

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

Adopted this Resolution on 11/10/2009 by the following vote:

**AYES:**   
**NOES:**   
**ABSENT:**   
**ABSTAIN:**   
**RECUSE:**



**Resolution No. 2009/520**

Accepting completion of warranty period and release of cash deposit for faithful performance for the Subdivision Agreement (Right-of-Way Landscaping), PA 04-00017, for project being developed by Shapell Homes, a Division of Shapell Industries Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area.

On September 23, 2008, this Board resolved that the landscape improvements in PA 04-00017 were completed as provided in the Subdivision Agreement (Right-of-Way Landscaping) with Shapell Homes, a Division of Shapell Industries Inc., a Delaware Corporation, 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 \$5,200.00 cash deposit (Auditor's Deposit Permit No. 469817, dated August 31, 2006) plus interest to Shapell Homes in accordance with Government Code Section 53079 (if appropriate), Ordinance Code Section 94-4.406, and the subdivision agreement.

BE IT FURTHER RESOLVED that the warranty period has been completed and the Subdivision Agreement (Right-of-Way Landscaping) and surety bond, Bond No. 929 390 936, dated September 13, 2006, issued by National Fire Insurance Company of Hartford, 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 10, 2009**

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

By: , Deputy

**cc:** D. Favero, Engineering Services, A. Bell, Construction, M. Valdez, M&T Lab, P. Edwards, Engineering Services, C. Sumpter, Current Planning, Department of Conservation and Development, C. Low, City of San Ramon, L. Stritt, Shapell Homes, a Division of Shapell Industries Inc.,