

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Public Works *AM*

BOARD AGENDA # \*C-3

Urgent  Routine

AGENDA DATE February 17, 2009

CEO Concur with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval and Acceptance of the Subdivision Improvements for Riopel Subdivision, in the Community of Denair

STAFF RECOMMENDATIONS:

1. Find that all subdivision improvements required for the Riopel Subdivision by the Subdivision Improvement Agreement, executed by John C. Williams of the J. C. Williams Company and the Stanislaus County Board of Supervisors, on March 07, 2006 have been constructed to the satisfaction of Stanislaus County. Also, find that the said agreement was recorded on March 09, 2006, as Document No. 2006-0036012-00, and filed with the Stanislaus County Clerk Recorders Office.
2. Accept all streets, avenues, roads, and the drainage system within Riopel Subdivision for maintenance by Stanislaus County.

Continued on Page 2

FISCAL IMPACT:

The ongoing maintenance of the public roads will be the fiscal responsibility of the Department of Public Works. The ongoing maintenance costs of the storm drainage system will be funded by County Service Area No. 21.

BOARD ACTION AS FOLLOWS:

No. 2009-121

On motion of Supervisor Grover, Seconded by Supervisor Monteith  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2)        Denied

3)        Approved as amended

4)        Other:

MOTION:

*Christine Ferraro*

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

## Approval and Acceptance of the Subdivision Improvements for Riopel Subdivision in Denair

3. Pursuant to section 66499.7(a) of the Subdivision Map Act, authorize the release of Bond No. 730902S from The Insko Dico Group in the amount of \$1,163,786.84 for faithful performance of the Subdivision Improvement Agreement.
4. Pursuant to section 66499.7(b) of the Subdivision Map Act, upon receipt of a Mechanic's Lien Guarantee, authorize the release of Labor and Materials Bond No. 730902S from The Insko Dico Group in the amount of \$1,169,320.37. The Mechanic's Lien Guarantee must be dated a minimum of 61 days after the filing of the appropriate Notice of Completion; be in the amount of \$233,864, be prepared by a title company, be to the benefit of Stanislaus County; and state that there are no liens of record.

### **DISCUSSION:**

The Riopel Subdivision is a 55-lot subdivision located on Zeering Road in Denair. The final map was approved and filed pursuant to Resolution No. 2006-165 and approved by the Stanislaus County Board of Supervisors on March 7, 2006.

All improvements required by the Subdivision Improvement Agreement have been installed to Stanislaus County standards. Because the improvements have been constructed, it is reasonable for the Board to authorize the release of the Performance Bond at this time and Labor and Materials Bond upon receipt of the Mechanic's Lien Guarantee.

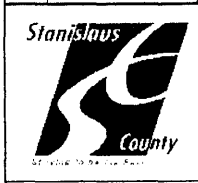
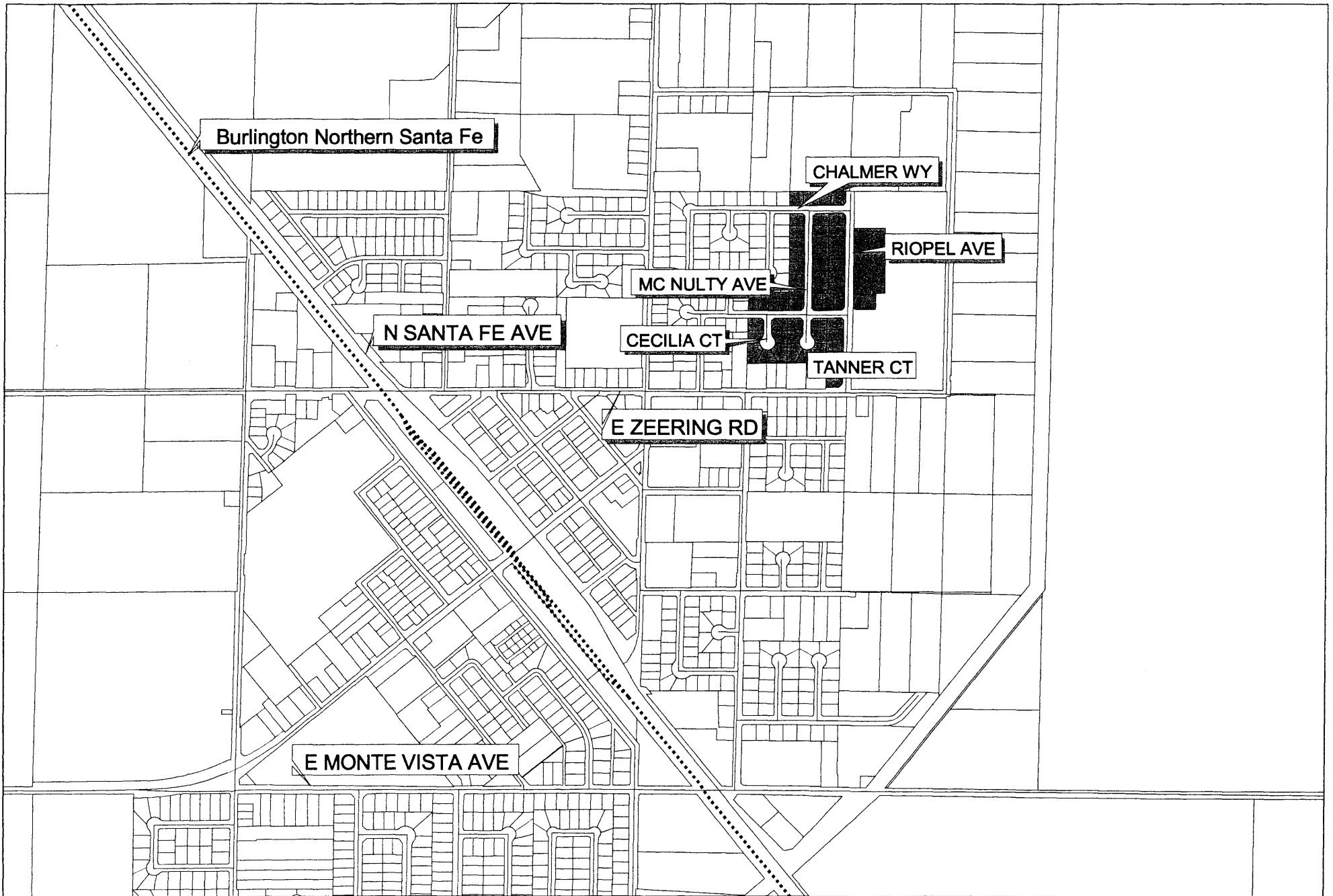
All Department of Public Works inspection fees have been paid. The subdivider has provided Bond No. 730902S from The Insko Dico Group in the amount of \$1,163,786.84 to secure faithful performance, which can now be released with the Board's authorization. The Department requests the Board authorize the release of Bond No. 730902S from The Insko Dico Group in the amount of \$1,169,320.37 for payment of labor and materials, contingent on the receipt of the Mechanic's Lien Guarantee in the amount of \$233,864 to the Department of Public Works.

### **POLICY ISSUES:**

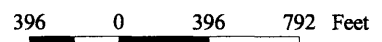
The Board should consider if the recommended action is consistent with their priorities of providing a safe community, a healthy community, and a well-planned infrastructure system.

### **STAFFING IMPACT:**

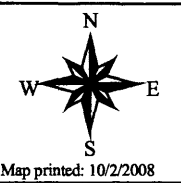
There is no staffing impact associated with this item.



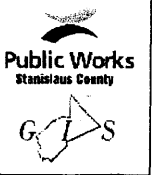
**Riopel Subdivision**  
Denair, California



This map is for display purposes only.



Map printed: 10/2/2008



**RECORDING REQUESTED BY:**

Fidelity National Title Company of California  
Escrow No.: 06-1052010-WP  
Locate No.: CAFNT0950-0950-0001-0001052010  
Title No.: 06-1052010



Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
**DOC- 2006-0175459-00**

DEC 21 2006

**When Recorded Mail Document To:**  
J C WILLIAMS COMPANY  
P O BOX 4878  
MODESTO, CA 95352

Acct 502-Fidelity National Title  
Friday, DEC 01, 2006 08:00:00  
Ttl Pd \$10.00 Nbr-0002221738  
BJE/R3/1-2

APN: 024-021-043 ptn, 024-020-002 ptn, 024-022-005 ptn SPACE ABOVE THIS LINE FOR RECORDER'S USE

**NOTICE OF COMPLETION**

Before execution, refer to title company requirements stated on Page 3

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is an owner of the following interest or estate in the hereinafter described real property, the nature of which estate or interest is  X  fee simple, \_\_\_\_\_ purchaser under contract, \_\_\_\_\_ lessee or \_\_\_\_\_ the following other interest:

2. The full name and address of the owner and of any and all co-owners is/are:  
NAME ADDRESS CITY STATE ZIP  
J.C.Williams Company P O BOX 4878, Modesto, CA 95354

3. The full name(s) and address(es) of the transferor(s) of the undersigned is/are:  
NAME ADDRESS CITY STATE ZIP  
NONE

4. On  11-29-06 , there was completed upon the real property the following work of improvement:  
 WATER, SEWER, STORM UTILITIES, STREET AND LIGHTING IMPROVEMENTS

5. The name of the original contractor, if any, for such work of improvement was:  
 DSS CONTRACTORS, AMERICAN UNDERGROUND, AND DON PEDRO PUMP

6. The real property on which the work of improvement was completed is situated in the County of **Stanislaus**, State of California, and described as follows:

LOTS 1 THROUGH 53, AS SHOWN ON THAT MAP ENTITLED "RIOPEL", FILED FOR RECORD ON MARCH 9, 2006 IN VOLUME 42 OF MAPS,

J.C.WILLIAMS COMPANY, A CALIFORNIA CORPORATION

BY  [Signature]   
JOHN C WILLIAMS, PRESIDENT

ACCOMMODATION ONLY  
THIS INSTRUMENT FILED FOR RECORD BY FIDELITY TITLE COMPANY IS AN ACCOMMODATION ONLY. IT HAS NOT BEEN EXAMINED AS TO ITS EXECUTION OR AS TO ITS EFFECTS UPON TITLE

**VERIFICATION**

I, the undersigned, say:  I am the owner or \_\_\_\_\_ I am the \_\_\_\_\_ ("President, Partner, Manager, Agent, etc.") of the owner of the aforesaid interest or estate; I have read this notice; I know and understand the contents thereof; and the facts stated therein are true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

*John C. Williams*  
Owner: John C. Williams

By \_\_\_\_\_  
Owner's Agent

Executed on Nov 29, 2008 At Madison, Ca