

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 06/09/2015 by the following vote:

AYE: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Mary N. Piepho, District III Supervisor Karen Mitchoff, District IV Supervisor

NO: ☐

ABSENT: Federal D. Glover, District V Supervisor

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2015/179

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 SD04-08830, for a project developed by Foxwood Community, LLC, as recommended by the Public Works Director, Bay Point area. (District V)

WHEREAS on August 12, 2014, this Board resolved that the landscape improvements in SD04-08830 were completed as provided in the Subdivision Agreement (Right-of-Way Landscaping) with Foxwood Community, LLC and now on the recommendation of the Public Works Director; and

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 1,000.00 cash deposit (Auditor's Deposit Permit No. 630700, dated May 2, 2013) to Foxwood Community, LLC, in accordance with Government Code Section 53079, if appropriate, Ordinance Code Section 94-4.406, and the Subdivision Agreement.

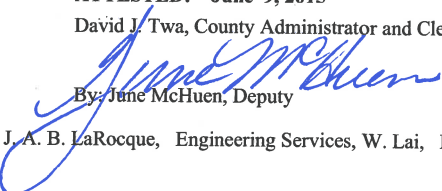
BE IT FURTHER RESOLVED that the warranty period has been completed and the Subdivision Agreement (Right-of-Way Landscaping) and surety bond, Bond No. 724632S dated April 11, 2013, issued by Developers Surety & Indemnity Co., are exonerated.

Contact: J. A.B. 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: June 9, 2015

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

By:  Jane McHuen, Deputy

cc: Engineering Services Originator: J. Capozzo, Engineering Services, J. A. B. LaRocque, Engineering Services, W. Lai, Public Works Finance, M. Mann, Design/Construction, Dept. of Development & Conservation - Planning