

EDWARD G. JOHNSON, ESQ. ID# (004941989)
JOHNSON & JOHNSON, ESQS., LLC
190 MOORE STREET
HACKENSACK, NEW JERSEY 07601
(201) 342-5008
Attorney for Plaintiff

DEEP BLUE DEVELOPMENT, LLC,

Plaintiff,

vs.

CITY OF ATLANTIC CITY,

Defendant.

: SUPERIOR COURT OF NEW JERSEY
: ATLANTIC COUNTY:
: CHANCERY DIVISION
: DOCKET NO.:

:
: CIVIL ACTION

:
: VERIFIED COMPLAINT
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DEEP BLUE DEVELOPMENT, LLC with Offices Located at 190 Moore Street, Suite 271, Hackensack, New Jersey, by way of Complaint against the Defendant says:

1. At all times pertinent hereto, the Plaintiff, Deep Blue Development, LLC "Deep Blue", is a Limited Liability Company Organized under the Laws of the State of New Jersey.
2. At all times pertinent hereto, Somdev Real Estate, LLC, is the owner of the property known as 1630 N. Albany Avenue, Atlantic City, New Jersey, the "Property".
3. At all times pertinent hereto, "Deep Blue" was interested in purchasing the property known as 1630 N. Albany Avenue, Atlantic City, New Jersey.
4. At all times pertinent hereto, "Deep Blue" is a party in interest for the property known as 1630 N. Albany Avenue, Atlantic City, New Jersey as a result of the Contract of Sale entered into with Somdev Real Estate, LLC, the current owner of the "Property" .
5. At all times pertinent hereto, the Defendant, City of Atlantic City, through its

Department of Licensing & Inspections Inspected the property known as 1630 N. Albany Avenue, Atlantic City, New Jersey and Issued a Notice of Unsafe Structure.

COUNT ONE

Plaintiff repeats and realleges each of the proceeding allegations of the Complaint filed herein, the same as if they had been stated anew.

1. On May 18, 2018, "Deep Blue" entered into a Contract to purchase the property known as 1603 N. Albany Avenue, Atlantic City, New Jersey "Property".

2. On or about May 23, 2018, Julian Ford, a representative of Deep Blue met with Dale Finch, the Director of the City of Atlantic City, Department of Licensing & Inspections concerning work to be done to the property to satisfy the City of Atlantic City.

3. In early June of 2018, the Defendant, through its Director of the Department of Licensing & Inspections and other representatives of the Defendant, City of Atlantic City met with Mr. Ford, the representative of Deed Blue to discuss the repairs that needed to be performed on the "Property" so that the Defendant would not move forward and Demolish the "Property".

4. In mid-June, the Plaintiff, even though they were not the owner of the "Property", and at its own expense, began paying to have the property boarded up, fenced off, removed several tons of Asphalt, a Trailer full of Rubbish and the sign from the property and cleaning the property in accordance with the requirements of the Defendant.

5. The Plaintiff, in accordance with its Contract of Sale, Ordered a Title Binder which revealed all judgments and Liens held against the "Property".

6. The Title Binder received revealed that the City of Atlantic City had minimal Tax Liens against the owner of the "Property".

7. After June 2018, Title Binder was updated, and it was revealed that the City of

Atlantic City entered a Judgment against the "Property".

8. The Defendant, prior to even taking bids to have the property Demolished, improperly had a Lien placed against the property in the amount of \$300,000.00, without knowing what the costs were to Demolish the property and without any notice to the Plaintiff.

9. The actions of the Defendant of improperly placing the Lien against the "Property" without notice to the Plaintiff created a Cloud on Title, which adversely affected the interest the Plaintiff had in the "Property" as a result of its Contract to Purchase the "Property".

10. The Defendant's actions of prematurely placing the Lien against the "Property" adversely affected the Plaintiff's ability to obtain clear title for the "Property".

11. The Defendant, now seeks to Demolish the "Property" even though its requested demands to secure the property were met by the Plaintiff.

12. The Plaintiff complied with the requests of the Defendant and should be able to purchase the "Property" with the sound physical structure listed in the original contract of sale, which had been previously provided to the Defendant.

13. In October of 2018, the Defendant met with the Plaintiff to discuss any additional items that needed to be performed. A determination was made that 90% of the work the city was requesting to be performed was in fact performed by the Plaintiff.

14. At the October 2018, meeting the Defendant, through its Department of Licensing & Inspection, in spite of the completed efforts of the Plaintiff to the secure the "Property" in accordance with the wishes of the Defendant, there was a vote to Demolish the "Property", contrary to what was explained to the Plaintiff at their initial meeting.

15. As a proximate result of the above acts committed by the Defendant, the Plaintiff's interest in purchasing the "Property" in accordance with the terms of the contract has been

improperly infringed upon and will result in immediate and irreparable damage for which there is no remedy at law.

WHEREFORE, Plaintiff hereby demands judgment in their favor and against the Defendant Vacating the Demolition Order entered by the City of Atlantic City, and such other and further relief as this Court may deem just and proper.

JOHNSON & JOHNSON, ESQS.
Attorney for Plaintiff

By: 
EDWARD G. JOHNSON, ESQ.

CERTIFICATION PURSUANT TO 4:5-1

The plaintiff certifies that the within controversy is not the subject of any other action pending in this Court nor is it the subject of any Arbitration.

DATED: February 13, 2019

JOHNSON & JOHNSON, ESQS., LLC
Attorneys for Plaintiff

By: 
EDWARD G. JOHNSON, ESQ.

DESIGNATION OF TRIAL COUNSEL

In accordance with R. 4:25-4, EDWARD G. JOHNSON, ESQ., is hereby designated as trial counsel for the plaintiff.

DATED: February 13, 2019

JOHNSON & JOHNSON, ESQS., LLC
Attorney for Plaintiff

By: 
EDWARD G. JOHNSON, ESQ.

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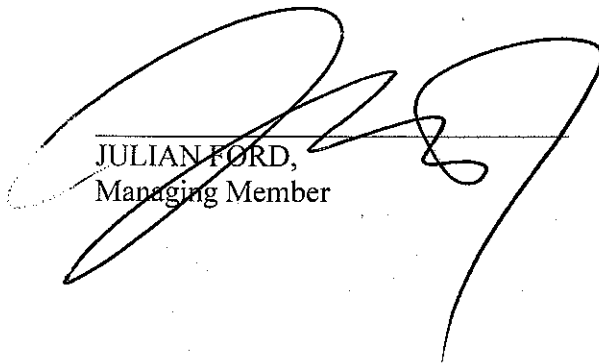
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County of Bergen :

Julian Ford, Managing Member of Deep Blue Development, LLC, being duly sworn according to law upon his oath deposes and says:

- 1.) My Company is the Plaintiff in the Complaint in the fore going action.
- 2,) I have read the facts alleged in the foregoing Complaint, and said facts are true to the best of my personal knowledge. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

DEEP BLUE DEVELOPMENT, LLC



JULIAN FORD,
Managing Member