

Recorded at the request of: **Contra Costa Board of Supervisors**

Return To: **Public Works, 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 12/08/2009 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2009/561

Accepting completion of landscape improvements for Subdivision Agreement (Right-of-Way Landscaping) for RA 00-01094 (cross-reference SD 95-07976), project developed by Windemere BLC Land Company, LLC, San Ramon (Dougherty Valley) area.

NOW THEREFORE BE IT RESOLVED that the landscape improvements have been COMPLETED as of December 8, 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 NAME OF BANK/SURETY May 7, 2002 The American Insurance Company

Contact: **J. LaRocque - 3-2315**

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: December 8, 2009

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

By: , Deputy

cc: D. Favero, Engineering Services, A.Bell, Construction, P. Tehaney, M & T Lab, I. Bergeron, Mapping, P. Edwards, Engineering Services,, Chris Low, City of San Ramon, C. Taylor, Windemere BLC Land Company, LLC,

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$826,000.00, Bond No. 111 3359 9396 issued by the above surety be RETAINED for the six month lien guarantee period until June 8, 2010, 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 upon completion of work 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 there is no warranty period required, and the Public Works Director is AUTHORIZED to refund the \$16,500.00 cash security for performance (Auditor's Deposit Permit No. 380515, dated January 23, 2002) plus interest in accordance with Government Code Section 53079, if appropriate, to Windemere BLC Land Company, LLC, pursuant to the requirements of the Ordinance Code; and the Subdivision Agreement (Right of Way Landscaping) and performance/maintenance surety bond, Bond No. 111 3359 9396, dated December 18, 2001, are exonerated.