

When Recorded Mail to:

***RA8**

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

RESOLUTION NO. _____

**A JOINT RESOLUTION OF THE MILPITAS REDEVELOPMENT AGENCY AND THE CITY
OF MILPITAS GRANTING INITIAL ACCEPTANCE OF THE STREET CRACK SEAL
PROJECT FY 2008-09, PROJECT NO. 8194**

WHEREAS, the Milpitas Redevelopment Agency and the City of Milpitas have heretofore entered into a Contract with Bond Blacktop, Inc. for pavement crack sealing of various streets; and

WHEREAS, 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, and in accordance with the final inspection of said City Engineer.

NOW, THEREFORE, BE IT RESOLVED by the Milpitas Redevelopment Agency Board and the Milpitas City Council that:

Said improvement is completed as of this 3RD day of February 2009, and the City Engineer of the City of Milpitas is authorized and directed to file a Notice of Completion in accordance with the provisions of Section 3093 of the Civil Code of the State of California. The City Engineer is also authorized and directed 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 labor or force account. The penal sum of the faithful performance bond securing said improvement may be reduced to the sum of \$6,000.00 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 February 2009, 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 November 4, 2008 City of Milpitas, a municipal corporation 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 for said work of improvement is City of Milpitas, Santa Clara County, California, more particularly described as: **Street Crack Seal FY 2008-09, Project No. 8194**
3. The nature and interest or estate of the City as owner of said site is in fee: **Various streets**
4. The name and address of the original contractor is: **Bond Blacktop, Inc., P. O. Box 616, Union City, CA 94587**
5. A general statement of the kind of work done or materials furnished to the City is as follows: **Seal pavement cracks of various streets**
6. The name of the sureties upon the bond of the Contractor for said work of improvement is: **RLI Insurance Company**
7. Said work of improvement was accepted by the Milpitas City Council and the Milpitas Redevelopment Agency Board as completed on February 3, 2009.

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

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