

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 01/08/2013 by the following vote:

AYES: ☐

NOES: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2013/22

IN THE MATTER OF approving a substitute Drainage Improvement Agreement for drainage acceptance DG 04-00051 (cross-reference subdivision SD 80-06013), for a project being developed by SDC Delta Coves, LLC, A Delaware Limited Liability Company, Bethel Island area. (District III)

WHEREAS the following document was presented for Board approval this date:

A substitute Drainage Improvement Agreement with SDC Delta Coves, LLC, A Delaware Limited Liability Company, principal, whereby said principal agrees to complete all improvements as required in said Drainage Improvement Agreement within two years from the date of said agreement;

Said document was accompanied by security to guarantee the completion of road and drainage improvements, as required by Title 9 of the County Ordinance Code, as follows:

I. Cash Bond Performance Amount: \$3,175.00
Auditor's Deposit Permit No. 617180 DP Date: 11/6/12
Submitted by: SDC Fairway Delta JV LLC

II. Surety Bond / Letter of Credit Bond Company/Financial Institution: Lexon Insurance Company
Bond Number/Letter of Credit and Date: 1075680 October 19, 2012
Performance Amount: \$1,263,000.00
Labor & Materials Amount: \$634,000.00
Principal/Submitted by: SDC Delta Coves, LLC, A Delaware Limited Liability Company

All deposit permits are on file with the Public Works Department.

NOW, THEREFORE, BE IT RESOLVED that said substitute Drainage Improvement Agreement is APPROVED.

BE IT FURTHER RESOLVED that the Drainage Improvement Agreement with Delta Coves Venture, LLC, as approved by the Board on September 11, 2007, is TERMINATED, and the improvement security bonds with Bond Safeguard Insurance Company

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 8, 2013

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

By: , Deputy

cc: Design/Construction division, Engineering Services, Engineering Services Originator, Finance