Accepting completion of warranty period and release of cash deposit for faithful performance for the Subdivision Agreement (Right-of-Way Landscaping) Stoneleaf Road interim conditions, for RA 03-01152, project being developed by Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corp., as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District III)

On March 18, 2008, this Board resolved that the landscape improvements along Stoneleaf Road in RA 03-01152 were completed as provided in the Subdivision Agreement (Right-of-Way Landscaping) with Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corp. and now on the recommendation of the Public Works Director;

The Board hereby FINDS that the interim condition landscape improvements interim condition have satisfactorily met the guaranteed performance standards for the period following completion and acceptance. NOW THEREFORE BE IT RESOLVED that the Public Works Director is AUTHORIZED to:

- REFUND the \$4,400.00 cash deposit (Auditor's Deposit Permit No. 450092, dated August 23, 2005) plus interest to Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corp. in accordance with Government Code Section 53079 (if appropriate), Ordinance Code Section 94-4.406, and the subdivision agreement.

BE IT FURTHER RESOLVED that upon completion of the warranty and maintenance period, the San Ramon City Council shall accept the landscape improvements for Stoneleaf Road interim condition for maintenance in accordance with the Dougherty Valley Memorandum of Understanding.

**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: April 7, 2009**

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

By: , Deputy

**cc:** J. Carlson, Engineering Services, S. Francis, Finance, K. Guruwaya, Construction, P. Edwards, Engineering Services, C. Sumpter Current Planning, Department of Conservation and Development, C. Low, City of San Ramon, L. Stritt, Shapell Homes

BE IT FURTHER RESOLVED that the warranty period has been completed and the Subdivision Agreement (Right-of-Way Landscaping) for the Stoneleaf Road interim condition and surety bond, Bond No. 929 348 517, dated August 16, 2005, issued by National Fire Insurance Company of Hartford, are exonerated.