

IN THE CIRCUIT COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
FLAGLER COUNTY FLORIDA

CASE NO.: 2021 CA 000109
DIVISION: Terence Perkins

FLAGLER COUNTY,

Plaintiff,

v.

AJMAL M. ZULALI and ZUBAIR M.
ZULALI,

Defendants.

AMENDED VERIFIED COMPLAINT

The Plaintiff, FLAGLER COUNTY, hereby sues Defendants, AJMAL M. ZULALI and ZUBAIR M. ZULALI, and in support thereof alleges:

**PUBLIC NUISANCE AND
DEMAND FOR INJUNCTIVE RELIEF**

1. This is a complaint for temporary and permanent injunctive relief to abate a public nuisance pursuant to Chapters 823.05 and 60.05, Florida Statutes, and damages in excess of \$30,000.00 and for such further and supplemental relief as maybe necessary or proper.

2. Plaintiff, FLAGLER COUNTY, is a political subdivisions of the State of Florida under Article VIII, section 1(a), of the Florida Constitution.

3. Defendants, AJMAL M. ZULALI and ZUBAIR M. ZULALI, are the record owners of property located in Flagler County at 2251 South Old Dixie Highway, Bunnell, Florida 32110, Parcel No.: 03-13-31-0650-000A0-0091 ("Property") and more particularly described in

instrument number 2017043977 recorded in Book 2247, Pages 1598 to 1601, of the Public Records of Flagler County, Florida. A copy of the Defendants' Deed is attached hereto as Exhibit A.

4. The Property consists of an unsecured and abandoned motel with large amounts of refuse, overgrown vegetation, and vegetative debris throughout the premises. The Property also contains an unsecured and partially filled swimming pool containing green stagnant water.

5. The Property and the abandoned motel is unsafe, unsanitary, constitutes a fire hazard, is dangerous to human life and is a hazard to the safety and health of the community by reason of inadequate maintenance and dilapidation.

6. The unsafe and unsanitary condition of the Property and abandoned motel includes, but is not limited to:

- a. The fire alarm system has been vandalized and is not operable.
- b. Potable water is unavailable and the sewer is not operable;
- c. The electrical service has been vandalized and is not operable. There are numerous exposed electrical wires and open electrical enclosures;
- d. The roof structure has partially collapsed, allowing water to enter the structure;
- e. Large sections of the second floor railing are absent which is a high risk of serious injury and/or death to the public;
- f. A high percentage of the windows have been broken allowing water and rodents to enter the structure;
- g. The structure is in such a state of disrepair that during a storm event its contents will become wind borne debris, injuring the public and damaging neighboring properties;
- h. All of the HVAC systems have either been removed, stolen or vandalized;

i. The Property is unsecured and is open and accessible, fostering vagrants and is a location of repeated criminal activity;

j. The unsecured and partially filled swimming pool is a danger to the public of serious injury and/or death, particularly children.

7. Staff from the Plaintiff, the Flagler County Sheriff, and the Florida Department of Health, met with the Defendants several times over the past three years and were assured by the Defendants that the unsafe and unsanitary condition of the Property would be corrected. Each time however, the Defendants failed to adhere to their covenants to correct the Property's condition.

8. On February 8, 2019, a Final Order was entered against the Defendants by the State of Florida, Department of Health, and recorded in the Public Records of Flagler County, Florida, instrument number 2020009333, in Book 2425, Page 1659, finding that the Property constitutes a sanitary nuisance that is a threat to public health in violation of Chapters 386.041(1) subsections (e) and (f) and ordered the Defendants to abate the nuisance or pay a fine of \$1,000.00 per day up to a maximum fine of \$45,000.00. A copy of the Final Order is attached hereto as Exhibit B.

9. The Defendants failed to abate the nuisance or pay the fine imposed by the Florida Department of Health.

10. On February 25, 2020, the Defendants were issued a Notice of Code Enforcement informing the Defendants that the Property is unsafe and its use or occupancy is prohibited under the Florida Building Code and Section 8-301, of the Flagler County Standard Unsafe Abatement Code. A copy of the Notice of Code Enforcement is attached hereto as Exhibit C.

11. Defendants failed to respond to the Notice of Code Enforcement.

12. On January 13, 2021, a Certificate of Unsafe Structure was issued by the Flagler County Building Department and recorded in Book 2516, Page 551, of the Public Records of

Flagler County, Florida. A copy of the recorded Certificate of Unsafe Structure is attached hereto as Exhibit D.

13. On January 15, 2021, the Plaintiff delivered, by personal service, written notice in accordance with Chapter 60.05(3)(a), Florida Statutes, informing the Defendants of the public nuisance and demanding that the Defendants take action to abate the nuisance within ten (10) days. A copy of the Plaintiff's written notice and Affidavit of Personal Service are attached hereto as Exhibit E.

14. On January 21, 2021, the Flagler County Sheriff sent a letter informing the Plaintiff that the property containing the unsecured abandoned motel was the focus of continued criminal activity, suicide and nearby resident complaints. A copy of the letter from Flagler County Sheriff, Rick Staly, is attached hereto as Exhibit F.

15. On February 8, 2021, the Plaintiff delivered, by personal service, a second written notice in accordance with Chapter 60.05(3)(a), Florida Statutes, again informing the Defendants of the public nuisance and demanding that the Defendants take action to abate the nuisance within fifteen (15) days. A copy of the Plaintiff's second written notice and Affidavit of Personal Service are attached hereto as Exhibit G.

16. Defendants have taken no action to abate the nuisance and public health hazard that exists on the Property.

17. Florida Statutes Chapter 823.05(1), provides:

(1) A person who erects, establishes, continues, maintains, owns, or leases any of the following is deemed to be maintaining a nuisance, and the building, erection, place, tent, or booth, and the furniture, fixtures, and contents of such structure, are declared a nuisance, and all such places or persons shall be abated or enjoined as provided in ss. 60.05 and 60.06:

(a) A building, booth, tent, or place that tends to annoy the community or injure the health of the community, or becomes manifestly injurious to the morals or manners of the people as provided in s. 823.01

18. The Defendants own and maintain the Property in such a condition that it is injurious to health and safety of the community. Photographs accurately describing the unsafe and unhealthy condition of the Property are attached hereto as Exhibit H.

19. The public has suffered and will continue to suffer irreparable harm if the nuisance is not enjoined.

20. The continued injury to the public outweighs any possible harm to the Defendants and the granting of the injunction will serve the public interest.

21. The Final Order issued by the Florida Department of Health, monetary fines against the Defendants and written request by the Plaintiff are inadequate to abate the public nuisance.

22. Pursuant to Chapter 60.05, Florida Statutes, the Plaintiff is entitled to temporary and permanent injunctive relief without bond to abate the public nuisance.

WHEREFORE the Plaintiff, FLAGLER COUNTY, demands judgment against Defendants, AJMAL M. ZULALI and ZUBAIR M. ZULALI, for costs and:

A. Temporary and Permanent injunctive relief requiring the Defendants to correct the Health and Building Code violations that exist on the Property or, alternatively, to demolish and make safe the abandoned motel and swimming pool;

B. In such event that Defendants fail to correct the Health and Building Code violations that exist on the Property or to demolish and make safe the abandoned motel and swimming pool, Plaintiff shall be authorized, without bond, to demolish and make safe the abandoned motel and swimming pool;

C. All cost incurred by the Plaintiff to demolish and make safe the abandoned motel

and swimming pool be a lien upon, and attach to, the Defendants' Property in accordance with Chapter 60.05(5), Florida Statutes; and

D. Any such further and supplemental relief as the Court deems necessary and proper.

Dated this 12th day of March, 2021.

/s/ Abraham C. McKinnon
Abraham C. McKinnon, Esquire
Florida Bar No. 629081
Noah C. McKinnon, Jr., Esquire
Florida Bar No.: 108598
595 W. Granada Blvd., Suite A
Ormond Beach, FL 32174
(386) 677-3431 – Telephone
(386) 673-0748 – Facsimile
Primary Email: lynn@mckinnonandmckinnopa.com
Secondary: amckinnon@mckinnonandmckinnopa.com
Attorneys for the Plaintiff.

and

Albert J. Hadeed, Esquire
Florida Bar No. 180906
Primary Email: ahadeed@flaglercounty.org
Sean S. Moylan, Esquire
Florida Bar No. 76251
Primary Email: smoylan@flaglercounty.org
Flagler County Board of County Commissioners
1769 E. Moody Blvd., Bldg. 2
Bunnell, FL 32110
(386) 313-4056 - Telephone
(386) 313-4105 - Facsimile
Attorneys for the Plaintiff.

VERIFICATION

Under penalty of perjury, I declare that I have read the foregoing and the facts alleged therein are true and correct to the best of my knowledge and belief.

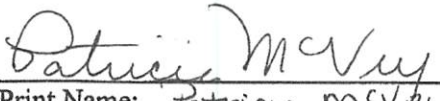
FLAGLER COUNTY

BY: 

Mark Boice, Chief Building Official

STATE OF FLORIDA
COUNTY OF FLAGLER

The foregoing instrument was sworn to or affirmed and subscribed before me this 3rd day of March, 2021, by Mark Boice, who is the Chief Building Official for Flagler County, and who is personally known to me [] or has produced _____ as identification [].


Print Name: Patricia McVey

NOTARY PUBLIC
STATE OF FLORIDA AT LARGE
My Commission Expires:



This Instrument Prepared By:
Matthew S. Welch, Esq.
Cobb & Cole
149 South Ridgewood Avenue, Suite 700
Daytona Beach, Florida 32114

Rec: \$ 27.00
Doc.: \$2,100.00

Parcel Number: 03-13-31-0650-000A0-0091

QUIT-CLAIM DEED

THIS INDENTURE, made this 14th day of December, 2017, between THOMAS A. KRENBEH, (hereinafter referred to as the "grantor") whose post office address is PO Box 880293 San Diego CA 92168 to and in favor of AJMAL M. ZULALI and ZUBAIR M. ZULALI, (hereinafter collectively referred to as the "grantee"), as joint tenants in common, whose post office address is 7577 Winterwood Lane, San Diego, California 92126.

WITNESSETH, that grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) in hand paid and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, does hereby remise, release, and quit-claim to the grantee, and grantee's heirs and assigns forever, all the right, title, and interest of the grantor in and to the following described property, situate, lying, and being in FLAGLER County, Florida, to-wit:

See Attached Legal Description

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the grantor, to the use and benefit of the grantee, and grantee's heirs and assigns, forever.

*



IN WITNESS WHEREOF, grantor has hereunto set his hand and seal on the day and year first above written.

Signed, sealed, and delivered
in our presence:

Grantor

Amal M. Zulali
Amal M. Zulali
Name Printed or Typed

By: *Thomas A. Krenbeh*
Thomas A. Krenbeh

David M. DeFary
David M. DeFary
Name Printed or Typed

ACKNOWLEDGMENT:

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Diego

On December 14, 2017 before me, Resa Berry, Notary Public
(insert name and title of the officer)

Personally appeared Thomas Alexander Krenbeh,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.
Signature *[Signature]* (Seal)

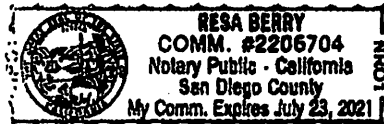


EXHIBIT "A"

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN THE COUNTY OF FLAGLER AND STATE OF FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

That certain piece, parcel or tract of land, situate, lying and being in the County of Flagler, State of Florida, to-wit: The following land in Flagler County, Florida: Being a portion of Section 3, Township 13 South, Range 31 East, Flagler County, Florida, described as follows: From the intersection of the Northerly line of said Section 3 and the Westerly line of I-95 (300.00 feet wide); thence along said Northerly line South 89° 30' 18" West, 419.57 feet to the Easterly line of a 50.00 foot Strickland Canal; thence along said Easterly line South 06° 28' 50" West, 1639.20 feet to the true point of beginning; thence North 89° 23' 27" East, 599.13 feet; thence South 00° 36' 33" East, 445.61 feet to the P.C. curve concave Northwesterly; thence along the arc of said curve having a radius of 52.58 feet through a delta of 60° 00' 00" a distance of 55.06 feet to the point of tangency; thence South 59° 23' 27" West, 464.97 feet to the P.C. of a curve concave Southeasterly; thence along the arc of said curve having radius of 112.58 feet through a delta of 60° 00' 00" a distance of 117.89 feet to the point of tangency; thence South 00° 36' 33" East, 0.15 feet; thence North 89° 32' 15" West, 215.95 feet to the Easterly line of the Strickland Canal 50.00 feet wide; thence along said Easterly line North 06° 28' 50" East, 827.05 feet to the point of beginning.

LESS AND EXCEPT:

That certain strip of land being approximately 100.77 x 559.13', the ownership of which was in dispute in Case No. 92-073-CA, in the Circuit Court, Seventh Judicial Circuit, in and for Flagler County, Florida; said strip of land being more particularly described as follows:

A parcel of land being in Section 3, Township 13 South, Range 31 East, Flagler County, Florida, being more particularly described as follows: From the intersection of the Northerly line of said Section 3 with the Westerly right-of-way line of I-95, a 300 foot right-of-way; thence South 89° 30' 18" West, along the said Northerly line of Section 3, 419.57 feet to the Easterly line of a 50 foot right-of-way known as the Strickland Canal; thence South 06° 28' 50" West, along the said Easterly canal right-of-way, 1639.20 feet to the concrete monument marking the point of beginning; thence North 89° 23' 27" East, 599.13 feet; thence South 00° 36' 33" East, 100.25 feet; thence South 89° 23' 27" West, 611.61 feet to the said Easterly right-of-way line of the Strickland Canal; thence North 06° 28' 50" East, along the said Easterly right-of-way line, 100.77 feet to the point of beginning.

TOGETHER WITH a 60 foot Entrance Easement, a portion of Lots 9 & 10, Block A, Section 3, Township 13 South, Range 31 East, Bunnell Development Company Subdivision Flagler County, Florida, as per map recorded in Plat Book 1, page 1, Public Records of Flagler County, being more particularly described as follows:

Commence at the intersection of the Northerly line of said Section 3, with the Westerly line of I-95 right-of-way, a 300 foot right-of-way as now laid out and used; thence along the said Northerly line of South 89° 30' 18" West, 419.57 feet to the Easterly right-of-way line of a 50.00 foot Strickland Canal right-of-way; thence along said Easterly line South 06° 28' 50" West, 1639.20 feet (1640.84 measured); thence North 89° 23' 27" East, 599.13 feet to the point of beginning of this description; thence continue North 89° 23' 27" East, 60.00 feet; thence South 00° 36' 33" East, 445.61 feet to a point of curvature concave Northwesterly, having a radius of 112.58 feet; thence along the arc of said curve a distance of 117.89 feet through a delta of 60° 00' 00" to the point of tangency; thence South 59° 23' 27" West, 464.97 feet to a point of curvature of a curve concave Southeasterly, having a radius of 52.58 feet; thence along the arc of said curve a distance of 55.06 feet through a delta of 60° 00' 00" to the point of tangency; thence South

00° 36' 33" East, 200 feet to the North right-of-way line of the Old Dixie Highway a 66 foot right-of-way; thence South 89° 23' 27" West along the North right-of-way line of the Old Dixie Highway 60 feet; thence North 00° 36' 33" West, 200.00 feet to a point of curvature of a curve concave Southeasterly, having a radius of 112.58 feet; thence along the arc of said curve a distance of 117.89 through a delta of 60° 00' 00" to the point of tangency; thence North 59° 23' 27" East 464.97 feet to a point of curvature of a curve concave Northwesterly, having a radius of 52.58 feet; thence along the arc of said curve a distance of 55.06 feet through a delta of 60° 00' 00" to the point of tangency; thence North 00° 36' 33" West through a delta of 60° 00' 00" to the point of tangency; thence North 00° 36' 33" West, 445.61 feet to the point of beginning of this description.

Less the Northerly 100.25 of the above described parcel.

RECEIVED
DEPARTMENT OF HEALTH
2019 FEB 12 AM 11:43
OFFICE OF THE CLERK

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

**STATE OF FLORIDA
DEPARTMENT OF HEALTH,
Petitioner,**

vs.

**Rendition No.: DOH-19-0363-FOI-HO
No.: 2018-0135**

**AJMAL M. ZULALI
SUBAIR M. ZULALI,**

FLAGLER COUNTY

Respondents.

FINAL ORDER

THIS MATTER is before the Department of Health for consideration of the entry of a Final Order. The Respondent has failed to file any document with the Department or the Department's agency clerk regarding the Petitioner's Administrative Complaint or the Motion for Final Order by Default.

The Department served the Respondents with the Administrative Complaint by Federal Express on June 19, 2018. The Administrative Complaint charged the Respondents with violation of Section 386.041(1)(e), Florida Statutes, in that the conditions existing, permitted, maintained, kept or caused by the Respondents upon the property, as evidenced by the unmaintained pool and spa, constitute a sanitary nuisance that is a threat to public health. The Administrative Complaint further charged the Respondents with violation of Section 386.041(1)(f), Florida Statutes, in that the conditions existing, permitted, maintained, kept or caused by the Respondents upon the property, as evidenced by the rodent harborage in and about the abandoned building and overgrown vegetation, additionally constitute a sanitary nuisance that is also a threat to public health.

The Administrative Complaint notified the Respondent of the right to request an administrative hearing, and that failure to timely request a hearing within twenty-one



(21) days would result in all matters being deemed admitted and a waiver of a right to a hearing.

The Petitioner has complied with all requirements of the law. By failing to file a request for a hearing within twenty-one (21) days of receipt of the Administrative Complaint, and failing to respond to the Petitioner's Motion for Final Order of Default, the Respondent has waived the right to request an Administrative Hearing in this cause.

The findings of fact and conclusions of laws set forth in the Administrative Complaint served on June 19, 2018 are hereby established and incorporated herein.

Based upon the foregoing, the Petitioner's Motion for Final Order by Default is GRANTED. Respondent is ORDERED to pay the administrative fine of \$500 per day for each of the 2 violations, resulting in a total daily fine of \$1,000.00 for 45 days. A total fine is therefore imposed of Forty-Five Thousand Dollars (\$45,000.00). Payment is due in full no later than ten (30) days from the date of filing of this Final Order. Payment is to be made by check or money order payable to Department of Health Flagler County, Attention: John Bey, Environmental Health Administrator, Department of Health Flagler County, 208 Dr. Carter Blvd., Bunnell, Florida 32110.

DONE AND ORDERED this 8 day of February, 2019 in Tallahassee, Florida.

By: Michele Tallent
Michele Tallent
Deputy Secretary for Operations



CODE ENFORCEMENT WARNING NOTICE

The undersigned certifies that upon personal investigation he/she has reasonable cause to believe, and does believe that on:

| | | | | |
|--|-------------------------|---|-------------------------|--------------------------|
| DAY OF THE WEEK | MONTH | DAY | YEAR | TIME |
| TUESDAY | FEBRUARY | 25 | 2020 | A.M. 1:00 P.M. |
| NAME (PRINT): | | FIRST | M.I. | LAST |
| | | ZUBAIR & AJMAL | | ZULALI |
| MAILING ADDRESS: | | | | |
| 13492 KRAMERIA STREET | | | | |
| CITY | COUNTY | STATE | ZIP | |
| THORNTON | | COLORADO | 80602 | |
| HOME ADDRESS IF NOT THE SAME AS THE MAILING ADDRESS: | | | | |
| AT (LOCATION OF VIOLATION): | | 2251 S. OLD DIXIE HWY, BUNNELL FL 32110 | | |
| PARCEL # | | 03-13-31-0650-000A0-0091 | | |
| DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE IN FLAGLER COUNTY | | | | |
| LDC CODE(S) / FCC SECTION NO.: | | | | |
| ARTICLE X- UNSAFE BUILDING STRUCTURE | | | | |
| DESCRIPTION OF VIOLATION: | | | | |
| <input checked="" type="checkbox"/> | 1 ST OFFENSE | <input type="checkbox"/> | 2 ND OFFENSE | <input type="checkbox"/> |
| | | <input type="checkbox"/> | 3 RD OFFENSE | <input type="checkbox"/> |
| OFFENSE | | | | |
| STRUCTURE CONSISTS OF UNSAFE AND HAZZARDOUS CONDITIONS BROUGHT ON BY INADQUATE MAINTAINCE, DILAPIDATION AND OR ABANDONMENT. | | | | |
| NOTE: Each day of a continuing violation may constitute a separate offense subject to penalty and separate citation. | | | | |
| CORRECTIVE ACTION NECESSARY (WARNING ONLY) | | | | |
| BRING STRUCTURE UP TO CODE OR DEMOLISH ENTIRE STRUCTURE AND REMOVE ALL DEBRIS TO AN AUTHORIZED LANDFILL. | | | | |
| Failure to correct this violation within <u> 10 </u> day(s) may result in a citation with a civil penalty not to exceed \$500.00 per citation. | | | | |
| SIGNATURE OF PERSON RECEIVING WARNING NOTICE | | | | |
| CODE ENFORCEMENT OFFICER | | | | |
| CASE # ABDS-000322-2020 | | | | |
| DATE AND TIME OF ISSUANCE: | | 02/25/2020 | 01:00 | PM |
| (386) 313-4083 | | | | |



Code Enforcement
1769 E. Moody Blvd., Bldg. 2
Bunnell, FL 32110



www.flaglercounty.org
Phone: (386) 313-4083
Fax: (386) 313-4102

CERTIFICATE OF UNSAFE STRUCTURE

The undersigned Flagler County Building Official hereby certifies that the structure located
At **2251 S OLD DIXIE HWY, BUNNELL FL 32110** upon property legally described as,

PARCEL ID # 03-13-31-0650-000A0-0091

Owner: Zulali Ajmal M & Zubair M Zulali
10780 Foxwood Rd
San Diego, CA 92126

Legal Description: 0006.38 ACRES BUNNELL DEV CO SUBD BLK A PART OF TRACTS 9-10
BOUNDED ON WEST BY STRICKLAND CANAL BOUNDED ON NORTH BY A LINE 827.05' NORTH OF FPL
EASEMENT OR BK 49 PG 325 (EXC OR 94 PG 667) QC OR 128 PGS 59,60, OR 148 PG 338 OR 152 PG 240 OR 359 PG 632
OR 439 PG 271-CT SEE NOTES FOR BLDG CHANGE PER JPS OR 458 PG 1112 OR 597/366 OR 1887/1181 OR 1975/233 OR
2247/1598

Is **UNSAFE** pursuant to the requirements of the Florida Building Code and Section 8-301, et seq., of the Flagler County Standard Unsafe Abatement Code ("Code".)

The above described property was posted on February 25, 2020
The record title owner was duly served with notice of required action on March 19, 2020

This notice is filed in the Public Records of Flagler County pursuant to the requirements of Section 8-354 of the Code.

I hereby certify that the above is true and correct, stated this day **January 13, 2021**

Mark Boice,
Chief Building Official



I HEREBY CERTIFY this to be a true
And correct copy of the original
TOM BEXLEY
CLERK & COMPTROLLER

By  D.C.



Andy Dance
District 1

Greg Hansen
District 2

David Sullivan
District 3

Joe Mullins
District 4

Donald O'Brien, Jr.
District 5

Administration
1769 E. Moody Blvd Bldg 2
Bunnell, FL 32110



www.flaglercounty.org
Phone: (386)313-4001

January 15, 2021

Ajmal M. Zulali
10780 Foxwood Road
San Diego, CA 92126

Zubair M. Zulali
13492 Krameria Street
Thorton, CO 80602

Re: 2251 S. Old Dixie Highway, Bunnell, FL 32110
Parcel No.: 03-13-31-0650-000A0-0091

Dear Messrs. Zulali:

You are hereby notified that the building located at the above identified property in Flagler County, Florida constitutes a public nuisance in that such building is unsafe, unsanitary, does not provide adequate egress, constitutes a fire hazard, is dangerous to human life and is a hazard to the safety and health of the community by reason of inadequate maintenance, dilapidation, obsolesce and/or abandonment. Those conditions include, but are not limited to:

1. The structure is in such a state of disrepair that it and its contents may become wind borne debris and damage neighboring properties during a storm event.
2. The fire alarm system has been vandalized and is not operable.
3. Potable water and sewer is not available on site.
4. The electrical service has been vandalized and is not operable. There are many exposed electrical wires and open electrical enclosures on site.
5. The roof structure has collapsed in some areas, leaking in others, allowing water to enter the structure. The ceiling has collapsed in many areas due to water infiltration.
6. Large sections of guardrail are nonexistent on the second floor.
7. A high percentage of the windows have been broken, a very hazardous condition allowing water and rodents to enter the structure.
8. All of the HVAC systems have either been removed, stolen or vandalized.
9. The pool and pool barrier is in a state of disrepair.

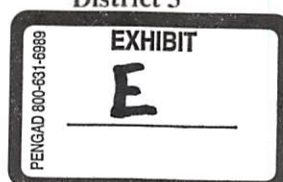
Andy Dance
District 1

Greg Hansen
District 2

David Sullivan
District 3

Joe Mullins
District 4

Donald O'Brien, Jr.
District 5



10. The property is unsecured and debris, including room contents, are open and accessible fostering vagrants and rodents.
11. The property is the location of numerous and repeated criminal violations and arrests.

The County has endeavored to resolve this matter with you cooperatively. Our staff has met with you on multiple occasions over a period of several years. Most recently, in October 2020, we personally met with you and your selected representatives and agreed in good faith to grant you an extension of your building permit based on your promise to complete the repairs within the time granted. However, since that time, you have made very little progress to complete the tasks you agreed to and the building permit has in fact now expired.

Pursuant to Chapter 60.05, Florida Statutes, you have ten (10) days after the issuance of this Notice to abate the ongoing nuisance and repair and/or demolish the building. If you fail to timely abate the nuisance, an application for temporary and permanent injunction may be filed against you. If you fail to abate the nuisance and the court determines a nuisance exists, costs of abating the nuisance, including demolition costs, will be assessed against you.

Sincerely,



Jerry Cameron
County Administrator

Code Enforcement
1769 E. Moody Blvd., Bldg. 2
Bunnell, FL 32110



www.flaglercounty.org
Phone: (386) 313-4083
Fax: (386) 313-4102

CERTIFICATE OF UNSAFE STRUCTURE

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I hereby certify that the above is true and correct, stated this day **January 13, 2021**


Mark Boice,
Chief Building Official



I HEREBY CERTIFY this to be a true
And correct copy of the original
TOM BEXLEY
CLERK & COMPTROLLER

By  D.C.

Andy Dance
District 1

Greg Hansen
District 2

David Sullivan
District 3

Joe Mullins
District 4

Donald O'Brien, Jr.
District 5

AFFIDAVIT OF SERVICE

FLAGLER COUNTY FLORIDA,

Plaintiff(s) – Petitioner(s)

V.

AJMAL M. ZULALI, ET AL.,

Defendant(s) – Respondent(s)

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

ss.:

Yashir Lora, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of 18 years and not a party to this action.

On 1/27/2021 at 5:50 PM, I served a true copy of a **LETTER TO AJMAL M. ZULALI AND ZUBAIR M. ZULALI REGARDING 2251 S. OLD DIXIE HIGHWAY, BUNNELL, FL 32110** upon **AJMAL M. ZULALI** at **10780 FOXWOOD ROAD, SAN DIEGO, CA 92126** in the manner indicated below:

Individual By delivering thereat a true copy of each to said recipient personally; deponent knew the person so served to be the person described herein by deponent asking the person if he or she is the named Recipient and the person responding that he or she is in fact the person named in this action as Recipient. Recipient was identified by self-admission.
[X]

| | | | | | | | |
|---|-------------|----------------------|--------------|-------------------|-------------|----------------|------------------|
| Approximate Description of Receipt | Male | Middle Easter | Black | Early 50's | 5'10 | 195 lbs | Dark eyes |
| | _____ | _____ | _____ | _____ | _____ | _____ | _____ |
| | Sex | Skin | Hair Color | Age | Height | Weight | Other |

Attempt made on 1/21/2021 at 3:30 PM, no cars in the driveway and the blinds were closed. No answer.

Attempt made on 1/24/2021 at 8:22 AM, no noises or movements, no answer.

Yashir Lora

Yashir Lora (3246, San Diego)
1920 E 24th Street #33
National City, CA 91950
800-637-1805

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FLAGLER COUNTY FLORIDA,

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Suitable age Person By delivering a true copy of each and leaving with AJMAL M. ZULALI who is known to be the CO-RESIDENT and a competent household member over 14 years of age residing therein. Said premises is recipients usual place of abode within the state actual place of business

| | | | | | | | |
|------------------------------------|------------|---------------|-------------------|------------|---------------|---------------|--------------|
| Approximate Description of Receipt | Male | Middle Easter | Black | Early 50's | 5'10 | 195 lbs | Dark eyes |
| | <u>Sex</u> | <u>Skin</u> | <u>Hair Color</u> | <u>Age</u> | <u>Height</u> | <u>Weight</u> | <u>Other</u> |

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Rick Staly, Sheriff
FLAGLER COUNTY SHERIFF'S OFFICE

"An honor to serve, a duty to protect."

January 21, 2021

Mr. Jerry Cameron
County Administrator
Flagler County Government

VIA EMAIL

RE: Abandoned Hotel, Old Dixie Highway near I-95

Dear Administrator Cameron:

This letter is a follow-up to the issue my staff and I brought to your attention many months ago concerning the derelict and abandoned hotel on Old Dixie Highway that has been the focus of criminal activity, suicide and nearby resident complaints.

As you may recall this derelict hotel was brought to your attention and the BOCC as a public safety hazard. Since that time the owners have only installed a partial fence which is inadequate to stop persons from entering the property. The abandoned pool remains a safety and health hazard. As you know decaying properties like this often become attractive to criminal activity and other quality of life issues for nearby homes and businesses. Because this property is located in a remote corner of Flagler County near the Volusia County line it can attract criminal activity from both counties with little law enforcement oversight.

I further understand the owners claimed they were going to start a major renovation of this property many months ago but that does not seem to have materialized. I am requesting a status of the County's threatened condemnation of this property and its subsequent demolition.

Thank you in advance for an update so I can respond to resident concerns.

Sincerely,

RICK STALY
Sheriff

RS/sg



Proudly Serving the Community Since 1917
A Four Diamond Accredited Law Enforcement Agency



Administration
1769 E. Moody Blvd Bldg 2
Bunnell, FL 32110



www.flaglercounty.org
Phone: (386)313-4001

February 8, 2021

Ajmal M. Zulali
10780 Foxwood Road
San Diego, CA 92126

Zubair M. Zulali
13492 Krameria Street
Thorton, CO 80602

Re: 2251 S. Old Dixie Highway, Bunnell, FL 32110
Parcel No.: 03-13-31-0650-000A0-0091

Dear Messrs. Zulali:

As a follow up to my previous letter dated January 15, 2021 and personally served upon each of you on January 27, 2021, you are hereby again being notified that the dilapidated and vacant building located at the above identified property in Flagler County, Florida constitutes a public nuisance in that such building is unsafe, unsanitary, does not provide adequate egress, constitutes a fire hazard, is dangerous to human life and is a hazard to the safety and health of the community by reason of inadequate maintenance, dilapidation, obsolescence and/or abandonment. Those conditions include, but are not limited to:

1. The structure is in such a state of disrepair that it and its contents may become wind borne debris and damage neighboring properties during a storm event.
2. The fire alarm system has been vandalized and is not operable.
3. Potable water and sewer is not available on site.
4. The electrical service has been vandalized and is not operable. There are many exposed electrical wires and open electrical enclosures on site.
5. The roof structure has collapsed in some areas, leaking in others, allowing water to enter the structure. The ceiling has collapsed in many areas due to water infiltration.
6. Large sections of guardrail are nonexistent on the second floor.
7. A high percentage of the windows have been broken, a very hazardous condition allowing water and rodents to enter the structure.

Andy Dance
District 1

Greg Hansen
District 2

David Sullivan

Joe Mullins
District 4

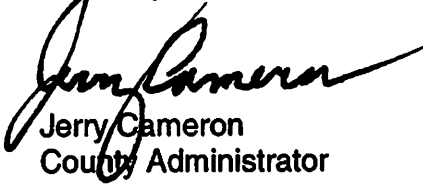
Donald O'Brien, Jr.
District 5



8. All of the HVAC systems have either been removed, stolen or vandalized.
9. The pool and pool barrier is in a state of disrepair.
10. The property is unsecured and debris, including room contents, are open and accessible fostering vagrants and rodents.
11. The property is the location of numerous and repeated criminal violations and arrests.

Since your receipt of the previous Notice on January 27, 2021, you have taken no action to abate these conditions. Therefore, pursuant to Chapter 60.05(3)(a), Florida Statutes, you have fifteen (15) days to abate the ongoing nuisance and repair and/or demolish the building. If you fail to timely abate the nuisance within fifteen (15) days from the date you are served with a copy of this Notice, an application for temporary and permanent injunction will be filed against you in the Circuit Court in and for Flagler County, Florida seeking to demolish the unsafe structure and to assess the costs of the demolition against you.

Sincerely,



Jerry Cameron
County Administrator

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ss.:

Yashir Lora, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of 18 years and not a party to this action.

On 2/13/2021 at 11:25 AM, I served a true copy of a LETTER REGARDING 2251 S. OLD DIXIE HIGHWAY, BUNNELL, FL 32110, PARCEL NO.:03-13-31-0650-000A0-091 TO AJMAL M. ZULALI AND ZUBAIR M. ZULALI upon AJMAL M. ZULALI at 10780 FOXWOOD ROAD, SAN DIEGO, CA 92126 in the manner indicated below:


Individual
[X]

By delivering thereat a true copy of each to said recipient personally; deponent knew the person so served to be the person described herein by deponent asking the person if he or she is the named Recipient and the person responding that he or she is in fact the person named in this action as Recipient. Recipient was identified by self-admission.

Service Note: Ajmal confirmed his identity but refused to take the documents, I left the documents in front of the door with him visually seeing me. Previous attempts listed:

2/9/2021 at 6:55 PM - No cars on driveway, no noises or movements

2/12/2021 at 4:15 pm - Kids playing inside, tv was on, knocked multiple times and got no answer - avoiding service.



Yashir Lora (3246, San Diego)
1920 E 24th Street #33
National City, CA 91950
800-637-1805

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NEW YORK: Jan 12, 2021 at 9:58:20 AM EST
Local: Jan 12, 2021 at 9:58:26 AM EST
N 29° 24' 16.846", W 81° 9' 38.63"
2251 S Old Dixie Hwy
Bunnell FL 321
United States



PENGAD 800-631-6989





Network: Jan 12, 2021 at 9:58:42 AM EST

Local: Jan 12, 2021 at 9:58:42 AM EST

N 29° 24' 17.158", W 81° 9' 38.93"

2251 S Old Dixie Hwy

Bunnell, FL 321

United States



NEWWORK:Jan 12, 2021 at 9:59:09 AM E;
Local:Jan 12, 2021 at 9:59:09 AM E;
N 29° 24' 17.529", W 81° 9' 38.92
2251 S Old Dixie Hh
Bunnell FL 321
United Stat



NETWORK: Jan 12, 2021 at 10:01:33 AM EST

Local: Jan 12, 2021 at 10:01:35 AM EST

N 29° 24' 19.439", W 81° 9' 38.51

2251 S Old Dixie Hwy

Bunnell FL 321

United States



NETWORK: Jan 12, 2021 at 10:09:53 AM EST
Local: Jan 12, 2021 at 10:09:53 AM EST
N 29° 24' 16.743", W 81° 9' 39.56"
2251 S Old Dixie Hwy
Bunnell, FL 321
United States



Network: Jan 12, 2021 at 10:07:49 AM EST

Local: Jan 12, 2021 at 10:07:49 AM EST

N 29° 24' 18.265", W 81° 9' 37.03

2251 S Old Dixie Hwy

Bunnell FL 321

United States

5 FT

5 FT

4 FT



NEW YORK, JAN 12, 2021 at 10:01:47 AM EST

Local: Jan 12, 2021 at 10:01:47 AM EST

N 29° 24' 19.610", W 81° 9' 38.11

2251 S Old Dixie Hwy

Bunnell FL 321

United States