

RESOLUTION NO. 2318-08

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
ACCEPTING AS COMPLETE THE CONTRACT WORK FOR THE MITCHELL
SHILOH CONDE ASSESSMENT DISTRICT PHASE 2 PROJECT**

WHEREAS, the Town Council awarded the contract for construction of the Mitchell Shiloh Conde Assessment District Phase 2 Project to Ghilotti Bros., Inc., on May 2, 2007; and

WHEREAS, Ghilotti Bros., Inc., has completed the work specified in the contract to the satisfaction of the Public Works Director/Town Engineer, excepting therefrom the plant establishment work specified in the contract;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Windsor hereby accepts the contract work performed for the Mitchell Shiloh Conde Assessment District Phase 2 Project, excepting therefrom the plant establishment work specified in the contract; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to record a Notice of Completion for said contract work, excepting therefrom the plant establishment work specified in the contract; and

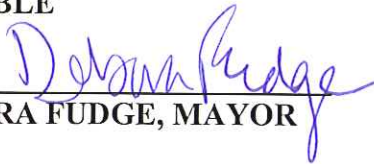
BE IT FURTHER RESOLVED that the Town Manager is hereby authorized to release any contract retention to Ghilotti Bros., Inc., thirty-five (35) days after the recordation of the Notice of Completion provided that no liens or stop notices have been filed against the project, excepting therefrom the portion of said retention associated with the plant establishment work specified in the contract; and

BE IT FURTHER RESOLVED that upon completion of the plant establishment work specified in the contract to the satisfaction of the Public Works Director/Town Engineer, the Town Manager is hereby authorized to accept said plant establishment work, and upon said acceptance the Town Clerk is hereby directed to record a Notice of Completion for said plant establishment work; and

BE IT FURTHER RESOLVED that the Town Manager is hereby authorized to release any contract retention associated with the plant establishment work specified in the contract to Ghilotti Bros., Inc., thirty-five (35) days after the recordation of the Notice of Completion for said plant establishment work, provided that no liens or stop notices have been filed against the project for said plant establishment work.

PASSED, APPROVED AND ADOPTED this 16th day of July 2008, by the following vote:

AYES: COUNCILMEMBERS PARKER, SALMON AND MAYOR FUDGE
NOES: NONE
ABSTAIN: NONE
ABSENT: COUNCILMEMBERS ALLEN AND GOBLE



DEBORA FUDGE, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK