

STATE OF ILLINOIS,
County of Cook.

SS.

CIRCUIT

~~Superior~~ County Court of Cook County.

IN THE matter of the application of the Village of Wheeling.....in said County,
for the confirmation of Special Assessment No. B-179667.....for.....sanitary sewers in
Milwaukee Avenue and other streets in the Village of Wheeling.

AND now come the several parties whose names are given in the schedule of lands hereto attached,
by WML T. HAPEMAN.....
their attorney, and say that they are respectively the owners of or interested in the several lots and parcels
of land described and set opposite their respective names in said schedule, and that they severally and collec-
tively, object to the confirmation of said assessment upon said lots or parcels of land, or either of them, or
upon any part of the same, for the following reasons, to-wit:

1. The petitioner has no power to make the proposed improvement by special assessment.
2. The proposed improvement is not a local improvement for which a special assessment may be levied.
3. The alleged ordinance does not prescribe the nature, character, locality and description of the pro-
posed improvement, nor describe whether the same shall be made by special assessment or otherwise.
4. Said ordinance is void for uncertainty, insufficiency and informality.
5. Said ordinance was never legally passed, and never became effective as a valid ordinance.
6. Said ordinance was considered and passed by the city council before the same had been recom-
mended by the board of local improvements.
7. Said ordinance was not passed for a public purpose, but to benefit personal and private interests
exclusively.
8. The scheme of improvement has been divided into parts so as to avoid the necessity of making
publication.
9. The ordinance provides for work which has been already built by special assessment or included
in another assessment confirmed, or built, or agreed to be built by other parties or corporations.
10. The assessment, as made, is inequitable, unjust, and unfairly apportioned.
11. The property of these objectors is assessed more than its proportionate share of the cost of the
proposed improvement.
12. The assessment upon the property of the objectors exceeds the benefits if any which will accrue
to said property from the proposed improvement.
13. The property of the objectors is assessed more than its relative equitable share of the cost of said
improvement.
14. The property of the objectors has been arbitrarily subdivided in making said assessment, without
authority of law or the consent of said objectors.
15. The assessment roll has not been made nor certified in accordance with the requirements of the
statute.
16. A large part of the cost of the proposed improvement should be apportioned against the petitioner
as public benefits.
17. The officer whose duty it is to estimate what proportion of the total cost of the proposed improve-
ment will be of benefit to the public and what proportion thereof will be of benefit to the property to be bene-
fited has not made and reported such apportionment, as required by the statute.
18. Each lot, block, tract or parcel of land assessed herein has not been assessed separately in the
manner required by statute.
19. The assessment is levied upon a part only of the property specially benefited thereby.
20. The description of the property sought to be assessed is imperfect, indefinite and uncertain.
21. The improvement described in the assessment roll is materially different from that described in the
ordinance.
22. None of the property of said objectors assessed herein will be specially benefited at all by said
alleged improvement.
23. The officer making said assessment has not described the district which, in his judgment, will be
benefited.
24. The assessment as made is for a different amount than that authorized by the ordinance and estimate.
25. The officer making the assessment is directly interested and benefited in the making of said assess-
ment and is therefore not qualified to act as such commissioner.
26. The property of objectors has been assessed in a prior proceeding for substantially the same im-
provement and the assessment therefore remains in full force and effect.

(OVER)

STATE OF ILLINOIS,

County of Cook.

SS:

CIRCUIT

County Court of Cook County.

IN THE matter of the application of the... Village of Wheeling..... in said County,
for the confirmation of Special Assessment No... B-172667..... for... sewers in Milwaukee
Avenue and other streets in Wheeling, Illinois.....

AND now come the several parties whose names are given in the schedule of lands hereto attached,
by GEORGE P. LATCHFORD.....

their attorney, and say that they are respectively the owners of or interested in the several lots and parcels of land described and set opposite their respective names in said schedule, and that they severally and collectively, object to the confirmation of said assessment upon said lots or parcels of land, or either of them, or upon any part of the same, for the following reasons, to-wit:

1. The petitioner has no power to make the proposed improvement by special assessment.
2. The proposed improvement is not a local improvement for which a special assessment may be levied.
3. The alleged ordinance does not prescribe the nature, character, locality and description of the proposed improvement, nor describe whether the same shall be made by special assessment or otherwise.
4. Said ordinance is void for uncertainty, insufficiency and informality.
5. Said ordinance was never legally passed, and never became effective as a valid ordinance.
6. Said ordinance was considered and passed by the city council before the same had been recommended by the board of local improvements.
7. Said ordinance was not passed for a public purpose, but to benefit personal and private interests exclusively.
8. The scheme of improvement has been divided into parts so as to avoid the necessity of making publication.
9. The ordinance provides for work which has been already built by special assessment or included in another assessment confirmed, or built, or agreed to be built by other parties or corporations.
10. The assessments, as made, is inequitable, unjust, and unfairly apportioned.
11. The property of these objectors is assessed more than its proportionate share of the cost of the proposed improvement.
12. The assessment upon the property of the objectors exceeds the benefits if any which will accrue to said property from the proposed improvement.
13. The property of the objectors is assessed more than its relative equitable share of the cost of said improvement.
14. The property of the objectors has been arbitrarily subdivided in making said assessment, without authority of law or the consent of said objectors.
15. The assessment roll has not been made nor certified in accordance with the requirements of the statute.
16. A large part of the cost of the proposed improvement should be apportioned against the petitioner as public benefits.
17. The officer whose duty it is to estimate what proportion of the total cost of the proposed improvement will be of benefit to the public and what proportion thereof will be of benefit to the property to be benefited has not made and reported such apportionment, as required by the statute.
18. Each lot, block, tract or parcel of land assessed herein has not been assessed separately in the manner required by statute.
19. The assessment is levied upon a part only of the property specially benefited thereby.
20. The description of the property sought to be assessed is imperfect, indefinite and uncertain.
21. The improvement described in the assessment roll is materially different from that described in the ordinance.
22. None of the property of said objectors assessed herein will be specially benefited at all by said alleged improvement.
23. The officer making said assessment has not described the district which, in his judgment, will be benefited.
24. The assessment as made is for a different amount than that authorized by the ordinance and estimate.
25. The officer making the assessment is directly interested and benefited in the making of said assessment and is therefore not qualified to act as such commissioner.
26. The property of objectors has been assessed in a prior proceeding for substantially the same improvement and the assessment therefore remains in full force and effect.

(OVER)

State of Illinois, } SS.
COUNTY OF COOK,

Circuit
~~County~~ Court of Cook County.

IN THE MATTER OF THE APPLICATION of the *Village of Wheeling* in said County for the confirmation of Special Assessment No. *B 179667* for *levying of special*

assessment for the construction of sanitary
sewers in Milwaukee Avenue and other streets

AND NOW COME the several parties whose names are set down in the schedule of lands hereto attached, by *Edward H. Tubey* their attorney, and say that they are respectively the owners of or interested in the several lots and parcels of land described and set opposite their respective names in said schedule, and object to the confirmation of said assessment upon said lot, or parcels of land or either of them, or upon any part of the same, for the reasons stated in the instrument hereto attached and entitled "Objections to Assessment."

Edward H. Tubey
Attorney for Objectors.

OBJECTIONS TO ASSESSMENT.

1. The ordinance for the proposed improvement is incomplete, informal and otherwise invalid.
2. The city council has no authority to pass the ordinance herein.
3. There is no necessity for making the proposed improvement.
4. The proposed improvement is a private and not a public improvement.
5. The ordinance does not prescribe the nature, character and locality of the proposed improvement.
6. The ordinance is void for uncertainty, insufficiency and informality.
7. The assessment is levied for a purpose not authorized by law.
8. There was no reference of the ordinance to any committee of the city council and no report was made thereon by such committee.
9. There is no evidence that said ordinance ever passed.
10. The petition, assessment roll and the notices of confirmation proceedings do not comply with the provisions of the statute and are informal, insufficient and void.
11. The assessment was levied by a commissioner who did not qualify as such or take the oath required by law.
12. The assessment is not levied upon the several parcels of land in the proportion of the benefits flowing from said improvement.
13. The assessment is levied upon part only of the property specially benefited.
14. The improvement described in the ordinance is double.
15. The commissioner in making the assessment roll did not regard the law in relation to special benefits, but made the assessment solely upon the false estimates furnished him by others.
16. The assessment as made is unequal and unjust and lacks that uniformity which the law requires.
17. The property of these objectors is assessed more than its proportionate share of the cost of the proposed improvement fairly and equitably chargeable upon the same.
18. The municipality has not power to make the proposed improvement.
19. The assessment was levied by a commissioner who was not eligible to act as such and who failed to qualify and take the oath as the law requires.
20. The estimate of the cost of said improvement is void.
21. The assessment and all proceedings herein are void.
22. The assessment upon the property of the objectors exceeds the benefits which will accrue to said property from the proposed improvement.
23. The assessment upon the property of the objectors exceeds the proportionate share of the cost of said improvement equitably and fairly chargeable upon said property.
24. The description of said improvement in the notices of application for confirmation, in the oath taken by the commis-

sioner, and in the assessment roll, are insufficient and variant from the ordinance directing the making of said improvement.

25. The property of the objectors has been assessed in one amount, so that it is impossible for the objectors to know what proportion of said assessment they should pay.

26. The property of the objectors is assessed in one amount together with other property the title to which is shown by the records of said county to be in other parties.

27. The property of the objectors has been arbitrarily subdivided in making said assessment without authority of law or the consent of said objectors, and said assessment has been illegally and unfairly levied on the separate parts of said property under said subdivision.

28. The petitioner has not been incorporated under an act entitled "An Act to Provide for the Incorporation of Cities and Villages," approved April 10, 1872, in force July 1, 1872.

29. The petitioner has not adopted Article 9 of an Act entitled "An Act to Provide for the Incorporation of Cities and Villages," approved April 10, 1872, in force July 1, 1872, in the manner therein provided.

30. The petitioner is not a city having a population of twenty-five thousand or more according to the last preceding census of the United States or of the State of Illinois.

31. The petitioner has not provided for the appointment and designation of a commissioner of public works, superintendent of streets, superintendent of special assessments, superintendent of sewers, or a city or public engineer, in accordance with the requirements of "An Act Concerning Local Improvements," approved June 14, 1897, in force July 1, 1897, and the amendments thereto.

32. The persons named in the proceedings herein as constituting the board of local improvements of the petitioner have not been designated or appointed members of said board in accordance with the requirements of the statute and do not constitute such board.

33. The ordinance for the proposed improvement does not prescribe whether the same shall be made by special assessment or special taxation of contiguous property, or general taxation, or both.

34. The notices of public hearing have not been given as required by statute.

35. The ordinance for the proposed improvement was considered and passed by the city council or board of trustees of petitioner before the same had been recommended by the board of local improvements as required by the statute.

36. No board of local improvements has been created for the petitioner in accordance with the requirements of the statute.

37. The ordinance providing for the proposed improvement did not originate with the board of local improvements in accordance with the requirements of the statute.

38. No petition for the proposed improvement was addressed or presented to the board of local improvements in accordance with the requirements of the statute.

State of Illinois, } SS.
COUNTY OF COOK,

CIRCUIT

County Court of Cook County.

Village of Wheeling

IN THE MATTER OF THE APPLICATION of the City of Chicago in said County for the confirmation

of Special Assessment No. B-179667 for the construction of sanitary sewers
in Milwaukee Avenue and other streets, alleys, public and private places
in the Village of Wheeling, Cook County, Illinois.

AND NOW COME the several parties whose names are set down in the schedule of lands hereto attached,
by Ning Eley and Kenneth G. Meyer, their attorney E, and say
that they are respectively the owners of or interested in the several lots and parcels of land described and set
opposite their respective names in said schedule, and object to the confirmation of said assessment upon said lots
or parcels of land or either of them, or upon any part of the same, for the reasons stated in the instrument hereto
attached and entitled "Objections to Assessment."

Ning Eley & Kenneth G. Meyer
Attorney E for Objectors.

OBJECTIONS TO ASSESSMENT.

1. The ordinance for the proposed improvement is incomplete, informal and otherwise invalid.
2. The city council has no authority to pass the ordinance herein.
3. There is no necessity for making the proposed improvement.
4. The proposed improvement is a private and not a public improvement.
5. The ordinance does not prescribe the nature, character and locality of the proposed improvement.
6. The ordinance is void for uncertainty, insufficiency and informality.
7. The assessment is levied for a purpose not authorized by law.
8. There was no reference of the ordinance to any committee of the city council and no report was made thereon by such committee.
9. There is no evidence that said ordinance ever passed.
10. The petition, assessment roll and the notices of confirmation proceedings do not comply with the provisions of the statute and are informal, insufficient and void.
11. The assessment was levied by a commissioner who did not qualify as such or take the oath required by law.
12. The assessment is not levied upon the several parcels of land in the proportion of the benefits flowing from said improvement.
13. The assessment is levied upon part only of the property specially benefited.
14. The improvement described in the ordinance is double.
15. The commissioner in making the assessment roll did not regard the law in relation to special benefits, but made the assessment solely upon the false estimates furnished him by others.
16. The assessment as made is unequal and unjust and lacks that uniformity which the law requires.
17. The property of these objectors is assessed more than its proportionate share of the cost of the proposed improvement fairly and equitably chargeable upon the same.
18. The municipality has not power to make the proposed improvement.
19. The assessment was levied by a commissioner who was not eligible to act as such and who failed to qualify and take the oath as the law requires.
20. The estimate of the cost of said improvement is void.
21. The assessment and all proceedings herein are void.
22. The assessment upon the property of the objectors exceeds the benefits which will accrue to said property from the proposed improvement.
23. The assessment upon the property of the objectors exceeds the proportionate share of the cost of said improvement equitably and fairly chargeable upon said property.
24. The description of said improvement in the notices of application for confirmation, in the oath taken by the commis-

sioner, and in the assessment roll, are insufficient and variant from the ordinance directing the making of said improvement.

25. The property of the objectors has been assessed in one amount, so that it is impossible for the objectors to know what proportion of said assessment they should pay.

26. The property of the objectors is assessed in one amount together with other property the title to which is shown by the records of said county to be in other parties.

27. The property of the objectors has been arbitrarily subdivided in making said assessment without authority of law or the consent of said objectors, and said assessment has been illegally and unfairly levied on the separate parts of said property under said subdivision.

28. The petitioner has not been incorporated under an act entitled "An Act to Provide for the Incorporation of Cities and Villages," approved April 10, 1872, in force July 1, 1872.

29. The petitioner has not adopted Article II of an Act entitled "An Act to Provide for the Incorporation of Cities and Villages," approved April 10, 1872, in force July 1, 1872, in the manner therein provided.

30. The petitioner is not a city having a population of twenty-five thousand or more according to the last preceding census of the United States or of the State of Illinois.

31. The petitioner has not provided for the appointment and designation of a commissioner of public works, superintendent of streets, superintendent of special assessments, superintendent of sewers, or a city or public engineer, in accordance with the requirements of "An Act Concerning Local Improvements," approved June 14, 1897, in force July 1, 1897, and the amendments thereto.

32. The persons named in the proceedings herein as constituting the board of local improvements of the petitioner have not been designated or appointed members of said board in accordance with the requirements of the statute and do not constitute such board.

33. The ordinance for the proposed improvement does not prescribe whether the same shall be made by special assessment or special taxation of contiguous property, or general taxation, or both.

34. The notices of public hearing have not been given as required by statute.

35. The ordinance for the proposed improvement was considered and passed by the city council or board of trustees of petitioner before the same had been recommended by the board of local improvements as required by the statute.

36. No board of local improvements has been created for the petitioner in accordance with the requirements of the statute.

37. The ordinance providing for the proposed improvement did not originate with the board of local improvements in accordance with the requirements of the statute.

38. No petition for the proposed improvement was addressed or presented to the board of local improvements in accordance with the requirements of the statute.