

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 01/10/2012 by the following vote:

AYES: ☐

NOES: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2012/19

IN THE MATTER OF accepting completion of improvements for drainage acceptance DG 02-00012 (cross-reference subdivision SD 03-08508) for project being developed by Windemere BLC Land Company, LLC as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

WHEREAS, these improvements are approximately located on Japonica Way.

WHEREAS, the Public Works Director has notified this Board that the improvements in drainage acceptance DA 02-00012 (cross-reference subdivision SD 03-08508) have been completed as provided in the Drainage Acceptance Agreement with Windemere BLC Land Company, LLC 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 January 10, 2012 thereby establishing the six month terminal period for the filing of liens in case of action under said Subdivision Agreement:

DATE OF AGREEMENT July 26, 2005

NAME OF BANK/SURETY The Continental Insurance Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$293,000.00, Bond No. 929341269 issued by the above surety be RETAINED for the six month lien guarantee period until July 10, 2012, 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 drainage acceptance DG 02-00012 (cross-reference subdivision SD 03-08508) for the hereinafter described public improvements, as shown and dedicated for public use on the Final Map of Subdivision 8508 filed August 21, 2006, in Book 493 of final maps at page 43, Official Records of Contra Costa county, State of California, are ACCEPTED AS COMPLETE.

BE IT FURTHER RESOLVED that upon acceptance by the Board of Supervisors, the San Ramon City Council shall accept the improvements for maintenance and ownership in accordance with the Dougherty Valley Memorandum of Understanding.

BE IT FURTHER RESOLVED that there is no warranty period required, and the Public Works Director is AUTHORIZED to

refund the \$5,860.00 cash security for performance (Auditor's Deposit Permit No. DP 431272, dated September 15, 2004) plus interest in accordance with Government Code Section 53079, if appropriate, to Windemere BLC Land Company, LLC pursuant to the requirements of the Ordinance Code; and the Drainage Improvement Agreement and surety bond, Bond No. 929341269, dated September 7, 2004 are exonerated.

Contact: J. LaRocque, (925) 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 10, 2012

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

By: , Deputy

cc: C. Low, City of San Ramon, M. Valdez, M & T, J. Capozzo, Eng. Services, R. Hutchins, Records