

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. 2016/72

IN THE MATTER OF accepting completion of landscape improvements for a Subdivision Agreement (Right of Way Landscaping) for subdivision SD99-08306, for a project being 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)

These improvements are approximately located near Bollinger Canyon Road.

WHEREAS, the Public Works Director has notified this Board that the landscaping improvements for subdivision SD99-08306, have been completed as provided in the Subdivision Agreement (Right of Way Landscaping) with Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, heretofore approved by this Board.

NOW, THEREFORE, BE IT RESOLVED that the landscape improvements have been COMPLETED as of February 9, 2016, thereby establishing the six-month terminal period for the filing of liens in case of action under said Subdivision Agreement (Right of Way Landscaping):

DATE OF AGREEMENT:

August 14, 2007

NAME OF SURETY:

Liberty Mutual Insurance Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$384,350.00, Bond No. 024022285 issued by the above surety be RETAINED for the six month lien guarantee period until July 9, 2016, at which time the Board AUTHORIZES the release of said surety less the amount of any claims on file.

BE IT FURTHER RESOLVED that the landscaping improvements for subdivision SD99-08306, as shown and dedicated for public use on the Final Map of Subdivision SD99-08306, filed August 1, 2006, in Book 492 of maps at Page 47, Official Records of Contra Costa County, State of California, are ACCEPTED AS COMPLETE.

BE IT FURTHER RESOLVED that the San Ramon City Council shall accept the landscape improvements for maintenance in accordance with the Dougherty Valley Memorandum of Understanding.

BE IT FURTHER RESOLVED that there is no warranty and maintenance period required, and the Public Works Director is

AUTHORIZED to refund the \$7,700.00 cash security for performance (Auditor's Deposit Permit No. DP486154, dated July 5, 2007) 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 requirements of the Ordinance Code; and the Subdivision Agreement (Right of Way Landscaping) and surety bond, Bond No. 024022285, dated June 15, 2007 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:**