

Recorded at the request of: Contra Costa County 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 12/15/2009 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2009/572

Accepting completion of improvements, MS 90-00141, as recommended by the Public Works Director, San Ramon area.

These improvements are approximately located off Bollinger Canyon Road.

The Public Works Director has notified this Board that the private improvements in MS 90-00141 have been completed as provided in the Subdivision Agreement with Charles M. Farr and Lorraine A. Farr, heretofore approved by this Board in conjunction with the filing of the Subdivision Map.

NOW THEREFORE BE IT RESOLVED that the improvements have been COMPLETED as of December 15, 2009, thereby establishing the six month terminal period for the filing of liens in case of action under said Subdivision Agreement:

DATE OF AGREEMENT August 15, 2006

NAME OF BANK Fremont Bank

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$139,550.00, Letter of Credit No. 3140282 issued by the above bank be RETAINED for the six month lien guarantee period until June 15, 2010, at which time the Public Works Director is AUTHORIZED to arrange for the return of the Letter of Credit less the amount of any claims on file.

BE IT FURTHER RESOLVED that the private improvements have been COMPLETED and are NOT ACCEPTED NOR DECLARED as County Roads, at this time.

BE IT FURTHER RESOLVED that there is no warranty period required, and the Public Works Director is AUTHORIZED to refund the \$2,791.00 cash security for performance (Auditor's Deposit Permit No. 467997, dated July 27, 1996) plus interest in accordance with Government Code Section 53079, if appropriate, to Charles M. Farr and Lorraine A. Farr pursuant to the requirements of the Ordinance Code; and the Subdivision Agreement and performance surety for \$276,309.00 Letter of Credit No. 3140282, dated July 26, 2006, are exonerated.

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 15, 2009

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

By: , Deputy

**cc:** D. Favero, Engineering Services,, A. Bell, Construction,, E. Sanders, M & T Lab,, P. Edwards, Engineering Services,