

County Attorney
1769 E. Moody Blvd Bldg 2
Bunnell, FL 32110



www.flaglercounty.org
Phone: (386) 313-4005
Fax: (386) 313-4105

May 16, 2019

Certified Mail -- Return Receipt Requested

Universal Engineering Sciences, Inc.
911 Beville Road, Suite 3
South Daytona, FL 32119

Attention: Brian C. Pohl, Branch Manager

Dear Mr. Pohl:

Per the instruction of the County Administrator of Flagler County, the County is placing you on notice that it will be pursuing claims based on your report dated December 12, 2018, for failing to disclose obvious evidence of water intrusion into the building structure located at 4888 Palm Coast Parkway NW, Palm Coast, Florida. Your report number is 161543 and your project number for reference is 0415.1800110.0000. In reliance on your report, the County proceeded with the closing of the transaction. Had you identified what was plainly evident, the County Commission would have chosen other alternatives to the purchase. These could have included cancelling the sale or demanding additional conditions of closing or holding funds in escrow, or any other number of alternatives.

The County emphasized in its engagement of your services that its primary interest was to obtain an assessment of any water intrusion. The revised report of December 12, 2018 was in response to the County's emphasis, yet it did not identify or address in any fashion the evidence plainly evident to the County's employees. County employees discovered the water intrusion as they began work within the building the County acquired. It was of long standing and very apparent. You should have discovered the water intrusion with the exercise of reasonable professional care in conducting your inspection.

The water intrusion and consequent damage, coupled with the need for very costly remediation, render the building unsuitable for County use. The County intends to pursue all remedies to make the County whole, including damages suffered and refund of all fees paid by the County.

Charles Ericksen, Jr.
District 1

Greg Hansen
District 2

David Sullivan
District 3

Joe Mullins
District 4

Donald O'Brien, Jr.
District 5

This is a demand to notify us of your insurance carrier and its claims representative in order that the County can pursue its recovery.

Thank you for your prompt attention to this urgent matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Al Hadeed", with a long, sweeping underline.

Al Hadeed
County Attorney

cc: Jerry Cameron, County Administrator