



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: May13, 2025

To: Honorable Mayor and Members of City Council

From: Art Rubio, Chief Planner

SUBJECT: **2nd Reading of Ordinance No. _____**, an Ordinance vacating a portion of a 60'- foot Right-of-Way and 10' ft Utility Easements on a portion of Lots 1-10, Block 19 and Lots 1-11, Block 22, Horizon Country Club Estates Unit 3, Town of Horizon City, El Paso County, Texas; and Providing for Repealer and Severability Clauses.

On March 17, 2025, the Planning & Zoning Commission unanimously recommended approval of a portion of a 60'- foot Right-of-Way and 10' ft Utility Easements vacation.

On April 08, 2025, the City Council unanimously recommended approval of a portion of a 60'- foot Right-of-Way and 10' ft Utility Easements vacation.

The application meets all minimum requirements for a vacation of Right-Of-Way and Easements and staff recommends approval of the 60'- foot Right-of-Way and 10' ft Utility Easements

ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF A 60'-FOOT PUBLIC RIGHT-OF-WAY AND ALL EASEMENTS LOCATED WITHIN LOTS 1-10, BLOCK 19 AND LOTS 1-11, BLOCK 22. HORIZON COUNTRY CLUB ESTATES UNIT 3, TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS AND PROVIDING FOR REPEALER AND SEVERABILITY CLAUSES

WHEREAS, the property owner has requested vacation of a portion of a 60'-foot public right-of-way and all easements located within Lots 1-10, Block 19 and Lots 1-11, Block 22. Horizon Country Club Estates Unit 3, Town of Horizon City, El Paso County, Texas.

WHEREAS, after public hearing, the Town of Horizon City Planning and Zoning Commission has recommended that said portion Right-Of-Way and all easements within Lots 1-10, Block 19 And Lots 1-11, Block 22. Horizon Country Club Estates Unit 3, Town of Horizon City, El Paso County, Texas, should be vacated.

WHEREAS, the City Council finds that the vacation of said public Right-Of-Way and easements is in the public interest of the Town of Horizon City, El Paso County, Texas.

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace and order of the Town of Horizon City to adopt this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS, THAT:

1. ENACTMENT OF PUBLIC UTILITY VACATION

A 60'-foot public right-of-way and all easements located within Lots 1-10, Block 19 and Lots 1-11, Block 22. Horizon Country Club Estates Unit 3, Town of Horizon City, El Paso County, Texas, further described by metes and bounds and survey map attached hereto as Exhibit "A" and incorporated by reference herein, is hereby vacated and the Mayor is hereby authorized to sign an instrument releasing all of the public utility's right, & interest and vacate a portion of Right-Of-Way.

2. FINDINGS OF FACT

This ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below; and further that the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

3. REPEALER

Right-Of-Way and Easement Vacation, Emigrant Rd, 2025

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the effect of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. EFFECTIVE DATE

This Ordinance shall be effective upon passage.

6. PROPER NOTICE AND MEETING

It is officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

PASSED AND APPROVED this _____ day of _____, 2025, by a vote of _____ (ayes) to _____ (nays) to _____ (abstentions) of the City Council of Horizon City, Texas.

TOWN OF HORIZON CITY

by: _____
Andres Renteria, Mayor

ATTEST:

Elvia Schuller, TRMC, City Clerk

APPROVED AS TO FORM:

Sylvia Borunda Firth, City Attorney

First Reading 04/08/2025
Second Reading 05/13/2025

Prepared for:
January 8, 2025
(Emigrant Road)

METES AND BOUNDS DESCRIPTION

Description of a 60 foot right of way of Emigrant Road out of Horizon Country Club Estates Unit Three as recorded in Volume 27, Page 20, Plat Records of El Paso County, Texas and being more particularly described by Metes and Bounds as follows:

The **“TRUE POINT OF BEGINNING”** being a found 5/8” rebar with a cap marked Landmark TX. 5586 on the intersection of the westerly right of way line of Emigrant Road with the common line of Lots 10 and 11, Block 22, Horizon Country Club Estates Unit Two from which a found 5/8” rebar with a cap marked Landmark TX. 5586 on the intersection of the westerly right of way line of Emigrant Road with the common line of Lots 2 and 3, Block 22, Horizon Country Club Estates Unit Two bears South 33°04’20” East a distance of 325.00 feet;

Thence along the westerly right of way line of Emigrant Road, North 33°04’20” West a distance of 36.00 feet to a point of curve from which a found ½” rebar bears South 09°27’08” West a distance of 0.67 feet;

Thence, 31.42 feet along the arc of a curve to the left, having a radius of 20.00 feet, a central angle of 90°00’00” and a chord which bears North 78°04’20” West a distance of 28.28 feet to a set ½” rebar with cap marked TX 5152 on the southerly right of way line of Dilley Drive;

Thence along said right of way line, North 56°55’40” East a distance of 100.00 feet to a set ½” rebar with cap marked TX 5152;

Thence leaving said right of way line, 31.42 feet along the arc of a curve to the left, having a radius of 20.00 feet, a central angle of 90°00’00” and a chord which bears South 11°55’40” West a distance of 28.28 feet to a found ½” rebar with cap marked TX 5152 on the easterly right of way line of Emigrant Road;

Thence long said right of way line, South 33°04’20” East a distance of 432.00 feet to a point of curve from which a found ½” rebar with cap marked TX 6223 bears, South 79°44’10” East a distance of 0.24 feet and a 1/2” rebar bears South 18°37’30” East a distance of 0.43 feet;


Thence, 31.42 feet along the arc of a curve to the left, having a radius of 20.00 feet, a central angle of $90^{\circ}00'00''$ and a chord which bears South $78^{\circ}04'20''$ East a distance of 28.28 feet to a point on the southerly right of way line of Delake Drive from which a found $\frac{1}{2}$ " rebar with cap marked TX 6233 bears, South $70^{\circ}39'36''$ West a distance of 0.31 feet;

Thence along the southerly right of way line of Delake Drive, South $56^{\circ}55'40''$ West a distance of 100.00 feet to a point from which a found $\frac{1}{2}$ " rebar with cap marked TX 6233 bears, North $76^{\circ}41'22''$ East a distance of 0.31 feet;

Thence, 31.42 feet along the arc of a curve to the left, having a radius of 20.00 feet, a central angle of $90^{\circ}00'00''$ and a chord which bears North $11^{\circ}55'40''$ East a distance of 28.28 feet to a point on the westerly right of way line of Emigrant Road from which a found $\frac{1}{2}$ " rebar with cap marked TX 6233 bears, North $70^{\circ}53'38''$ East a distance of 0.31 feet;

Thence along said right of way line of Emigrant Road, North $33^{\circ}04'20''$ West a distance of 396.00 feet to the **TRUE POINT OF BEGINNING** and containing 28,663 Square Feet or 0.6580 Acres of land more or less.

Note: A drawing of even date accompanies this description.


Ron R. Conde
R.P.L.S. No. 5152



CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
6080 SURETY DRIVE SUITE 100 / EL PASO, TEXAS 79905
(915) 592-0283 FAX (915) 592-0286 FIRM# 10078100

NOTES:

SCHEDULE B ITEMS LISTED BELOW PER FIRST AMERICAN TITLE GUARANTY COMPANY COMMITMENT FOR TITLE INSURANCE GF NO. 242187-COM WITH EFFECTIVE DATE OF NOVEMBER 21, 2024, ISSUED DECEMBER 4, 2024 AND GF FILE NO. 242188-COM, ISSUED NOVEMBER 21, 2024, ISSUED DECEMBER 4, 2024.

10a. MATTERS SET FORTH ON THE SUBDIVISION PLAT, INCLUDING BUT NOT LIMITED TO BUILDING SET BACK LINES, EASEMENTS FOR PUBLIC UTILITIES, AND EASEMENTS FOR BURIED SERVICE WIRES, CONDUITS, ETC., WITH THE RIGHT TO INGRESS AND EGRESS FOR SERVICE, SHOWN ON THE RECORDED PLAT OF SAID ADDITION IN VOLUME 27, PAGE 20, REAL PROPERTY RECORDS, EL PASO COUNTY, TEXAS. SAID EASEMENTS BEING A 5 FEET IN WIDTH EASEMENT ALONG THE REAR PROPERTY LINE OF ALL LOTS; A 5 FEET UTILITY EASEMENT ALONG THE NORTHERLY PROPERTY LINE OF LOTS 1, 4, 7, AND 10; AND A 5 FEET UTILITY EASEMENT ALONG THE SOUTHERLY PROPERTY LINE OF LOTS 2, 5, 6, AND 9.

10f. THIS PROPERTY LIES WITHIN THE TAXING JURISDICTION AND AUTHORITY OF THE HORIZON REGIONAL MUNICIPAL UTILITY DISTRICT F/K/A/ EL PASO COUNTY WATER AUTHORITY (M.U.D.) AS REFERRED TO UNDER CLERK'S FILE NO. 20090069802 AND CLERK'S FILE NO. 20120103988, REAL PROPERTY RECORDS, EL PASO COUNTY, TEXAS.

10s. RESERVATION OF MINERAL INTEREST IS RESERVED AS A FREE ROYALTY TO THE STATE OF TEXAS IN PATENT RECORDED IN VOLUME 934, PAGE 284, REAL PROPERTY RECORDS, EL PASO COUNTY, TEXAS. (Vol. 934, Pg 284 covers Lot 6, Block 2, Rosedale Farms Subdivision No. 3)

10t. RESERVATION OF ROYALTY WHICH MAY BE RESERVED IN ANY OIL, GAS AND MINERAL TO R.C. SPARKS, ETAL, OF RECORD IN VOLUME 1294, PAGE 441, REAL PROPERTY RECORDS, EL PASO COUNTY, TEXAS; AND TRANSFERRED TO WILNA RUTH SPARKS, ETAL, IN VOLUME 325, PAGE 86, REAL PROPERTY RECORDS, EL PASO COUNTY, TEXAS. (Not Applicable)

10u. TITLE TO ALL, OIL, GAS AND MINERALS OF EVERY KIND AND CHARACTER NOT PREVIOUSLY CONVEYED IN, ON AND UNDER THE INSURED PREMISES, TOGETHER WITH ALL RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, HERETOFORE RESERVED, OR CONVEYED BY PREDECESSORS IN TITLE TO HORIZON PROPERTIES CORPORATION, I VOLUME 1141, PAGE 1729, REAL PROPERTY RECORDS, EL PASO COUNTY, TEXAS. (Not Applicable)

10v. TERMS, CONDITIONS, EASEMENTS, RESTRICTIONS AND PROVISIONS OF THAT CERTAIN DEVELOPMENT AGREEMENT DATED DECEMBER 16, 1961, BY AND BETWEEN HORIZON PROPERTIES CORPORATION AND SOUTHER GULF UTILITIES, INC., IN VOLUME 1687, PAGE 506, REAL PROPERTY RECORD, EL PASO COUNTY, TEXAS. (Affects Property)

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY PANELS NO 480212-250B and 237B, DATED SEPTEMBER 4, 1991 PROPERTY IS IN FLOOD HAZARD ZONE X.

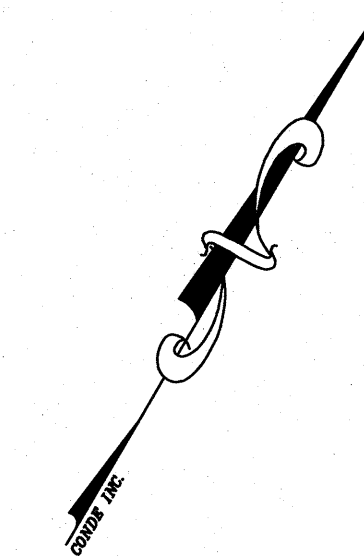
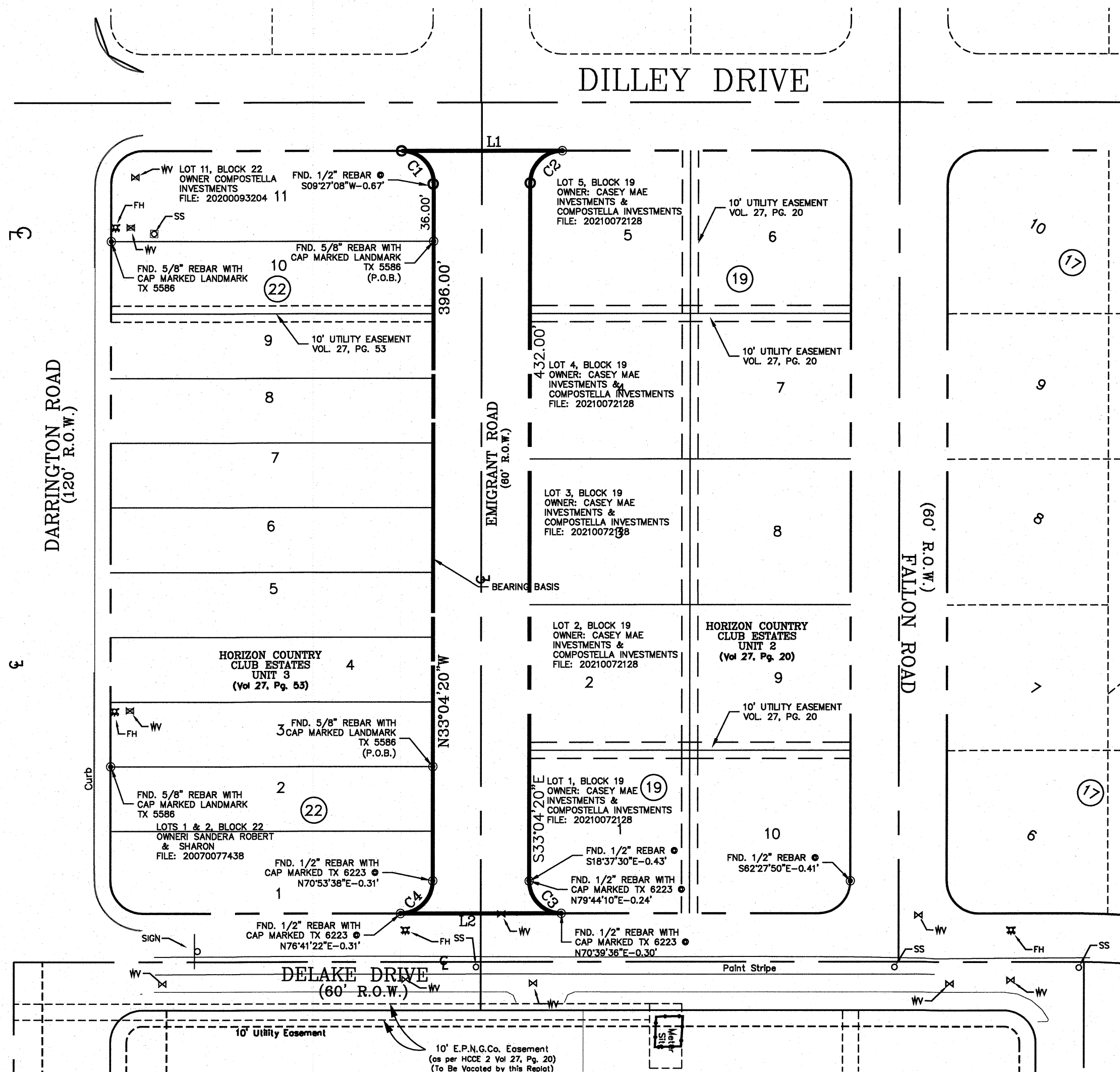
A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANY THIS DRAWING.

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	20.00'	31.42'	20.00'	28.28'	N78°04'20"W	90°00'00"
C2	20.00'	31.42'	20.00'	28.28'	S11°55'40"W	90°00'00"
C3	20.00'	31.42'	20.00'	28.28'	S78°04'20"E	90°00'00"
C4	20.00'	31.42'	20.00'	28.28'	N11°55'40"E	90°00'00"

LINE TABLE		
LINE	LENGTH	BEARING
L1	100.00	N66°55'40"E
L2	100.00	S56°55'40"W

PLAT OF SURVEY

A PORTION OF HORIZON COUNTRY CLUB ESTATES UNIT 3, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 27, PAGE 53, REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS CONTAINING 28,663 SQUARE FEET OR 0.6580 ACRES



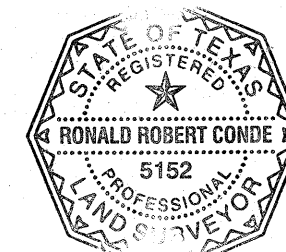
SCALE: 1" = 60'

SYMBOL LEGEND

●	FOUND CONTROL POINT
⊕	FOUND CITY MONUMENT
○	SET 1/2" REBAR W/CAP 5152
⊗	FIRE HYDRANT
⊙	SANITARY SEWER
⊕	WATER VALVE
⊖	TRAFFIC SIGN



CONDE INC.
ENGINEERING/ PLANNING/ LAND SURVEYING/ CADD
6080 SURETY DRIVE-SUITE 100-EL PASO, TEXAS 79905
PHONE (915) 592-0283, FAX (915) 592-0286, FIRM# 10078100



CERTIFICATION

THIS PLAT REPRESENTS A SURVEY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF BASED ON THE FACTS EXISTING AT TIME OF THIS SURVEY.

RON R. CONDE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS LICENSE NO. 5152



TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report

Case No.: SDV24-0003
Application Type: Right-of-Way Vacation
P&Z Hearing Date: February 17, 2025
Staff Contact: Art Rubio, Chief Planner
915-852-1046 ext.407; arubio@horizoncity.org
Address/Location: Emigrant Rd., located East of Darrington Rd. and North of Horizon Blvd.
Property ID No.: N/A
Legal Description: A portion of Horizon Country Club Estates Unit 3, According to the Plat Thereof Recorded in Volume 27, Page 53, Real Property Records of El Paso County, Texas.
Existing Use: Vacant
Owner: Town of Horizon City
Applicant/Rep.: Town of Horizon City
Nearest Park: Corky Park
Nearest School: Horizon Middle School

SURROUNDING PROPERTIES:		
	Zoning	Land Use
N	R-4	Residential (Vacant)
E	R-4	Residential (Vacant)
S	C-1 (General Commercial)	Commercial
W	A-1	Vacant
LAND USE AND ZONING:		
	Existing	Proposed
Land Use	Unimproved Street	To Be Developed
Zoning	C-1	C-1

Application Description:

On the **Vacation** application request (**Case No. SDV24-0003**), to vacate a portion of a 60'-foot Right-of-Way and 10' ft Utility Easements on a portion of Lots 1-10, Block 19 and Lots 1-11, Block 22. Horizon Country Club Estates Unit 3, Town of Horizon City, El Paso County, Texas, to incorporate and make full use of the property. City initiated vacation.

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:

No objections.

HRMUD

No objections.

El Paso Electric

We have no comments for the vacation of ROW for Emigrant Rd.

Texas Gas Service

Texas Gas Service does not have any comments.

El Paso Natural Gas – Kinder Morgan

This project area is clear of El Paso Natural Gas a Company of Kinder Morgan's Pipelines and Facilities.

Spectrum

No objections.

AT&T

No objections.

Attachments:

Attachment 1 – Aerial Map

Attachment 2 – Zoning Map

Attachment 3 – Survey and M&B

Attachment 4 – Application

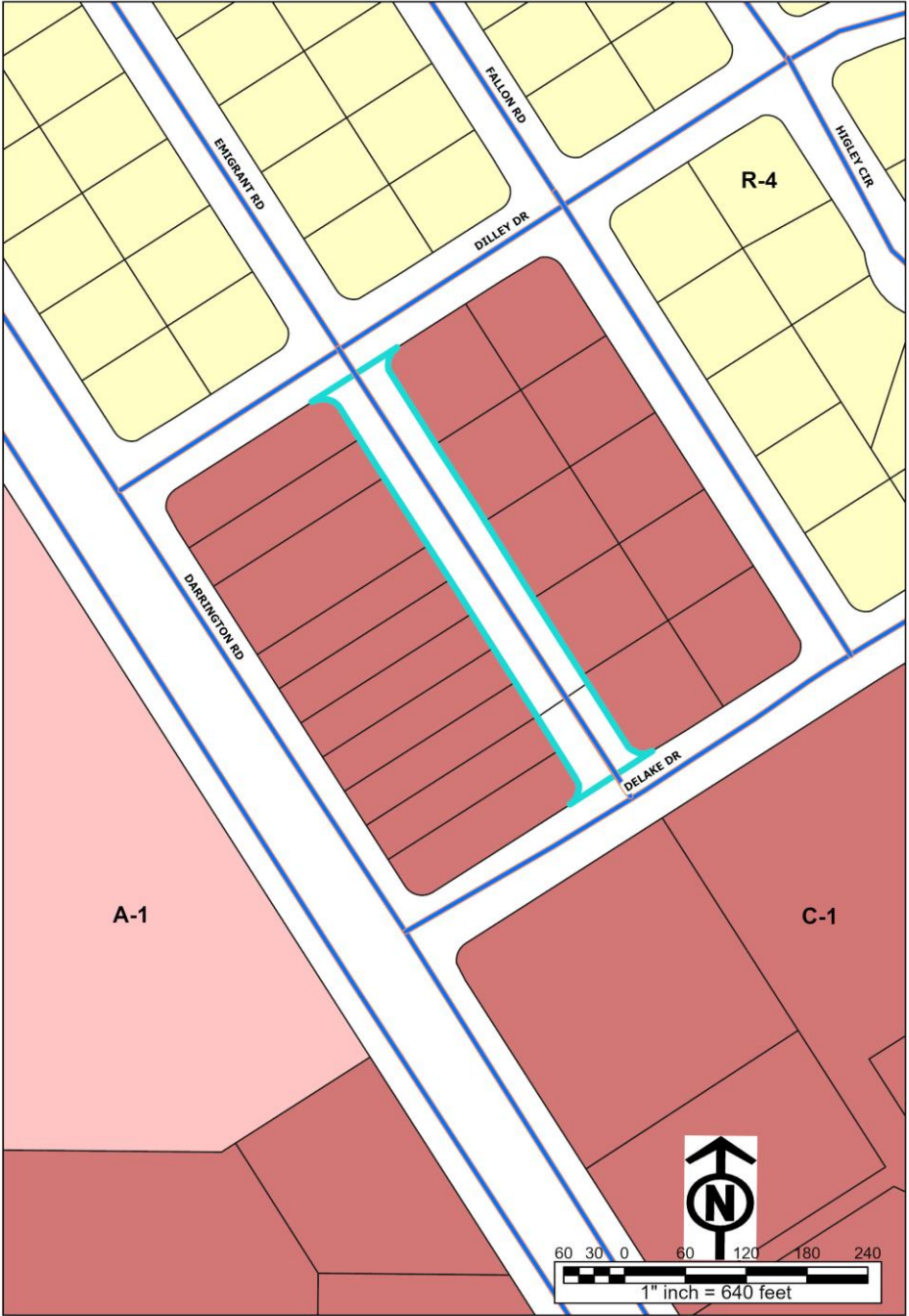
Attachment 1: Aerial Map

**Planning & Zoning Commission
Vacation of Right-of-Way
Case No. SDV24-0003**

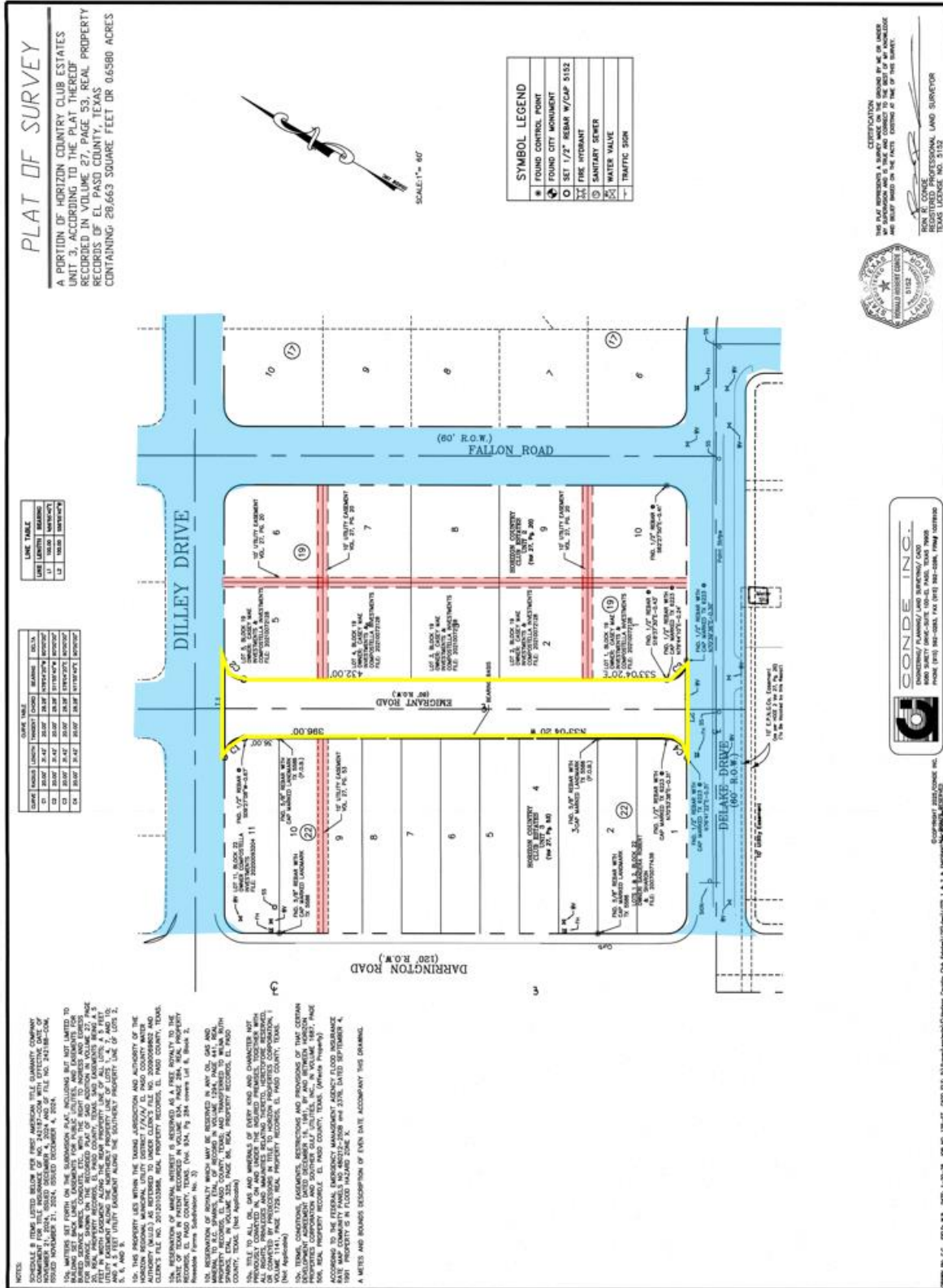


Attachment 2: Zoning Map

**Planning & Zoning Commission
Vacation of Right-of-Way
Case No. SDV24-0003**



Attachment 3: Survey & M&B



Attachment 3: Survey & M&B

Prepared for:
January 8, 2025
(Emigrant Road)

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Attachment 4: Application



Town of Horizon City, TX

Town of Horizon City Hall

14999 Darrington Road
Horizon City, TX 79928
915-852-1046
<https://www.horizoncity.org/>

PERMIT

SDV24-0003

VACATION (PLAT/ROW/EASEMENT)

SITE ADDRESS: 14999 DARRINGTON RD HORIZON CITY

PRIMARY PARCEL: X32500000000675

PROJECT NAME: EMIGRANT RD. ROW VACATION

ISSUED:

EXPIRES:

APPLICANT: TOWN OF HORIZON CITY
14999 DARRINGTON RD
HORIZON CITY, TX 79928-7441

OWNER: TOWN OF HORIZON CITY
14999 DARRINGTON RD
HORIZON CITY, TX 79928-7441

Detail Name

RELATED APPLICATIONS WHICH ARE PENDING

Detail Value

N