

Recorded at the request of: Clerk of the Board
Return To: J. Carlson, Engineering Services

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. 2009/133

Accepting completion of landscape improvements for Subdivision Agreement (Right-of-Way Landscaping) RA 05-01200, for project developed by Windemere BLC Land Company, LLC, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District III)

These landscape improvements are approximately located along Ivy Hill Way and a portion of Japonica Way.

The Public Works Director has notified this Board that the Right of Way Landscaping Improvements in RA 05-01200 have been completed as provided in the Subdivision Agreement (Right-of-Way Landscaping) with Windemere BLC Land Company, LLC, heretofore approved by this Board in conjunction with the filing of the Subdivision Map.

NOW THEREFORE BE IT RESOLVED that the improvements have been COMPLETED as of April 7, 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: April 10, 2007 NAME OF BANK/SURETY: 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: April 7, 2009

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

By: , Deputy

cc: J. Carlson, Engineering Services, K. Guruwaya, Construction, P. Edwards, Engineering Services, C. Low, City of San Ramon, C. Taylor, Windemere BLC, Land Company LLC

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$444,000.00, Bond No. 08862552 issued by the above surety be RETAINED for the six month lien guarantee period until October 7, 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 developer Windemere BLC Land Company, LLC, shall retain the landscape improvements for maintenance and ownership during the warranty period.

BE IT FURTHER RESOLVED that the beginning of the warranty period is hereby established, and the \$8,900.00 cash deposit (Auditor's Deposit Permit No. 479717, dated March 12, 2007) made by Windemere BLC Land Company, LLC and the performance/maintenance surety bond rider for \$131,870.00, Bond No. 08862552 issued by Fidelity and Deposit Company of Maryland be RETAINED pursuant to the requirements of Section 94 4.406 of the Ordinance Code until release by this Board.