

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

Return To: **PUBLIC WORKS DEPARTMENT 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 01/21/2014 by the following vote:

AYES: ☐

NOES: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2014/19

IN THE MATTER OF accepting completion of the warranty period and release of cash deposit under the Subdivision Agreement (Right-of-Way Landscaping) for road acceptance RA05-01186 (cross-reference subdivision SD99-08381), for a project 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 December 11, 2012, this Board resolved that the landscape improvements for RA05-01186 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 landscape 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 \$6,500.00 cash deposit (Auditor's Deposit Permit No. 515324, dated December 18, 2008) plus interest in accordance with Government Code Section 53079, if appropriate, to Shapell Homes, a division of Shapell Industries, Inc., a Delaware Corporation, pursuant to the Subdivision Agreement (Right-of-Way Landscaping) and Ordinance Code Section 94 4.406.

BE IT FURTHER RESOLVED that the warranty period has been completed and the Subdivision Agreement (Right-of-Way Landscaping) for road acceptance RA05-01186 and performance/maintenance surety bond issued by The Continental Insurance Company, Bond No. 929 467 100, dated June 16, 2010, 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 21, 2014

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

By: , Deputy

cc: Finance Division , Design/Construction, DCD