

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

Adopted this Resolution on 11/03/2009 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**



**Resolution No. 2009/508**

Accepting Completion of Warranty Period and Release of Cash Deposit for faithful performance for RA 04-01169 (cross-reference SD 03-08710), for project being developed by Western Pacific Housing, Inc., as recommended by the Public Works Director, Discovery Bay area.

On July 22, 2008, this Board resolved that the improvements for RA 04-01169 were completed as provided in the Road Improvement Agreement with Western Pacific Housing, Inc., 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 the Public Works Director is AUTHORIZED to

- REFUND the \$1,000.00 cash deposit (Auditor's Deposit Permit No. 460684, dated March 17, 2006) plus interest in accordance with Government Code Section 53079, if appropriate, to D.R. Horton, 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 Fidelity and Deposit Company of Maryland, Bond No. 08837891, dated March 17, 2006, are EXONERATED.

**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: November 3, 2009**

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

By: , Deputy

**cc:** D. Favero, Engineering Services, M. Mann, Finance, , A. Bell, Construction, , P. Edwards, Engineering Services, , H. Finch, Maintenance, , C. Sumpter Current Planning, Department of Conservation and Development,