

When Recorded Mail to:

**RA4**

City of Milpitas  
455 East Calaveras Boulevard  
Milpitas, CA 95035  
Attention: Office of the City Clerk

Record without fee under  
Section 6103 - Government Code  
State of California

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**RESOLUTION NO. \_\_\_\_\_**

**A JOINT RESOLUTION OF THE MILPITAS REDEVELOPMENT AGENCY AND THE CITY  
OF MILPITAS APPROVING INITIAL ACCEPTANCE OF MILPITAS PUBLIC LIBRARY,  
PROJECT NO. 8162**

**WHEREAS**, the City of Milpitas has heretofore entered into a Contract with S.J. Amoroso Construction Co., Inc., for construction of the Milpitas Public Library, Project No. 8162, and the City Engineer of the City of Milpitas has recommended acceptance of said improvement as completed in accordance with plans, specifications and approved change orders and correction lists in accordance with the final inspection of said City Engineer.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Milpitas and the Milpitas Redevelopment Agency do hereby accept said improvement as completed on this 6<sup>TH</sup> day of January 2009, and do hereby authorize and direct the City Engineer of the City of Milpitas to file a Notice of Completion in accordance with the provisions of Section 3093 of the Civil Code of the State of California, and do hereby authorize and direct the City Engineer to file a Certificate of Completion in accordance with the provisions of Section 4005 of the Government Code of the State of California, if said work was by day's labor or force account. The penal sum of the faithful performance bond securing said improvement may be reduced to the sum of \$2,860,539.20 upon request of principal and surety, said penal sum as reduced to apply from the date of completion and acceptance of said improvements and to extend for the balance of the term of said bond, provided that said term shall not be less than one year.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, Agency Secretary/City Clerk

\_\_\_\_\_  
Robert Livengood, Chair/Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael J. Ogaz, Agency Counsel/City Attorney

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CITY OF MILPITAS

NOTICE OF COMPLETION  
(Civil Code Section 3093)

NOTICE IS HEREBY GIVEN:

1. On or about December 19, 2006, the City of Milpitas, a municipal corporation of the State of California, and the Milpitas Redevelopment Agency, a public entity of the State of California, whose address is City Hall, 455 East Calaveras Boulevard, Milpitas, California, 95035 (as owner) entered into a contract for work of improvement, to wit:
2. A description of the site of which the City is owner: **Milpitas Public Library Project No. 8162.**
3. The nature and interest or estate of the City as owner of said site is in fee: **Public Library Building.**
4. The name and address of the original contractor is: **S. J. Amoroso Construction Co., Inc., 390 Bridge Parkway, Redwood Shores, California 94065.**
5. A general statement of the kind of work done or materials furnished to the City is as follows: **Public Library Building Construction**
6. The name of the sureties upon the bond of the Contractor for said work of improvement is: **Chubb Surety, 15 Mountain View Road, Warren, NJ 07059, and Safeco Insurance Companies, PO Box 34526, Seattle, WA 98124-1526**
7. Said work of improvement was accepted by the Milpitas City Council as completed on January 6, 2009.

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I, the undersigned, declare that I am the City Engineer of the City of Milpitas and am authorized to execute the foregoing Notice of Completion and this Verification thereof. I have read the foregoing Notice of Completion. I declare under penalty of perjury that the foregoing Notice of Completion is true and correct. Executed on \_\_\_\_\_ at Milpitas, California.

\_\_\_\_\_  
Greg Armendariz, City Engineer/PW Director  
City of Milpitas

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NOTE: RECORD WITHIN 10 DAYS OF ACCEPTANCE WITH COUNTY RECORDER OF SANTA CLARA COUNTY