

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. 2012/18

IN THE MATTER OF accepting completion of improvements (Bayberry View Lane, Bay Leaf Drive, Lemonwood Court and Chamomile Court) for road acceptance RA 09-01245 (cross-reference subdivision SD 07-08970), for project developed by Shapell Homes, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

WHEREAS, the Public Works Director has notified this Board that the improvements in road acceptance RA 09-01245 (cross-reference subdivision SD 07-08970) have been completed as provided in the Road Improvement Agreement with Shapell Homes, 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 NAME OF BANK/SURETY April 13, 2010 The Continental Insurance Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$877,500.00, Bond No. 9294938848 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 that road acceptance RA 09-01245 for the hereinafter described public improvements, as shown and dedicated for public use on the Final Map of Subdivision 07-08970 filed April 23, 2010, in Book 511 of final maps at Page 18, Official Records of Contra Costa County, State of California, is ACCEPTED AS COMPLETE.

Road Name	Road-R/W Widths	/ Lengths (Miles)
Lane	36'/56'	0.11
Bay Leaf Drive	36'/56'	0.17
Lemonwood Court	36'/56'	0.08
Chamomile Court	36'/56'	0.08

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 the beginning of the warranty period is hereby established, and the \$33,000.00 cash deposit (Auditor's Deposit Permit No. 546040, dated March 18, 2010) made by Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corp. and the performance/maintenance surety for \$493,000.00, Bond No. 929493849 issued by The Continental Insurance Company be RETAINED pursuant to the requirements of Section 94 4.406 of the Ordinance Code until release by this Board.

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: K. Guruwaya, Construction, M. Valdez, M & T, J. Capozzo, Eng. Services, M. mann, Finance, R. Hutchins, Records, C. Low, City of San Ramon