

PLAT NO. S/D 79-18 MAP NO. 4647

NAME RAINBOW LAKES WEST 5TH ADDITION

LOCATION: Northeast corner of 135th St. West and
Maple

ENGINEER K. O. Taylor

OWNER L. V. Bell

APPLICATION FILED 2-13-79

SKETCH PLAT FILED 2-13-79

PRELIMINARY FILED _____

S/D ACTION _____

FINAL FILED _____

S/D ACTION _____

MAPC ACTION _____

BCC ACTION _____

RECORDED _____

REMARKS SCZ-0415

3/16/90 File Closed

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67222-1668
(316) 268-4561

January 2, 1990

K.O. Taylor, Engineer
1542 S. St. Francis
Wichita, KS 67211

Re: S/D 79-18 - RAINBOW LAKES WEST 5TH ADDITION

Gentlemen:

On February 13, 1979, you filed the above-referenced request for subdivision approval. Since the last action on this application was on April 3, 1979, we request that you notify this office by January 31, 1990, if you intend to complete this subdivision case. If we have not heard from you by February 5, 1990, we will proceed to close the file.

If you have any questions about this matter or intend to complete this case, please feel free to contact this office at 268-4421.

Very truly yours,

R. Timothy Bickhaus
Associate Planner

RTB:svm

cc: L.U. Bell, 360 W. 135th Street West, Wichita, KS 67235

FILE COPY

WICHITA-SEDGWICK COUNTY

DATE

October 17, 1979

METROPOLITAN AREA PLANNING DEPARTMENT

Rainbow Lakes West 5th

TO Eugene H. Denton, City Manager
FROM Robert A. Lakin, Director of Planning
SUBJECT Applications for sewer service and water service
outside the City limits.

Four applications for sewer service and five applications for water service for properties generally located on both sides of 135th Street West between Maple and Central have been submitted to the City (see map attached). Two of these water service applications (for Rainbow Lakes West Third and Fourth Additions) are on the City Commission agenda for October 23, 1979, in conjunction with the plats. The other three water service applications and all four sewer service applications should be reviewed by the City Commission at the same time. The sewer service applications have already been fully approved and have the required signatures. They need only to be recorded with the Register of Deeds.

The water service applications require approval by the City Commission and the signatures of the Mayor and City Clerk prior to being recorded with the Register of Deeds.

These sewer and water services applications have been scheduled on the planning agenda following the two Rainbow Lakes plats and the recommended action is:

"Approve the applications for water service and authorize the Mayor to sign for the City; instruct the City Clerk to file the water service applications and the sewer service applications with the Register of Deeds, the recording costs of which shall be billed to the applicants."

For the City Clerk's information, the names and addresses of the applicants are listed below.

Rainbow Lakes, Inc.
c/o John W. Fry, President
322 Wheatland Place
Wichita, Kansas 67235

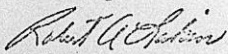
L. V. Ball
360 N. 135th Street West
Wichita, Kansas 67235

Eugene H. Denton, City Manager
Page 2
October 17, 1979

Associated Material and Supply Co., Inc.
c/o D. L. Stannard, President
4401 W. 53rd St. North
Wichita, Kansas 67235

M and B Investment, Inc.
c/o Howard Murray
9103 W. Central
Wichita, Kansas 67212

Sincerely,

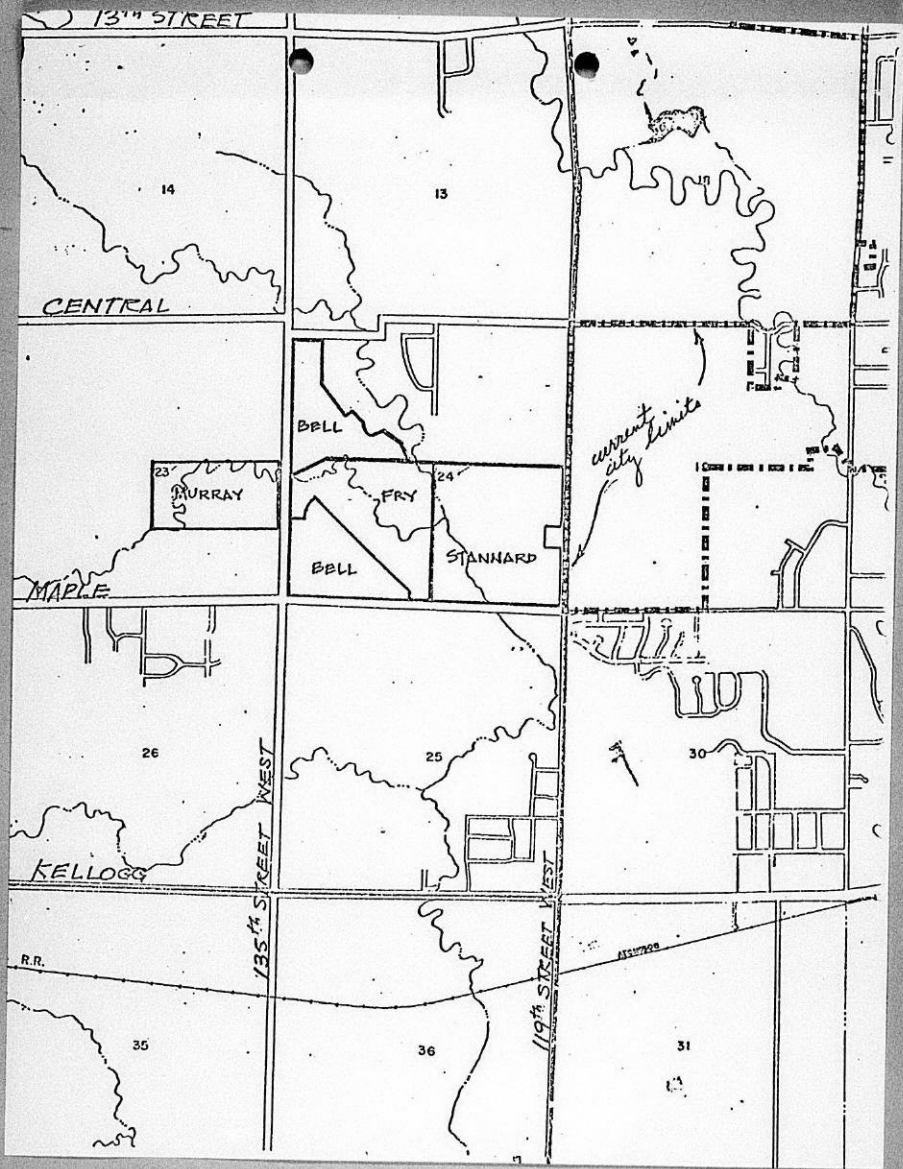


Robert A. Lakin
Director of Planning

RAL:LO:bh

Attachments

cc: Board of City Commissioners
City Clerk



MARTIN, PRINGLE, FAIR, DAVIS & OLIVER
320 Page Court, 220 W. Douglas
Wichita, Kansas 67202
(316) 265-9311

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

IN RE:

RAINBOW LAKES LATERAL SEWER DISTRICT

} 3rd, 4th, & 5th Sections

PETITION

TO: THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

1. The undersigned are the owners of one hundred percent of the real estate described in Exhibit "A", a copy of which is attached hereto and is incorporated in this petition.

2. The petitioners are desirous of creating a lateral sewer district to serve said area and, therefore, petition the Board for the creation of a lateral sewer district within this area.

3. Petitioners further request the Board to employ and appoint engineers to plan and superintend the construction of sewer systems and disposal systems serving said lateral sewer district.

WHEREFORE, petitioners pray that the Board of County Commissioners, by resolution pursuant to K.S.A. 1978 Supp. 19-2704a, create such a lateral sewer district within this area, that the Board cause such work to be done as necessary to construct sewer systems for this lateral sewer district through contracts and levy taxes for the payment thereof as provided by law.

RAINBOW LAKES, INC.

By John Fry
John Fry, President

ATTEST:

Beard Mill
Secretary

By L. V. Bell
L. V. BELL

By Sharon A. Bell
SHARON A. BELL

APPROVED AS TO FORM ONLY:

County Counselor

W. P. Zimmerman
Bond Counsel



EXHIBIT "A"

A tract in the SW 1/4 of Section 24, T27S, R2W of the 6th P.M., Sedgwick County, Kansas, described as follows: Beginning at the SE corner of said SW 1/4; thence S88°55'03"W along the south line of said SW 1/4, 330 feet; thence N0°11'20"W parallel to the east line of said SW 1/4, 264.18 feet; thence N52°01'37"W, 2542.09 feet; thence S37°58'23"W, 19.12 feet to the P.C. of a curve; thence southerly on a curve to the left having a radius of 236 feet and a deflection angle of 38°02'30", 159.69 feet to the P.T. of said curve; thence S0°04'07"E parallel to the west line of said SW 1/4, 250 feet; thence S89°55'53"W, 244 feet to the West line of said SW 1/4; thence N0°04'07"W along the west line of said SW 1/4, 750.27 feet to a point 427.73 feet south of the NW corner of said SW 1/4; thence N61°47'03"E, 950.52 feet to a point on the north line of said SW 1/4, 838.36 feet east of the NW corner of said SW 1/4; thence N88°31'08"E along the north line of said SW 1/4, 1795.34 feet to the NE corner of said SW 1/4; thence S0°11'20"E, 2657.3 feet to the point of beginning;

370
370

Commencing at the SE corner of the SW 1/4 of Section 24, T27S, R2W of the 6th P.M., Sedgwick County, Kansas; thence S88°55'03"W along the south line of said SW 1/4, 330 feet to a point of beginning; thence N0°11'20"W, 264.18 feet; thence north 52°01'37"W, 2542.09 feet; thence S 37°58'23"W, 19.12 feet to the P.C. of a curve; thence southerly on a curve to the left having a radius of 236 feet and a deflection angle of 38°02'30", a distance of 156.69 feet to the P.T. of said curve; thence S0°04'07"E, 250 feet; thence S89°55'53"W, 244 feet to the west line of said SW 1/4; thence S0°04'07"E along the west line of said SW 1/4, 1461.07 feet to the SW corner of said SW 1/4; thence N88°55'03"E along the south line of said SW 1/4, 2308.89 feet to the point of beginning;

500
500

Part of the SW 1/4 of Section 24 and part of the NW 1/4 of Section 24, all in T27S, R2W of the 6th P.M., Sedgwick County, Kansas, described as follows: Beginning at the SW corner of said NW 1/4; thence N0°00'E along the west line of said NW 1/4, 2364.20 feet to a point 280 feet south of the NW corner of said NW 1/4; thence N89°18'30"E parallel to the north line of said NW 1/4, 520 feet; thence S0°00'W, 806.21 feet; thence S41°25'E, 669.66 feet; thence N45°43'15"E, 200.25 feet; thence S41°25'E, 234.28 feet to the P.C. of a curve; thence southeasterly on a curve to the right having a radius of 258 feet and a deflection angle of 20°30', 92.31 feet to the P.T. of said curve; thence S20°55'E on a tangent to said curve, 88.07 feet to the P.C. of a curve; thence southeasterly on a curve to the left having a radius of 200 feet and a deflection angle of 21°55', 103.28 feet; thence S42°50'E, on a tangent to said curve, 120 feet; thence N47°10'E, 70 feet; thence N50°19'E, 183.84 feet; thence S55°04'22"E, 377.86 feet; thence S15°46'49"E, 606.26 feet to the south line of said NW 1/4; thence S88°31'08"W on the south line of said NW 1/4, 1305.91 feet to a point 838.36 feet east of the SW corner of said NW 1/4; thence S61°47'03"W, 950.52 feet to the west line of the SW 1/4 of said Section 24; thence N0°04'07"W, 427.73 feet to the point of beginning.

466
466

Subscribed and sworn to before me this 14th day of April, 1979, by JOHN FRY, President, and BOYD MILLS, Secretary of RAINBOW LAKES, INC.

Connie Johnson
Notary Public

My commission expires: 7-13-81

Subscribed and sworn to before me this 3rd day of April, 1979, by L. V. BELL and SHARON A. BELL.

Connie Johnson
Notary Public

My commission expires: 7-13-81

R# 107-1979
MARTIN, PRINGLE, PAIR, DAVIS & OLIVER
320 Page Court, 220 W. Douglas
Wichita, Kansas 67202
(316) 265-9311

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

IN RE:

RAINBOW LAKES LATERAL SEWER DISTRICT

} 3rd, 4th, & 5th Additions

RESOLUTION AND ORDER

WHEREAS, there has been presented to the Board of County Commissioners of Sedgwick County, Kansas, a petition, pursuant to the provisions of K.S.A. 1978 Supp. 19-2704a, signed by the owners of one hundred percent of the land in the proposed lateral sewer district, said land being described in Exhibit "A" attached hereto and incorporated in this Resolution and Order;

WHEREAS, said petition has been set forth for hearing before the Board this date and upon consideration of the matter the Board, meeting in regular session with the following members present, to-wit:

Tom Scott
Donald Gragg
Everett Patrick

being fully advised in the premises, all members voting in the affirmative make the following findings and order:

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

1. That the petition above referred to is in due and regular form and has been signed by one hundred percent of the owners of the land in the proposed lateral sewer district.
2. That no notice need be given since the petition is signed by the owners of one hundred percent of the land subject to assessment within the lateral sewer district sought to be created.
3. That the proposed lateral sewer district be created and the Board shall cause such work to be done as necessary to construct sewer systems and disposal systems for this lateral sewer district.
4. That the costs of all such sewer systems and disposal systems, including but not limited to, engineering, construction costs and temporary note interest shall, when ascertained, be assessed to the

land within the district and such assessments shall be determined and made as provided by the terms of K.S.A. 1978 Supp. 19-2705.

5. That in order to temporarily finance construction of the sewer systems and disposal systems, temporary notes shall be issued and upon completion of said sewer systems, bonds shall issue to mature over a period not to exceed twenty (20) years from the date of issue and not bearing an interest rate greater than that prescribed by K.S.A. 10-1009.

BE IT FURTHER RESOLVED that the Board is authorized to contract the services of Reiss & Goodness Engineers, a firm of registered engineers, to plan and superintend the construction of said sewer systems and disposal systems, such engineers to prepare a preliminary survey and determine the cost of construction and such plans and specifications as are required, the same to be approved by the County Commissioners.

BE IT FURTHER RESOLVED that the compensation or fee of the engineer shall be conditioned upon and contingent upon such work being actually done and that the cost of such preliminary survey work shall be and become a part of the completed project, as shall all other engineering work and services performed in connection therewith, and that as such construction is performed and that upon a completion thereof the said engineer shall be paid from a part of the special assessment levied to pay for such construction in conformity with the statutes in such cases provided.

ADOPTED the 2 day of May, 1979.



Dorothy K. White
Dorothy K. White, County Clerk

APPROVED AS TO FORM ONLY:

Russell C. Canaday
County Counselor

W. P. Zimmerman
Bond Counsel

Charles E. Pragg
Chairman
Donald E. Pragg
Commissioner

Commissioner

EXHIBIT "A"

3-8-01
 A tract in the SW 1/4 of Section 24, T27S, R2W of the 6th P.M., Sedgwick County, Kansas, described as follows: Beginning at the SE corner of said SW 1/4; thence S88°55'03"W along the south line of said SW 1/4, 330 feet; thence N0°11'20"W parallel to the east line of said SW 1/4, 264.18 feet; thence N52°01'37"W, 2542.09 feet; thence S37°58'23"W, 19.12 feet to the P.C. of a curve; thence southerly on a curve to the left having a radius of 236 feet and a deflection angle of 38°02'30", 159.69 feet to the P.T. of said curve; thence S0°04'07"E parallel to the west line of said SW 1/4, 250 feet; thence S89°55'53"W, 244 feet to the West line of said SW 1/4; thence N0°04'07"W along the west line of said SW 1/4, 750.27 feet to a point 427.73 feet south of the NW corner of said SW 1/4; thence N61°47'03"E, 950.52 feet to a point on the north line of said SW 1/4, 838.36 feet east of the NW corner of said SW 1/4; thence N88°31'08"E along the north line of said SW 1/4, 1795.34 feet to the NE corner of said SW 1/4; thence S0°11'20"E, 2657.3 feet to the point of beginning;

5-11-01
 Commencing at the SE corner of the SW 1/4 of Section 24, T27S, R2W of the 6th P.M., Sedgwick County, Kansas; thence S88°55'03"W along the south line of said SW 1/4, 330 feet to a point of beginning; thence N0°11'20"W, 264.18 feet; thence north 52°01'37"W, 2542.09 feet; thence S 37°58'23"W, 19.12 feet to the P.C. of a curve; thence southerly on a curve to the left having a radius of 236 feet and a deflection angle of 38°02'30", a distance of 156.69 feet to the P.T. of said curve; thence S0°04'07"E, 250 feet; thence S89°55'53"W, 244 feet to the west line of said SW 1/4; thence S0°04'07"E along the west line of said SW 1/4, 1461.07 feet to the SW corner of said SW 1/4; thence N88°55'03"E along the south line of said SW 1/4, 2308.89 feet to the point of beginning;

4-11-01
 Part of the SW 1/4 of Section 24 and part of the NW 1/4 of Section 24, all in T27S, R2W of the 6th P.M., Sedgwick County, Kansas, described as follows: Beginning at the SW corner of said NW 1/4; thence N0°00'E along the west line of said NW 1/4, 2364.20 feet to a point 280 feet south of the NW corner of said NW 1/4; thence N89°18'30"E parallel to the north line of said NW 1/4, 520 feet; thence S0°00'W, 806.21 feet; thence S41°25'E, 669.66 feet; thence N45°43'15"E, 200.25 feet; thence S41°25'E, 234.28 feet to the P.C. of a curve; thence southeasterly on a curve to the right having a radius of 258 feet and a deflection angle of 20°30', 92.31 feet to the P.T. of said curve; thence S20°55'E on a tangent to said curve, 88.07 feet to the P.C. of a curve; thence southeasterly on a curve to the left having a radius of 200 feet and a deflection angle of 21°55', 103.28 feet; thence S42°50'E, on a tangent to said curve, 120 feet; thence N47°10'E, 70 feet; thence N50°19'E, 183.84 feet; thence S55°04'22"E, 377.86 feet; thence S15°46'49"E, 606.26 feet to the south line of said NW 1/4; thence S88°31'08"W on the south line of said NW 1/4, 1305.91 feet to a point 838.36 feet east of the SW corner of said NW 1/4; thence S61°47'03"W, 950.52 feet to the west line of the SW 1/4 of said Section 24; thence N0°04'07"W, 427.73 feet to the point of beginning.

4-3-79

K. O. Taylor, Engineer
1542 S. St. Francis
Wichita, Kansas 67211

Re: S/D 79-18 - Sketch plat of Rainbow Lakes West 5th
Addition

Dear Mr. Taylor:

We have completed our review of the above referenced sketch plat and as you were aware from our conversation concerning the plat, the present City policy for extension of water service being to require annexation of those areas not now in the City which request City water service. It will, therefore, be necessary to request annexation of the subject property in order to proceed with the urban plat as submitted. Also, as you are aware, annexation of the property would entail filing of a city zone change case in order to establish the 4.7 acre commercial lot proposed on the plat.

As with the other Rainbow Lakes plats in the area, there are a multitude of drainage problems to be resolved with this plat. And, if a lake is to be utilized for handling of the drainage as shown on the sketch, a homeowners' association for maintenance will be necessary. In addition, the following conditions also apply:

- A. The applicant shall guarantee the paving of all streets in the subdivision to urban standards.
- B. The applicant shall guarantee the installation of municipal sanitary sewer and water systems to serve subject property.
- C. The applicant shall guarantee the installation of sidewalks adjacent to both sides of all streets.
- D. The applicant shall guarantee all drainage improvements on the plat.
- E. Complete access control shall be indicated on all lots adjacent to Maple and 135th Street West except for the corner commercial lot. Access controls to the commercial lot shall be established when the preliminary plat is considered by the Subdivision Committee of the Planning Commission.

K. O. Taylor, Engineer
4-3-79
Page 2

- F. The applicant shall submit a covenant to be recorded with the plat which shall provide for four off-street parking spaces on each lot adjoining a 58 foot street and shall state that parking will be permitted on only one side of a 58 foot street.
- G. Requirements for a preliminary plat of the MAPC Sub-division Regulations.

You are hereby granted approval to proceed with submission of a preliminary plat with the understanding that annexation is required. Therefore, you may wish to resolve this matter before proceeding further with the plat. If you have any questions, please call.

Enclosed herewith is a marked engineer's copy of the plat for your information and records.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:bh

cc: L. U. Bell, 360 W. 135th Street, West, 67235

Map No.: 4647
Section No.: 24
Twp. No.: 27
Range: 2W

S/D No. 79-18

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Rainbow Lakes West 5th Add
General Location: NE cor 135th St. West & Maple

Name of Property Owner: L.V. Bell
Address: 360 N. 135th St. West Phone: 722-4176
Name of Subdivider: _____ Phone: _____
Address: _____ Phone: _____
Name of Agent/Surveyor: R.O. Taylor
Address: 1542 So. St. Francis Phone: 264-0341
Date of Application: Feb 5, 1979

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 59.5 Ac
2. Number of Lots:
 - Residential 124
 - Commercial 1
 - Industrial _____
 - Other 1Total Number of Lots 126
3. Minimum Lot Frontage 50 ft.
4. Minimum Lot Area 10000 ft.
5. Existing Zoning B-1
6. Proposed Zoning AA+LC
7. Lineal Feet of New Streets:
 - a. 58 R/W 1765 ft.
 - b. 64 R/W 4615 ft.
 - c. 75 R/W 525 ft.
 - d. 50 R/W 3160 ft.
 - e. _____ R/W _____ ft.TOTAL 10065 ft.
8. Sidewalk adjacent to all streets? yes no
9. Public Water Supply Yes (Yes-No), Name City of Wichita
10. Public Sanitary Sewers Yes (Yes-No), Name City of Wichita
11. Health Department Approval (where applicable) No (Yes-No)
12. City of Wichita Three-Mile Area

The owner herein agrees to comply with the Subdivision Regulations for the Wichita-Sedgwick County Metropolitan Area, as approved, and all other pertinent ordinances of the City of Wichita and/or Resolutions of Sedgwick County, Kansas, and Statutes of the State of Kansas. He further agrees that he waives the 60-day statutory period in which the Planning Commission or governing body must act. In addition, it is agreed that all costs of recording the plat and supplemental documents thereto with the Register of Deeds, as well as all costs of publication of initiating resolutions approving any petition for improvements, such as streets, sewer, sidewalks, etc. shall be assumed and paid by the owner when billed. The undersigned further states that he is the owner of the property proposed for platting.

Owner's Signature: X L.V. Bell

Wichita-Sedgwick County Metropolitan Area
Planning Commission, 10th Floor, City Hall,
455 North Main, Wichita, Kansas 67202.

Received by Paul Hendry
Date 2/13/79
Fee Submitted none