

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 01/15/2013 by the following vote:

AYES: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Mary N. Piepho, District III Supervisor Karen Mitchoff,
District IV Supervisor Federal D. Glover, District V Supervisor

NOES: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2013/28

IN THE MATTER OF accepting completion of warranty period for the Subdivision Agreement (Right-of-Way Landscaping) and release of cash deposit for faithful performance, for subdivision SD 01-08155, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

WHEREAS On December 5, 2006, this Board resolved that the landscape improvements in subdivision SD 01-08155 were completed as provided in the Subdivision Agreement (Right-of-Way Landscaping) with Windemere BLC Land Company, LLC and now on the recommendation of the Public Works Director;

The Board hereby FINDS that the improvements have satisfactorily met the guaranteed performance standards for the period following completion and acceptance.

NOW THEREFORE BE IT RESOLVED that the Public Works Director is AUTHORIZED to:

REFUND the \$1,000.00 cash deposit (Auditor's Deposit Permit No. 391754, dated August 21, 2002) plus interest to Windemere BLC Land Company, LLC in accordance with Government Code Section 53079, if appropriate, Ordinance Code Section 94-4.406, and the subdivision agreement.

BE IT FURTHER RESOLVED that upon completion of the warranty and maintenance period, the San Ramon City Council shall accept the landscape improvements for maintenance and ownership in accordance with the Dougherty Valley Memorandum of Understanding.

BE IT FURTHER RESOLVED that the warranty period has been completed and the Subdivision Agreement (Right-of-Way Landscaping) and surety bond, Bond No. ST 2227, dated August 14, 2002, issued by St. Paul Fire and Marine 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 15, 2013

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

By: STACEY M. BOYD, Deputy

cc: Design/Construction, Engineer Services (originator), J. Capozzo (Eng. Svcs.), C. Low, City San Ramon, Windemere BLC, 6121 Bollinger Cnyn, Ste. 500, S.R. 94583, St. Paul fire & Marine Insur. Co. 333 City Blvd. West, #100, Orange, CA 92868