

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. 2012/16

IN THE MATTER OF accepting completion of private improvements (Falling Star Drive, Little Valley Road and Shadow Hill Drive) for subdivision SD 05-08984, for project being developed by O'Brien at Pacheco, LLC as recommended by the Public Works Director, Martinez area. (District V)

WHEREAS, these improvements are approximately located on Pacheco Boulevard.

WHEREAS, the Public Works Director has notified this Board that the improvements in subdivision SD 05-08984 have been completed as provided in the Subdivision Agreement with O'Brien at Pacheco, 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 February 27, 2007

NAME OF BANK/SURETY International Fidelity Insurance Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$1,044.00, Bond No. 0442419 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 there is no warranty period required, and the Public Works Director is AUTHORIZED to refund the \$20,880.00 cash security for performance (Auditor's Deposit Permit No. 476860, dated January 18, 2007) plus interest in accordance with Government Code 53079, if appropriate, to O'Brien at Pacheco, LLC pursuant to the requirements of the Ordinance Code and the Subdivision Agreement and surety bond, Bond No. 0442419, dated October 1, 2008 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.

ATTESTED: January 10, 2012

Contact: J. LaRocque, (925) 313-2315

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, R. Hutchins, Records