

ATTACHMENT

ITEM NO. C.4

DATE: April 28, 2009



CONTRA COSTA Co Recorder Office

STEPHEN L. WEIR, Clerk-Recorder

DOC- 2009-0094201-00

Wednesday, APR 29, 2009 09:21:42

FRE \$0.00

Ttl Pd \$0.00

Nbr-0000111355

rrc/RS/1-4

Recorded at the request of : Clerk of the Board
Return To : J. Carlson
Public Works Dept.
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 04/28/2009 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2009/177

Accepting completion of improvements for MS 90-000143, as recommended by the Public Works Director, Walnut Creek area. (District III)

These improvements are approximately located on Arbol Via.

The Public Works Director has notified this Board that the private improvements in MS 90-00143 have been completed as provided in the Subdivision Agreement with Todd Fujinaga, heretofore approved by this Board in conjunction with the filing of the Subdivision Map.

NOW THEREFORE BE IT RESOLVED that the improvements have been COMPLETED as of April 28, 2009 thereby establishing the six month terminal period for the filing of liens in case of action under said Subdivision Agreement, dated March 5, 2002.

BE IT FURTHER RESOLVED that the \$17,800.00 cash security for labor and materials (Auditor's Deposit Permit No. 381602, dated February 13-2002) deposited by Todd Fujinaga dba Arbol Via Owners be RETAINED for the six month lien guarantee period until October 28, 2009, at which time the Public Works Director is AUTHORIZED to refund the cash security less the amount of any claims on file.

Contact: J. LaRocque 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: APRIL 28, 2009

DAVID J. TWA, Clerk of the Board of Supervisors and County Administrator

By: [Signature] Deputy

cc: J. Carlson, Engineering Services, K. Guruwaya, Construction, M. Valdez, M&T Lab, H. Finch, Maintenance, I. Bergeron, Mapping Div., P. Edwards, Engineering Services, Todd Fujinaga

BE IT FURTHER RESOLVED that the private improvements have been COMPLETED and are NOT ACCEPTED NOR DECLARED as County Roads, at this time.

BE IT FURTHER RESOLVED that there is no warranty period required, and the Public Works Director is AUTHORIZED to refund the \$35,600.00 cash security for performance (Auditor's Deposit Permit No. 381602, dated February 13, 2002) plus interest in accordance with Government Code Section 53079, if appropriate, to Todd Fujinaga dba Arbol Via Owners pursuant to the requirements of the Ordinance Code; and the Subdivision Agreement is exonerated.