

Recorded at the request of: Jocelyn LaRocque, 925. 313-2315

Return To: Naila Thrower, 925-313-2170

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board**

Adopted this Resolution on 05/23/2017 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2017/162

IN THE MATTER OF accepting completion of the warranty period for the Subdivision Agreement (Right-of-Way Landscaping) and release of cash deposit for faithful performance, for subdivision SD08-09245, 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 May 23, 2017, this Board resolved that the landscape improvements in SD08-09245 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 \$2,100 cash (Auditor's Deposit Permit No. DP 629652, dated April 18, 2013) 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. 929569040, dated April 14, 2013, issued by The Continental 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: May 23, 2017

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

By: , Deputy

cc: Sherri Reed, Design and Construction, Lori Leontini, Engineering Services, Chris Halford, Mapping, Ruben Hernandez, Dept. of Conservation, Chris Low, City of San Ramon, Shapell Homes, A Division of Shapell Industries, Inc. A Delaware Corporation, The Continental Insurance Company c/o Daniel Dunigan - Vice President - Surety