

Recorded at the request of: **BOARD OF SUPERVISORS**

Return To: **Public Works, Engineering Services Division**

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

Adopted this Resolution on 12/04/2012 by the following vote:

AYES: ☐

NOES: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2012/487

IN THE MATTER OF accepting completion of improvements for Road Acceptance RA 11-01247 (cross-reference subdivision SD 05-09036), for a project being developed by Shapell Homes, a division of Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, Danville area. (District II)

WHEREAS the Public Works Director has notified this Board that the improvements in Road Acceptance RA 11-01247 have been completed as provided in the Road Improvement Agreement with Shapell Homes, a division of Shapell Industries, a Delaware Corporation, 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 December 4, 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, 2011

NAME OF SURETY The Continental Insurance Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$240,500.00, Bond No. 929525436 issued by the above surety be RETAINED for the six month lien guarantee period until June 4, 2013, 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 Enderby Street the hereinafter described private road, has been COMPLETED and is NOT ACCEPTED, at this time.

BE IT FURTHER RESOLVED that upon approval by the Board of Supervisors, the developer, Shapell Homes, a division of Shapell Industries, a Delaware Corporation, shall retain the improvements for maintenance and ownership until such time as it is dedicated on the Final Map for Subdivision SD 05-09036, and accepted and declared for public use, and a County road.

BE IT FURTHER RESOLVED that the beginning of the warranty period is hereby established, and the \$4,800.00 cash deposit (Auditor's Deposit Permit No. 580096, dated June 27, 2011) made by Shapell Homes, a division of Shapell Industries, Inc., a Delaware Corporation, and the performance/maintenance surety bond rider for \$71,500.00, Bond No. 929525436 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: December 4, 2012

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

By: , Deputy

cc: Design/Construction Division, M&T Lab, Maintenance Division, Mapping Division, Engineering Services, PWD Finance Division, Sheriff Patrol Division, CHP c/o AI