

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

Return To: Public Works Department, Engineering Services Division

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

Adopted this Resolution on 01/12/2010 by the following vote:

AYES: ☐

NOES: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2010/22

Accepting completion of improvements for RA 06-01229 (cross-reference SD 99-08381), project developed by Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, Danville area.

These improvements consist of bioretention street filters and are located along Massara Street and Charbray Street (south of Lusitano Street).

The Public Works Director has notified this Board that the improvements for RA 06-01229 have been completed as provided in the Road Improvement Agreement with Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, heretofore approved by this Board.

NOW THEREFORE BE IT RESOLVED that the improvements have been COMPLETED as of January 12, 2010, thereby establishing the six month terminal period for the filing of liens in case of action under said Subdivision Agreement:

DATE OF AGREEMENT NAME OF BANK/SURETY December 5, 2006 National Fire Insurance Company of Hartford

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$120,750.00, Bond No. 929 390 949 issued by the above surety be RETAINED for the six month lien guarantee period until July 12, 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 approval by the Board of Supervisors, the developer, Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, shall retain the improvements for maintenance in accordance with the Landscape Maintenance Agreement for the Alamo Creek Project dated December 4, 2007.

BE IT FURTHER RESOLVED that the beginning of the warranty period is hereby established, and the \$2,400.00 cash deposit (Auditor's Deposit Permit No. 472597, dated October 25, 2006) made by Shapell Homes, and the performance/maintenance surety rider for \$36,000.00, Bond No. 929 390 949 issued by National Fire Insurance Company of Hartford be RETAINED pursuant to the requirements of Section 94 4.406 of the Ordinance Code until release by this Board.

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: January 12, 2010

Contact: J. LaRocque - 3-2315

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

By: , Deputy

cc: D. Favero, Engineering Services,, A. Bell, Construction Div., , P. Edwards, Engineering Services,