

## Nebraska Judicial Branch

## Case Summary

In the District Court of Douglas County  
 The Case ID is CI 20 000055  
 Kiper Engineering v. Kiper Investment C  
 The Honorable Timothy P Burns, presiding.  
 Classification: Quiet Title  
 Filed on 01/03/2020  
 This case is Open as of 01/03/2020

## Parties/Attorneys to the Case

Party	Attorney
Plaintiff ACTIVE Kiper Engineering and MFG. Co. 3367 South 134 Street Omaha NE 68144	Michael J Whaley 233 S 13th St, Suite 1900 Lincoln NE 68508 402-474-6900
Defendant ACTIVE Kiper Investment Co. Partner Daniel Kiper 3367 South 134th Street Omaha NE 68144	
Defendant ACTIVE Klaus Rummer 2585 Alta Court Lisle IL 60532	
Defendant ACTIVE Sonja Rummer-Pos 2585 Alta Court Lisle IL 60532	
Defendant ACTIVE Claudine Rummer 7325 Northgate Way #2 Downers Grove IL 60516	
Defendant ACTIVE Edward Kiper 1617 Avenue B Council Bluffs IA 51501	
Defendant ACTIVE Richard Kiper 5161 South 132nd Street Omaha NE 68137	
Defendant ACTIVE Daniel Kiper 3367 South 134th Street Omaha NE 68144	

## Court Costs Information

Incurred By	Account	Date	Amount
Plaintiff	Petition	01/03/2020	\$35.00
Plaintiff	Filing Fee - State	01/03/2020	\$1.00
Plaintiff	Automation Fee	01/03/2020	\$8.00
Plaintiff	NSC Education Fee	01/03/2020	\$1.00
Plaintiff	Dispute Resolution Fee	01/03/2020	\$0.75

Incurring By	Account	Date	Amount
Plaintiff	Indigent Defense Fee	01/03/2020	\$3.00
Plaintiff	Uniform Data Analysis Fee	01/03/2020	\$1.00
Plaintiff	J.R.F.	01/03/2020	\$6.00
Plaintiff	Filing Fee-JRF	01/03/2020	\$6.00
Plaintiff	Legal Aid/Services Fund	01/03/2020	\$6.25
Plaintiff	Complete Record	01/03/2020	\$15.00
Plaintiff	Publishing Fees	03/03/2020	\$177.86
Plaintiff	Publishing Fees	03/30/2020	\$177.86

### Financial Activity

No trust money is held by the court  
No fee money is held by the court

### Payments Made to the Court

Receipt	Type	Date	For	Amount
354205	Electronic Trans	01/03/2020	Kiper Engineering and	\$83.00
			Petition	\$35.00
			Filing Fee - State	\$1.00
			Automation Fee	\$8.00
			NSC Education Fee	\$1.00
			Dispute Resolution Fee	\$.75
			Indigent Defense Fee	\$3.00
			Uniform Data Analysis	\$1.00
			J.R.F.	\$6.00
			Filing Fee-JRF	\$6.00
			Legal Aid/Services Fun	\$6.25
			Complete Record	\$15.00

### Register of Actions

05/15/2020 Decree

This action initiated by Timothy P Burns  
dth eNotice Certificate Attached  
Image ID N20136K04D01

05/07/2020 Notice Issued  
The document number is 00672389  
Notice of Intent to Dismiss  
Michael J Whaley mwhaley@clinewilliams.com  
Image ID D00672389D01

05/07/2020 Notice Issued  
The document number is 00672388  
Notice of Intent to Dismiss  
Daniel Kiper  
Image ID D00672388D01

05/07/2020 Notice Issued  
The document number is 00672387  
Notice of Intent to Dismiss  
Richard Kiper  
Image ID D00672387D01

05/07/2020 Notice Issued  
The document number is 00672386  
Notice of Intent to Dismiss  
Edward Kiper  
Image ID D00672386D01

05/07/2020 Notice Issued  
The document number is 00672385  
Notice of Intent to Dismiss  
Claudine Rummer  
  
Image ID D00672385D01

05/07/2020 Notice Issued  
The document number is 00672384  
Notice of Intent to Dismiss  
Sonja Rummer-Pos  
Image ID D00672384D01

05/07/2020 Notice Issued  
The document number is 00672383  
Notice of Intent to Dismiss  
Klaus Rummer  
Image ID D00672383D01

05/07/2020 Notice Issued  
The document number is 00672382  
  
Notice of Intent to Dismiss  
Kiper Investment Co.  
Image ID D00672382D01

03/30/2020 Service by Publication  
RT

03/30/2020 Service by Publication  
RT

03/30/2020 Service by Publication  
RT

03/30/2020 Service by Publication  
RT

03/30/2020 Service by Publication  
RT

03/30/2020 Service by Publication  
RT

03/30/2020 Service by Publication  
RT

03/30/2020 Affidavit-Publication  
This action initiated by party Kiper Engineering and MFG. Co.  
RT  
Image ID N20090ARED01

03/03/2020 Service by Publication  
AK

03/03/2020 Affidavit-Publication  
This action initiated by party Kiper Engineering and MFG. Co.  
AK  
Image ID 002009115D01

02/26/2020 Voluntary Appearance  
This action initiated by party Klaus Rummer  
al  
Image ID N20057YPUD01

02/26/2020 Voluntary Appearance  
This action initiated by party Claudine Rummer  
al  
Image ID N20057Y08D01

02/25/2020 Voluntary Appearance  
This action initiated by party Sonja Rummer-Pos  
al  
Image ID N20056M48D01

02/20/2020 Voluntary Appearance  
This action initiated by party Daniel Kiper  
kr  
Image ID N20051XZ2D01

02/20/2020 Voluntary Appearance  
This action initiated by party Richard Kiper  
kr  
Image ID N20051XYQD01

02/20/2020 Voluntary Appearance  
  
This action initiated by party Edward Kiper  
kr  
Image ID N20051XYKD01

02/20/2020 Voluntary Appearance  
This action initiated by party Kiper Investment Co.  
kr  
Image ID N20051XYAD01

02/12/2020 Amended Complaint  
This action initiated by party Kiper Engineering and MFG. Co.  
MG  
Image ID N20043OEID01

01/03/2020 Complaint-Praeipce  
This action initiated by party Kiper Engineering and MFG. Co.

no praecipe kr  
Image ID N20003IHGD01

### Judges Notes

05/15/2020  
Burns  
signed stipulated decree.

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

KIPER ENGINEERING AND MFG. CO, A Nebraska corporation	)	Case No. CI 20-00055
	)	
	)	
Plaintiff,	)	
v.	)	
	)	STIPULATED DECREE
KIPER INVESTMENT CO., A Partnership, KLAUS RUMMER, SONJA RUMMER, CLAUDINE RUMMER, EDWARD KIPER, RICHARD KIPER, DANIEL KIPER, and All Persons Having or Claiming Any Interest in the Real Estate Described Below, Real Names Unknown,	)	
	)	
Defendants.	)	

MAY

This matter came on for consideration on this 15 day of ~~April~~ ~~xxxxx~~ 2020, upon the parties request for entry of a Stipulated Decree of Quiet Title ("Decree"). The Plaintiff, Kiper Engineering and Mfg. Co. ("Kiper") is represented by Michael J. Whaley, Amanda C. Carter and Sydney M. Huss. The Defendants Kiper Investment Co. ("Kiper Investment"), Klaus Rummer ("K. Rummer"), Sonja Rummer (S. Rummer"), Claudine Rummer ("C. Rummer"), Edward Kiper ("E. Kiper"), Richard Kiper ("R. Kiper"), and Daniel Kiper ("D. Kiper") do not have an attorney representing their interests at this time.

The Court being first duly advised in the premises finds as follows:

1. That after inspection of the record that the case involves certain real property located in Douglas County, Nebraska which is legally described as:

Lots 7, 8, 9, and 10, Block 6, McCague's Addition, as surveyed, platted and recorded in Douglas County, Nebraska, together with the East 1/2 of vacated 10th Street adjoining said lots on the West; Lots 1 to 7, both inclusive, Block 7, said McCague's Addition; Lots 1 and 2, Block 8, said

McCague's Addition, together with all of vacated 10th Street lying between said Blocks 7 and 8, and together with all of vacated Clark Street lying North of said Blocks 7 and 8; part of Tax Lot 2 of Government Lot 1 and part of Government Lot 1, both being in the NW 1/4 of Section 14, Township 15 North, Range 13 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows: Beginning at the Southwest corner of said Lot 2, Block 8, McCague's Addition; thence Northerly along the Easterly R.O.W. line of Union Pacific Railroad, a distance of 406.34 feet (Plat) (403.35 feet, Actual) to the North R.O.W. line of vacated Clark Street; thence East along the North R.O.W. line of vacated Clark Street, a distance of 132.4 feet (Plat) (131.43 feet Actual) to the centerline of vacated 10th Street; thence North along the centerline of vacated 10th Street, a distance of 216.0 feet (Plat) (219.79 feet Actual) to a point being at the intersection of the extension of the North lot line of said Lot 7, Block 6, to the West with the centerline of vacated 10th Street; thence East, 180 feet (Plat) (180.3 Actual) along the North line of said Lot 7, Block 6, to the Northeast corner of said Lot 7; thence South 232.0 feet (Plat) (286.45 feet Actual) along the rear lines of Lots 7 to 10, both inclusive, said Block 6, extended across vacated Clark Street to the South R.O.W. line of vacated Clark Street, being also the Northeast corner of said Lot 1, Block 7; thence East, 82.90 feet along the extension of the South R.O.W. line of Clark Street to the East; thence on a right deflection angle of 84°55'20", a distance of 43.70 feet to the North line of said Tax Lot 2; thence on a right deflection angle of 4°56'10", a distance of 103.27 feet to a point which is 115.0 feet East of the West line of said Tax Lot 2; thence on a right deflection angle of 10°09'30", 186.0 feet along a line 115 feet East of and parallel with the West line of said Tax Lot 2 to the North R.O.W. line of Seward Street; thence West, 368.1 feet along the North R.O.W. line of Seward Street to the point of beginning

(the "Real Estate").

2. That Kiper Investment, K. Rummer, S. Rummer, C. Rummer, E. Kiper, R. Kiper, and D. Kiper each received a copy of the Amended Petition for Quiet title filed herein and that they each entered their Voluntary Appearance in this quiet title proceeding.

3. That Kiper Investment, K. Rummer, S. Rummer, C. Rummer, E. Kiper, R. Kiper, and D. Kiper have each chosen not to file an Answer or otherwise plead to the Amended Complaint filed herein.



4. That due and proper service of the Amended Complaint was served by publication through *The Daily Record* on All Persons Having or Claiming Any Interest in the Real Estate and that no person has chosen to file an answer or otherwise respond to the Complaint filed herein.

5. That Kiper Investment, K. Rummer, S. Rummer, C. Rummer, E. Kiper, R. Kiper, and D. Kiper have each consented to the entry of this Decree and have evidenced their said consent by their signatures to this said Decree.

6. The Court has jurisdiction of the subject matter and the parties to this action.

7. Kiper purchased the Real Estate from Kiper Investment in 1995, but that real estate transaction was never properly documented and a deed transferring the Real Estate to the Kiper was never recorded in the Office of the Register of Deeds of Douglas County, Nebraska.

8. Kiper has been in actual, continuous, exclusive, and notorious possession of the real estate from 1995 to present.

9. That title to the Real Estate should be quieted in Plaintiff's name.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that title to the Real Estate is hereby quieted into Kiper's name and that Kiper shall hereinafter be the owner of said Real Estate.

**COURT'S SIGNATURE ON THE FOLLOWING PAGE**



DATED this 15th day of May, 2020.

BY THE COURT

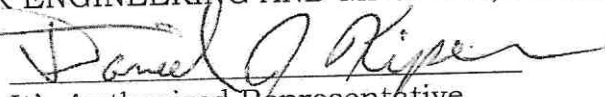
  
\_\_\_\_\_  
District Court Judge

**Prepared and submitted by:**

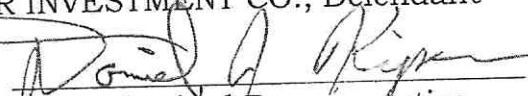
Michael J. Whaley, #19390  
Amanda C. Carter, #26632  
CLINE WILLIAMS WRIGHT  
JOHNSON & OLDFATHER, LLP  
Sterling Ridge  
12910 Pierce St., Suite 200  
Omaha, NE 68144  
(402) 397-1700  
mwhaley@clinewilliams.com  
acarter@clinewilliams.com

**Consented to and approved by:**

KIPER ENGINEERING AND MFG. CO., Plaintiff

By:   
\_\_\_\_\_  
It's Authorized Representative

KIPER INVESTMENT CO., Defendant

By:   
\_\_\_\_\_  
It's Authorized Representative

KLAUS RUMMER, Defendant

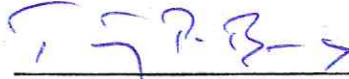
By: \_\_\_\_\_

SONJA RUMMER, Defendant

By: \_\_\_\_\_

DATED this 15th day of May, 2020.

BY THE COURT



District Court Judge

**Prepared and submitted by:**

Michael J. Whaley, #19390  
Amanda C. Carter, #26632  
CLINE WILLIAMS WRIGHT  
JOHNSON & OLDFATHER, LLP  
Sterling Ridge  
12910 Pierce St., Suite 200  
Omaha, NE 68144  
(402) 397-1700  
mwhaley@clinewilliams.com  
acarter@clinewilliams.com

**Consented to and approved by:**


KIPER ENGINEERING AND MFG. CO., Plaintiff

By: \_\_\_\_\_  
It's Authorized Representative

KIPER INVESTMENT CO., Defendant

By: \_\_\_\_\_  
It's Authorized Representative

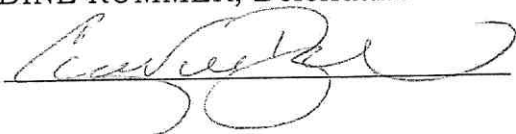
KLAUS RUMMER, Defendant

By:  \_\_\_\_\_

SONJA RUMMER, Defendant

By:  \_\_\_\_\_

CLAUDINE RUMMER, Defendant

By: 

EDWARD KIPER, Defendant

By: \_\_\_\_\_

RICHARD KIPER, Defendant

By: \_\_\_\_\_

DANIEL KIPER, Defendant

By: \_\_\_\_\_

4831-7193-9767, v. 1

CLAUDINE RUMMER, Defendant

By: \_\_\_\_\_

EDWARD KIPER, Defendant

By: Edward Kiper

RICHARD KIPER, Defendant

By: \_\_\_\_\_

DANIEL KIPER, Defendant

By: \_\_\_\_\_

4831-7193-9767, v. 1

CLAUDINE RUMMER, Defendant

By: \_\_\_\_\_

EDWARD KIPER, Defendant

By: \_\_\_\_\_

RICHARD KIPER, Defendant

By: Richard C Kiper

DANIEL KIPER, Defendant

By: \_\_\_\_\_

4831-7193-9767, v. 1

CLAUDINE RUMMER, Defendant

By: \_\_\_\_\_

EDWARD KIPER, Defendant

By: \_\_\_\_\_

RICHARD KIPER, Defendant

By: \_\_\_\_\_

DANIEL KIPER, Defendant

By:  \_\_\_\_\_

4831-7193-9767, v. 1



**CERTIFICATE OF SERVICE**

I, the undersigned, certify that on May 15, 2020 , I served a copy of the foregoing document upon the following persons at the addresses given, by mailing by United States Mail, postage prepaid, or via E-mail:

Klaus Rummer  
2585 Alta Court  
Lisle, IL 60532

Sonja Rummer-Pos  
2585 Alta Court  
Lisle, IL 60532

Claudine Rummer  
7325 Northgate Way #2  
Downers Grove, IL 60516

Edward Kiper  
1617 Avenue B  
Council Bluffs, IA 51501

Richard Kiper  
5161 South 132nd Street  
Omaha, NE 68137

Michael J Whaley  
mwhaley@clinetwilliams.com

Date: May 15, 2020

BY THE COURT:

*John M. Friend*  
CLERK

