

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 02/26/2013 by the following vote:

AYES: ☐

NOES: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2013/104

IN THE MATTER OF accepting completion of warranty period and release of cash deposit for faithful performance for the Subdivision Agreement (Right-of-Way Landscaping), for subdivision SD 04-08941, 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 on July 12, 2011, this Board resolved that the landscape improvements in subdivision SD 04-08941 were completed as provided in the Subdivision Agreement (Right-of-Way Landscaping) with Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, 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 cash deposit (Auditor's Deposit Permit No. 480661, dated April 17, 2008) plus interest to Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation in accordance with Government Code Section 53079 (if appropriate), Ordinance Code Section 94-4.406, and the subdivision agreement.

BE IT FURTHER RESOLVED that the warranty period has been completed and the Subdivision Agreement (Right-of-Way Landscaping) and surety bond, Bond No. 024022271, dated August 14, 2007, issued by Fidelity and Deposit Company of Maryland, 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: February 26, 2013

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

By: , Deputy

cc: Engineering Services, Originator, Design/Construction Division, M&T Lab, DCD, Current Planning, Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corp., Liberty Mutual Insurance Company