

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

KIPER ENGINEERING AND MFG. CO,)	Case No. CI 19-_____
A Nebraska corporation)	
)	
Plaintiff,)	
v.)	
)	COMPLAINT TO
KIPER INVESTMENT CO., A Partnership,)	QUIET TITLE
KLAUS RUMMER, SONJA RUMMER POS,)	
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.)	

COMES NOW Plaintiff Kiper Engineering and MFG. Co. (the "Plaintiff"), by and through its attorneys, for its complaint, it states and alleges as follows:

1. The Plaintiff is a Nebraska corporation, validly existing under the laws of the State of Nebraska.
2. The Defendants, Klaus Rummer, Sonja Rummer Pos, Claudine Rummer, Edward Kiper, Richard Kiper, and Daniel Kiper (hereinafter sometimes referred collectively as the "Defendants") are the current members of Kiper Investment Co.
3. According to the Douglas County Register of Deeds, Kiper Investment Co. is the record title owner of the following Real Estate located in Douglas County, Nebraska:

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").

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

5. The Plaintiff has paid the real property taxes on the Real Estate since 1995 and has maintained the physical structure located on the Real Estate since that time.

6. Plaintiff has been in actual, continuous, exclusive and notorious possession of the Real Estate from 1995 to the present.

7. Plaintiff wishes to quiet the title of the Real Estate into its name.

WHEREFORE, Plaintiff prays that the Court enter a judgment quieting title to the Real Estate in its name and for such other and further relief as the Court deems just and proper.

KIPER ENGINEERING AND MFG. CO., Plaintiff

By: Michael J. Whaley - #19390
Amada C. Carter- # 26632
CLINE WILLIAMS
WRIGHT JOHNSON & OLDFATHER, L.L.P.
12910 Pierce Street
Suite 200
Omaha, NE 68144
(402) 397-1700

By: /s/ Michael J. Whaley
Michael J. Whaley - #19390

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

KIPER ENGINEERING AND MFG. CO, A Nebraska corporation)	Case No. CI 20-00055
)	
)	
Plaintiff,)	
v.)	
)	AMENDED COMPLAINT
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,)	TO QUIET TITLE
)	
)	
Defendants.)	

COMES NOW Plaintiff Kiper Engineering and MFG. Co. (the "Plaintiff"), by and through its attorneys, for its complaint, it states and alleges as follows:

1. The Plaintiff is a Nebraska corporation, validly existing under the laws of the State of Nebraska.
2. The Defendants, Klaus Rummer, Sonja Rummer, Claudine Rummer, Edward Kiper, Richard Kiper, and Daniel Kiper (hereinafter sometimes referred collectively as the "Defendants") are the current members of Kiper Investment Co.
3. According to the Douglas County Register of Deeds, Kiper Investment Co. is the record title owner of the following Real Estate located in Douglas County, Nebraska:

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

5. The Plaintiff has paid the real property taxes on the Real Estate since 1995 and has maintained the physical structure located on the Real Estate since that time.

6. Plaintiff has been in actual, continuous, exclusive and notorious possession of the Real Estate from 1995 to the present.

7. Plaintiff wishes to quiet the title of the Real Estate into its name.

WHEREFORE, Plaintiff prays that the Court enter a judgment quieting title to the Real Estate in its name and for such other and further relief as the Court deems just and proper.

KIPER ENGINEERING AND MFG. CO., Plaintiff

By: Michael J. Whaley - #19390
Amada C. Carter- # 26632
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12910 Pierce Street
Suite 200
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By: /s/ Michael J. Whaley
Michael J. Whaley - #19390

Certificate of Service

I hereby certify that on Wednesday, February 12, 2020 I provided a true and correct copy of the Amended Complaint to the following:

Kiper,Edward, service method: No Service

Kiper Engineering and MFG. Co. represented by CARTER, AMANDA C. (Bar Number: 26632) service method: Electronic Service to acarter@clinewilliams.com

Rummer Pos,Sonja, service method: No Service

Rummer,Claudine, service method: No Service

Kiper,Richard, service method: No Service

Kiper Investment Co. service method: No Service

Rummer,Klaus, service method: No Service

Kiper,Daniel, service method: No Service

Signature: /s/ Michael J. Whaley (Bar Number: 19390)

