

**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. 2009/563**

Accepting completion of the Improvement Warranty Agreement and release of cash deposit for faithful performance for faithful performance for RA 00-01099 (cross-reference SD 98-08166), for project being developed by Hofmann Land Development Company, Inc., as recommended by the Public Works Director, Discovery Bay area.

On November 30, 2004, this Board resolved that the improvements for RA 00-01099 (cross-reference SD 98-08166) were completed as provided in the Road Improvement Agreement with Hofmann Land Development Company, Inc.

On November 30, 2004, upon recommendation of the Public Works Director, this Board approved an Improvement Warranty Agreement to warrant and maintain curbs, along with adjacent pavement and sidewalks, installed on profile slopes less than the standard 1% for five years, and now on the recommendation of the Public Works Director;

The Board hereby FINDS that the improvements have satisfactorily met the guaranteed performance standards and extended maintenance period following completion and acceptance of the road improvements. 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.434094, dated November 4, 2004) plus interest to Hofmann Land Development Company, Inc. in accordance with Government Code Section 53079 (if appropriate), Ordinance Code Section 94-4.406, and the Improvement Warranty Agreement.

**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,, E. Sanders, M & T Lab,, A. Bell, Construction,, H. Finch, Maintenance,, P. Edwards, Engineering Services

BE IT FURTHER RESOLVED that the maintenance and warranty period has been completed and the Improvement Warranty Agreement and surety bond, Bond No.070000623, dated October 22, 2004, issued by Liberty Mutual Insurance Company, are exonerated.