

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

Adopted this Resolution on 12/15/2009 by the following vote:

AYES: ☒ 5  
NOES: ☐  
ABSENT: ☐  
ABSTAIN: ☐  
RECUSE: ☐



**Resolution No. 2009/571**

Accepting completion of warranty period and release of cash deposit for faithful performance for the Subdivision Agreement (Right-of-Way Landscaping), RA 05-01187 (cross reference SD 99-08306), project being developed by Shapell Homes, a Division of Shapell Industries, Inc. a Delaware Corporation, as recommended by the Public Works Director, San Ramon area.

On December 16, 2003, this Board resolved that the landscape improvements in RA 05-01187 (cross reference SD 99-08306) 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 2,200.00 cash deposit (Auditor's Deposit Permit No. 502197, dated May 1, 2008) 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 in accordance with the Dougherty Valley Memorandum of Understanding.

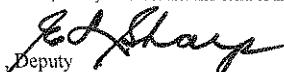
BE IT FURTHER RESOLVED that the warranty period has been completed and the Subdivision Agreement (Right-of-Way Landscaping) and surety bond, Bond No. 929 412 140, dated April 11, 2008, issued by The Continental Insurance Company, are exonerated.

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.

Contact: J. LaRocque - 3-2315

ATTESTED: December 15, 2009

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

By:  Deputy

cc: D. Favero, Engineering Services, A. Bell, Construction, E. Sanders, M & T Lab, P. Edwards, Engineering Services, C. Sumpter, Current Planning, Department of Conservation and Development, C. Low, City of San Ramon, C. Taylor, Windemere BLC, Land Company LLC,