

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

Adopted this Resolution on 02/08/2011 by the following vote:

**AYES:** ☐

**NOES:** ☐

**ABSENT:** ☐

**ABSTAIN:** ☐

**RECUSE:** ☐



**Resolution No. 2011/49**

Accepting completion of warranty period and release of cash deposit for subdivision agreement (Right-of-Way Landscaping) for road improvement RA 05-01206 (cross-reference subdivision SD 05-08984), for project being developed by O'Brien at Pacheco, LLC, as recommended by the Public Works Director, Martinez area. (District II)

On November 16, 2009, this Board resolved that the landscape improvements for road improvement RA 05-01206 were completed as provided in the Subdivision Agreement (Right-Way Landscaping) with O'Brien at Pacheco, LLC, and now on the recommendation of the Public Works Director;

The Board hereby FINDS that the improvements have satisfactorily met the guaranteed performance standards for the period following completion and acceptance.

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. 476514, dated January 11, 2007) plus interest in accordance with Government Code Section 53079, if appropriate, to O'Brien at Pacheco, LLC, pursuant to the Road Improvement Agreement and Ordinance Code Section 94 4.406.

BE IT FURTHER RESOLVED that the warranty period has been completed and the Subdivision Agreement (Right-of-Way Landscaping) and performance/maintenance surety bond issued by International Fidelity Insurance Company, Bond No.0442413, dated December 26, 2006, are EXONERATED.

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.

**Contact: J. LaRocque, 313-2315**

**ATTESTED: February 8, 2011**

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

By: , Deputy

**cc:** M. Mann, Finance, T. Rhys, Construction, J. Capozzo, Eng. Services, C. Sumpter, DCD, M. Sinz, eng. Services