

Recorded at the request of: 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 01/18/2011 by the following vote:

AYES: ☐

NOES: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2011/24

Accepting completion of improvements for Subdivision Agreement (Right-of-Way Landscaping) for Park Improvement Agreement PA 05-00028 (cross-reference Subdivision SD 99-08331), being developed by Danville Tassajara Partners, LLC, as recommended by the Public Works Director, Danville area. (District III)

The Public Works Director has notified this Board that the Right-of-Way Landscaping improvements for PA 05-00028 (cross-reference SD 99-08331) have been completed as provided in the Subdivision Agreement with Danville Tassajara Partners, LLC, heretofore approved by this Board.

NOW THEREFORE BE IT RESOLVED that the landscape improvements have been COMPLETED as of January 18, 2011 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 August 2, 2005 The Continental Insurance Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$154,950.00, Bond No. 929367265 issued by the above surety be RETAINED for the six month lien guarantee period until July 18, 2011, 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 there is no warranty period required, and the Public Works Director is AUTHORIZED to refund the \$3,100.00 cash security for performance (Auditor's Deposit Permit No. 447192, dated June 30, 2005) plus interest in accordance with Government Code Section 53079, if appropriate, to Danville Tassajara Partners, LLC pursuant to the requirements of the Ordinance Code; and the Subdivision Agreement (Right-of-Way Landscaping) and surety bond, Bond No.929367265, dated May 23, 2005, 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: January 18, 2011

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

By: , Deputy

cc: M. Sinz, Eng. Services, J. Capozzo, Eng. Services, M. Mann, Finance