

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

Adopted this Resolution on 05/05/2009 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2009/191

Accepting completion of warranty period and release of cash deposit under the Road Improvement Agreement for RA 04-01168 (cross-reference SD 04-08856), for 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 April 15, 2008, this Board resolved that the improvements for RA 04-01168 were completed as provided in the Road Improvement Agreement 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 improvements have satisfactorily met the guaranteed performance standards for the period following completion and acceptance.

NOW THEREFORE BE IT RESOLVED that upon acceptance of the warranty period 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 the Public Works Director is AUTHORIZED to

- REFUND the \$90,900.00 cash deposit (Auditor's Deposit Permit No. 468372, dated August 3, 2006) plus interest in accordance with Government Code Section 53079, if appropriate, to Shapell Homes, pursuant to the Road Improvement Agreement and Ordinance Code Section 94 4.406.

BE IT FURTHER RESOLVED that the warranty period has been completed and the Road Improvement Agreement and performance/maintenance surety bond issued by National Fire Insurance Company of Hartford, Bond No. 929 390 932, dated July 24, 2006, are EXONERATED.

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: May 5, 2009

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

Contact: J. LaRocque 313-2315

By: , Deputy

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