

Recorded at the request of: BOARD OF SUPERVISORS

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**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. 2013/30

IN THE MATTER OF accepting completion of improvements for Road Acceptance RA 11-01248 (cross-reference subdivision SD 11-09247 and MS 12-00001) for a project being developed by Shapell Industries of Northern California, a Division of Shapell Industries, Inc., a Delaware Corporation, 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 11-01248 have been completed as provided in the Subdivision/Drainage Improvement/Road Improvement Agreement with Shapell Industries of Northern California, a Division of Shapell Industries, Inc., 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 January 8, 2013, 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 SURETY May 15, 2012 The Continental Insurance Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$240,500.00, Bond No. 929541385 issued by the above surety be RETAINED for the six month lien guarantee period until July 8, 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 Gatekeeper Road and Rowan Drive, the hereinafter described public improvements, as shown and dedicated for public use on the Final Map of Subdivision MS 12-00001 filed May 24, 2012, in Book 207 of final maps at Page 21, Official Records of Contra Costa County, State of California, are ACCEPTED AS COMPLETE.

**Road Name:** Gatekeeper Road

Road-R/W Widths: 36'/60'

Lengths (Miles): 0.06

**Road Name:** Rowan Drive Road-R/W Widths: 36'/56'

Lengths (Miles): 0.07

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 upon approval by the Board of Supervisors, the developer, Shapell Industries of Northern California, a Division of Shapell Industries, Inc., a Delaware Corporation, shall retain the improvements for maintenance and ownership in accordance with the geologic hazard abatement district (GHAD) plan of control, and until accepted by the GHAD or the City of San Ramon.

BE IT FURTHER RESOLVED that the beginning of the warranty period is hereby established, and the \$5,000.00 cash deposit (Auditor's Deposit Permit No. 602747 , dated 4/26/12) made by Shapell Industries of Northern California, a Division of Shapell Industries, Inc., a Delaware Corporation, and the performance/maintenance surety bond rider for \$ 71,400.00, Bond No. 929541385 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 15, 2013**

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

By: STACEY M. BOYD, Deputy

**cc:** Design/Construction, M&T Lab, Engineering Services (Originator), J. Capozzo, Eng. Svcs., C. Low, City of San Ramon, Shapell, 100 N. Milpitas Blvd. Milpitas 95035, Continental Ins. Co 4150 Drinkwater Blvd Ste. 410 Scottsdale 85251