

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

Return To: **PUBLIC WORKS DEPARTMENT, 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 02/09/2016 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:

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Resolution No. 2016/71

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 SD05-08943, for a project developed by Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

WHEREAS On June 5, 2012, this Board resolved that the landscape improvements in subdivision SD05-08943 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 \$4,700.00 cash deposit (Auditor's Deposit Permit No. 492845, dated November 15, 2007) 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 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.024028234, dated November 27, 2007, issued by Liberty Mutual Insurance Company, are exonerated.

Contact: **Jocelyn 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 9, 2016**

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

By: , Deputy

**cc:** Design/Construction Division, Dept. of Development & Conservation - Planning, Shapell Homes, , 6800 Koll Center Pkwy., Ste. 320, Pleasanton, CA 94566, Liberty Mutual Insurance Co. 505 S. Main St., Ste. 830, Orange, CA 92868, City of San Ramon - C. Low, Engineering Services Originator: J. Hernandez