



**TOWN OF HORIZON CITY  
Planning and Zoning Commission Staff Report**

**Case No.:** SDV24-0001  
**Application Type:** Water Utility Easement Vacation  
**P&Z Hearing Date:** March 18, 2024  
**Staff Contact:** Art Rubio, Chief Planner  
 915-852-1046 ext.407; arubio@horizoncity.org  
**Address/Location:** 1560 Pawling Dr., located East of Darrington Rd. and North of Oxbow Dr.  
**Property ID No.:** 221233  
**Legal Description:** Lot 2, Block 2, Horizon Manor Unit One, Town of Horizon City, El Paso County, Texas  
**Existing Use:** Vacant  
**Owner:** Horizon Oxbow Development, LLC  
**Applicant/Rep.:** Karam Development, LLC  
**Nearest Park:** Corky Park  
**Nearest School:** Horizon Middle School

<b>SURROUNDING PROPERTIES:</b>		
	<b>Zoning</b>	<b>Land Use</b>
<b>N</b>	C-1 (General Commercial), C-2 (Heavy Commercial)	Retail, Restaurant
<b>E</b>	C-1 (General Commercial), A-1 (Apartments)	Retail, Warehousing, Multi-family Residential
<b>S</b>	C-1 (General Commercial)	ESD #1, Warehousing, Retail
<b>W</b>	C-2 (Heavy Commercial)	Retail, Restaurant
<b>LAND USE AND ZONING:</b>		
	<b>Existing</b>	<b>Proposed</b>
<b>Land Use</b>	Vacant (Demolishing existing structures)	Warehouse Flex units
<b>Zoning</b>	C-1 (General Commercial)	No proposed change

**Application Description:**

The applicant is requesting to vacate an existing 10' foot water utility easement within his property to incorporate and make use of the property for their plan to develop the entire property.

**Notice:**

In accordance with Horizon City Code of Ordinance, *Chapter 1 General Provisions, Article 1.08 Vacation of Public Easement or Right-of-Way, Section 1.08.003 Procedure; Notice of Public Hearings (b) (2) Public Easement Vacation*, notice of the planning and zoning commission and the city council hearing shall not be required personally to abutting property owners when the application is for vacation of a public easement. Any responses received by staff will be presented to the Commission at the meeting.

**Staff Recommendation:**

Staff recommends **approval** of the request to vacate the easement in question as HRMUD has no objection to the vacation of the water utility easement and no objections were received by any other utility companies in Horizon City.

**Horizon Regional Municipal Utility District**

No objections. Letter of no objection to vacation was received.

**El Paso Electric**

No objections.

**Texas Gas Service**

No objections.

**Spectrum**

No objections.

**AT&T**

AT&T has no objection nor AT&T facilities in this easement.

**Attachments:**

**Attachment 1 – Zoning Map**

**Attachment 2 – Aerial**

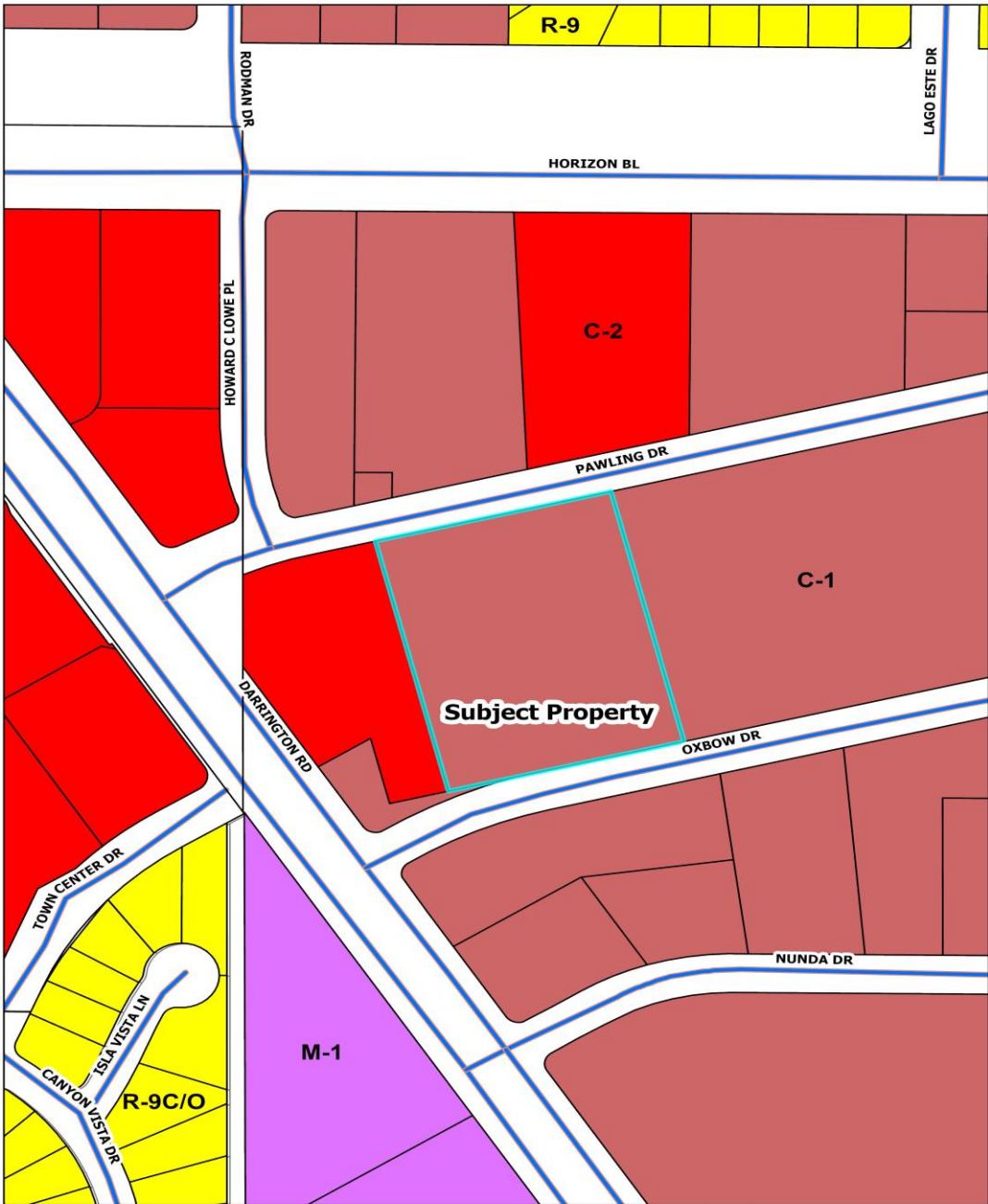
**Attachment 3 – Survey and M&B**

**Attachment 4 – Application**

**Attachment 5 – Applicant/Representative Affidavit**

**Attachment 1: Zoning Map**

**Planning & Zoning Commission  
10' Foot Water Line Easement Vacation  
1560 Pawling Dr.**



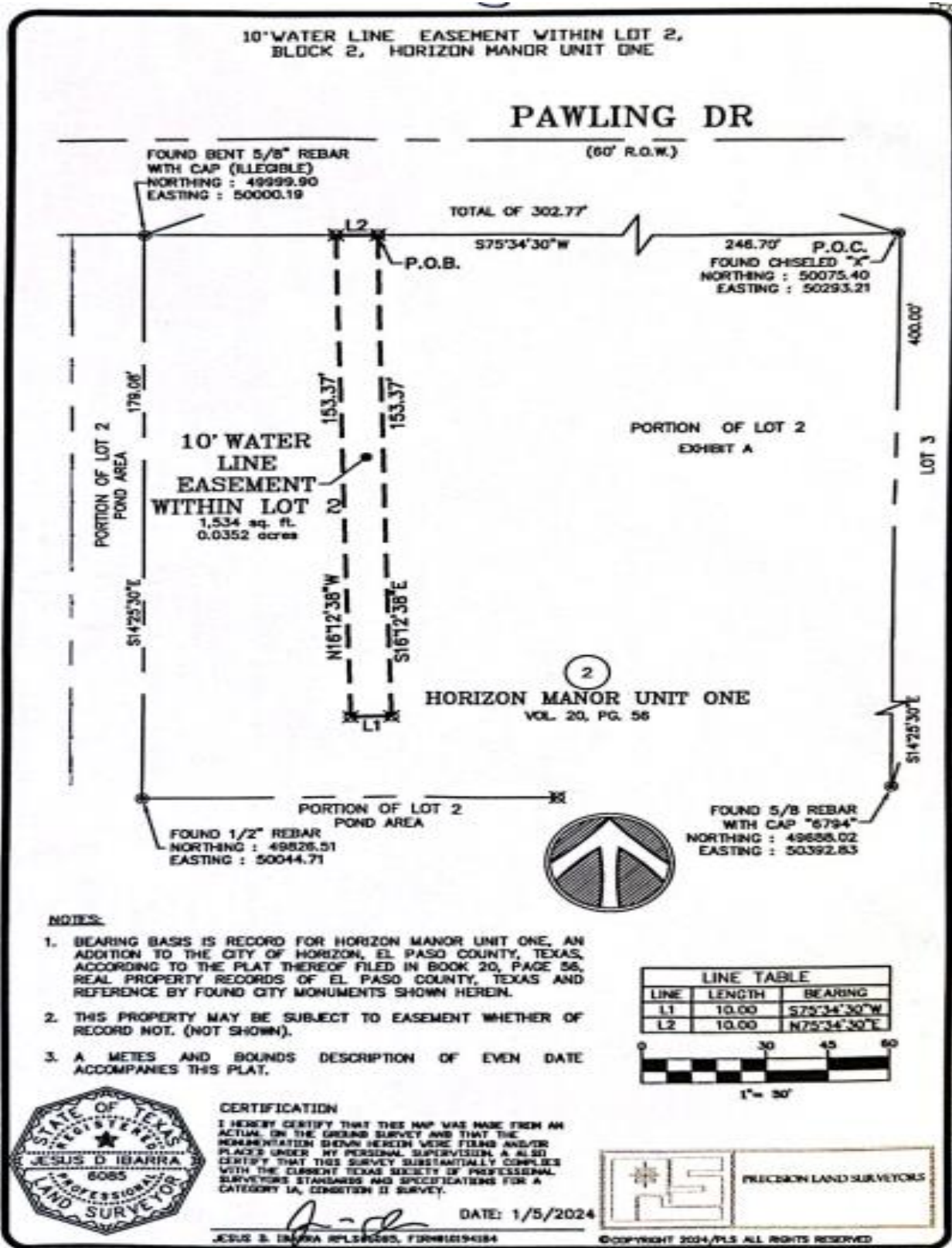
**Attachment 2: Aerial**

**Planning & Zoning Commission  
10' Foot Water Line Easement Vacation  
1560 Pawling Dr.**





Attachment 3: Survey & M&B



**Attachment 3: Survey & M&B**



**PRECISION LAND SURVEYORS**

10441 VALLE DE ORO DR.

El Paso, Texas 79927

Ph# (915) 222-5227

Being that 10' Water Line  
Easement within Lot 2, Block 2,  
Horizon Manor Unit One,  
City of Horizon,  
El Paso County, Texas,  
January 5, 2024

**METES AND BOUNDS DESCRIPTION**

Description of a parcel of land being that 10 foot water easement within Lot 2, Block 2, Horizon Manor Unit One, City of horizon, El Paso County, Texas, according to the plat thereof filed in Volume 20, Page 56, El Paso County plat records and being more particularly described by metes and bounds as follows:

Commencing for reference at a found chiseled "X" at the northerly common corner of Lots 2 and 3, Block 2, Horizon Manor Unit One and the south right of way line of Pawling Drive (60 foot R.O.W.), whence a found 5/8" rebar with cap "6794" at the southerly common corner of said Lots 2 and 3 bears, South 14°25'30" East a distance of 400.00 feet, thence along said right of way line, South 75°34'30" West a distance of 246.70 feet to the **"TRUE POINT OF BEGINNING"**.

Thence leaving said right of way line, South 16°12'38" East a distance of 153.37 feet to a point,

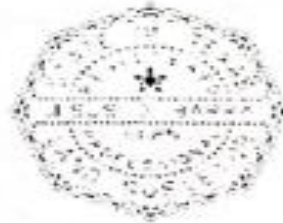
Thence, South 75°34'30" West a distance of 10.00 feet to a point,

Thence, North 16°12'38" West a distance of 153.37 feet to a point on said right of way line,

Thence along said south right of way line, North 75°34'30" East a distance of 10.00 feet to **"TRUE POINT OF BEGINNING"** and containing in all 1,534 square feet or 0.0352 acres of land more or less.



Jesus D. Ibarra, RPLS No.6085  
January 5, 2024



**Attachment 4: Application**



Case No \_\_\_\_\_

**VACATION OF PUBLIC EASEMENTS & RIGHTS-OF-WAY APPLICATION**

Date: 2-7-2024

1. APPLICANT'S NAME KARAM Development (TJ KARAM)  
 ADDRESS 709 Cervantes Ct ZIP CODE 79922 TELEPHONE 915 204 0095
2. PROPERTY OWNER Horizon Oxbow Development, LLC  
 ADDRESS 320 TEXAS AVE FL 2 ZIP CODE 79901 TELEPHONE 915 204 0095
3. Request is hereby made to vacate the following: (check one) Street  Alley  Easement  Other   
 Street Name / Location: ~~320~~ Pawling Dr.  
 Subdivision Name: HORIZON MANOR UNIT ONE
4. Reason for vacation request: Will not be used and property will be developed.
5. Surface Improvements located in subject property to be vacated:  
 None  Paving  Curb & Gutter  Power Lines/Poles  Fences/Walls  Structures  Other
6. Underground Improvements located in the existing rights-of-way:  
 None  Telephone  Electric  Gas  Water  Sewer  Storm Drain  Other
7. Future use of the vacated right-of-way:  
 Yards  Parking  Expand Building Area  Replat with abutting Land  Other
8. Related applications which are pending (give name or file number): Zoning  Board of Adjustment   
 Subdivision  Building Permits  Other
9. Signatures: All owners of properties which abut the property to be vacated must appear below with an adequate legal description of the properties they own (use additional paper if necessary).

	Signature	Legal Description	Telephone
N/A	_____	_____	_____
	_____	_____	_____

The undersigned Owner/Applicant/Agent understands that the processing of this Application will be handled in accordance with the procedure for Requesting Vacations and that no action on processing will be taken without payment of the non-refundable processing fee. It is further understood that acceptance of this application and fee in no way obligates the Town of Horizon City to grant the Vacation.

The undersigned acknowledges that he or she is authorized to do so, and upon the Town's request will provide evidence satisfactory to the Town's confirming these representations.

The granting of a vacation request shall not be construed to be a waiver of or an approval of any violation of any of the provisions of any applicable ordinances.

OWNER / APPLICANT SIGNATURE:  REPRESENTATIVE: TJ Karam

Easement Fee: \$75  
 Right-of-Way Fee: \$150

Note: Applicant is responsible for all expenses incurred by the City in connection with this request, including but not limited to attorney's fees, engineering fees, appraisals, and publication. Charges will be invoiced separately. Applicant's initials \_\_\_\_\_

Please see reverse side for a list of items required when submitting the Vacation application.

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.



**Attachment 5: Applicant/Representative Affidavit**

**AFFIDAVIT**

(Appointment of Representative)

THE STATE OF TEXAS

COUNTY OF EL PASO

BEFORE ME, the undersigned official, on this day personally appeared GEORGE M. DIPP FOR HORIZON OXBOW LLC., who is personally know to me, and first being duly sworn according to law upon his/her oath deposed and said:

"My name is George M Dipp; I am over eighteen (18) years of age and I reside at: 912 Kelby Place El Paso TX 79922. I have the legal authority to appoint a representative and I have personal knowledge of this facts stated herein, and they are all true and correct. I own the property which is the subject of this proposed  Land Development Exemption Determination  Subdivision Application  Rezoning Application  Specific Use Permit  Variance Application  Building Permit Application  Other Application (Application name) EASEMENT VACATION. I have designated (Firm/Individual) KARAM DEVELOPMENT/TU KARAM to represent me in filing an application for a with Planning Department of the Town of Horizon City, and to appear on my behalf at all necessary meetings of the Planning and Zoning Commission and the City Council of Horizon City with respect to this application. In relation to this, it is my understanding that as owner of the aforementioned property either I or my designated representative may appear on behalf of the proposed application. It has been explained to me and I understand that a written notice must be filed with the Planning Director of the Town of Horizon City to give notice of a termination of this appointment prior to the final determination regarding my application, and I must make and file a new affidavit and appointment of representative to change or substitute the representative."

\_\_\_\_\_  
Affiant

On 3/6, 2024, personally appeared George M Dipp and having been duly sworn by me, subscribed to the foregoing affidavit and has stated that the facts therein are true and correct.

\_\_\_\_\_  
Notary Public, State of Texas

