HORIZON CITY

Incorporated 1988

AGENDA
PUBLIC MEETING
REGULAR CITY COUNCIL MEETING
THE TOWN OF HORIZON CITY, TEXAS
Tuesday, July 13, 2021, 6:00 PM

Notice is hereby given that a Regular City Council Meeting of the Town of Horizon City, Texas will be held on **Tuesday, July 13, 2021 at 6:00 PM** at Virtual Meeting , at which time the following will be discussed and considered:

**** OPEN MEETINGS DURING COVID-19 EMERGENCY DISASTER PERIOD ****

After declaring a state emergency on March 16, 2020, Governor Greg Abbott temporarily suspended certain requirements of the Texas Open Meetings Act that require governmental officials and the public to be physically present at the public meeting location in order to reduce face-to-face contact and mitigate the spread of COVID-19.

Participation by members of the public is welcome. To participate in public comment, interested members of the public MUST sign up prior to the meeting by emailing citycouncilmeetings@horizoncity.org or calling (915) 852-1046, EXT #106, or submit their comment or question by emailing citycouncilmeetings@horizoncity.org and the comments will be read during the Open Forum or the appropriate agenda item.

An electronic copy of the meeting agenda materials will be posted on our City Website at the following link: https://v3.boardbook.org/Public/PublicHome.aspx?ak=1001244.

The Town Council and staff will participate in this meeting via videoconferencing or telephone conference. Members of the public may view the meeting online or by videoconferencing via the following:

To watch by videoconferencing:

https://horizoncity.webex.com/horizoncity/j.php?MTID=m78ed67f48c1c2382456fe6acae8e0110

Meeting number (access code): 145 414 7661

Meeting password: DPrbcJhw382

To Join by Phone

1-844-621-3956

1. **Call to order; Pledge of Allegiance; Establishment of Quorum**
2. **Open Forum:**

CONSENT AGENDA

All matters listed under the CONSENT AGENDA are considered routine and will be enacted in one motion. There will be no separate discussion of these items unless a member(s) of the City Council requests one or more items be removed from the CONSENT AGENDA to the REGULAR AGENDA for separate discussion and action prior to the City Council's vote to adopt the CONSENT AGENDA.

3. **Approval of Minutes from:** **6**
6/28/21 Special City Council Meeting

4. **Discussion and Action:** **9**
Mayor/Planning Director
On the recording plat application and authorizing the Mayor to sign the recording plat, subdivision construction agreement, and developer participation agreement for Horizon Town Center Unit Two (SUB002455-2020) legally described as *being a portion of CD Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas*. Application submitted by Conde, Inc.

5. **Discussion and Action:** **50**
Mayor/Planning Director
On a recording plat application and authorizing the Mayor to sign the recording plat for Tuscany Park Village Replat (RP002469-2021) legally described as *being a portion of Section 30, Block 78 TSP 3 Tracts 1B, 8, 10 and a portion of section 31, Block 78, TSP 3 Texas and Pacific Railway Company Surveys, Horizon City, Texas, El Paso County, Texas*. Application submitted by HZ Ventures LLC Series, D-Tuscany Ventures.

6. **Discussion and Action:** **69**
Mayor/Planning Director
On a request to accept the street and drainage improvements as constructed with the Rancho Desierto Bello Unit 13 Phase 1 subdivision (SUB002464-2021) for maintenance and to accept the required maintenance bond.

7. **Discussion and Action:** **71**
Mayor/CIP Manager
On an update on the Capital Improvement Program.

8. **Request to Excuse Absent Council Members:**

REGULAR AGENDA

9. **Discussion and Action:**
Mayor/Finance Director
On setting the dates for the budget workshop, hearings on the City budget and tax rate and authorizing the Mayor to publish the proposed tax rate based on the filed budget. Recommended date for the budget workshop is July 27, 2021, tax rate hearing is September 14, 2021, and the budget hearing is September 14, 2021. All budget related meetings are scheduled to be held at 6:00 pm.

10. **Discussion and Action:** **96**
Mayor/Finance Director
On a CARES Act subrecipient/subcontractor agreement with El Paso County Emergency Services District No. 1 for COVID-19 emergency services related expenditures in an amount not to exceed $109,794.81.

11. **Discussion and Action:** **105**
Mayor/Finance Director
On the purchase of a remodeled pre-owned 28 x 60 office trailer from EMCO Machinery and Office Trailers for additional office space using CARES Act funding in an amount not to exceed $105,000.00 and to allow the Mayor or designee to issue purchase orders.

12. **PUBLIC HEARING:**
Mayor/HR Coordinator
2nd Reading of Ord _____, an Ordinance authorizing and allowing, under the act governing the Texas Municipal Retirement System, Restricted Prior Service Credit to employees who are members of the system for service previously performed for various other public entities for which they have not received credited service; and establishing an effective date for the ordinance.

13. **Discussion and Action:** **111**
Mayor/HR Coordinator
2nd Reading of Ord _____, an Ordinance authorizing and allowing, under the act governing the Texas Municipal Retirement System, Restricted Prior Service Credit to employees who are members of the system for service previously performed for various other public entities for which they have not received credited service; and establishing an effective date for the ordinance.

14. **Public Hearing:**
Mayor/Planning Director
On a request for an exception to Chapter 14, Section 602.8 (Exhibit A), Subsection B.7 of the Municipal Code to allow for the sale of alcoholic beverages within 300 feet of a day care center for property located at 13650 Eastlake Blvd Suite A-106. Submitted by Miguel Ortiz.

15. **Discussion and Action:** **114**
Mayor/Planning Director
On a request for an exception to Chapter 14, Section 602.8 (Exhibit A), Subsection B.7 of the Municipal Code to allow for the sale of alcoholic beverages within 300 feet of a day care center for property located at 13650 Eastlake Blvd Suite A-106. Submitted by Miguel Ortiz.

16. **PUBLIC HEARING:**
Mayor/Planning Director
2nd Reading of Ordinance ___: An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning three parcels: parcel I from C-2 to R-2; parcel II from R-9/CO to R-2; and parcel III from R-9/CO to C-2; containing approximately 17.933 acres; being a portion of C D Stewart Survey No. 321, El Paso County, Texas; located north and east of the intersection of Town Center Dr. and Horizon Crossing St.; and authorizing the notation of the change on the official zoning map of the Town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

17. **Discussion and Action:** **118**
Mayor/Planning Director
2nd Reading of Ordinance ___: An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning three parcels: parcel I from C-2 to R-2; parcel II from R-9/CO to R-2; and parcel III from R-9/CO to C-2; containing approximately 17.933 acres; being a portion of C D Stewart Survey No. 321, El Paso County, Texas; located north and east of the intersection of Town Center Dr. and Horizon Crossing St.; and authorizing the notation of the change on the official zoning map of the Town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

18. **Discussion and Action:** **139**
Mayor/Planning Director
On a request to vacate an easement between 428 and 429 Cutler Place, Horizon City, Texas 79928, *legally described as a parcel of land being the easterly portion of a platted walkway between Lots 31 & 32, Block 43, Horizon Heights Unit Ten, El Paso, County, Texas*.

19. **Discussion and Action:** **148**
Mayor/Planning Director
On a preliminary and final plat subdivision applications (#SUB002477-2021) for Aria Subdivision, legally described as a portion of the E1/2 of the SW1/4 of the SW1/4 of section 39, Block 78, Township 3, Texas and Pacific RR Co. Surveys, El Paso County, Texas. Application submitted by CAD Consulting Co.

20. **Discussion and Action:** **160**
Mayor/Planning Director
On a final plat subdivision application (#SUB002478-2021) for Rancho Desierto Bello Unit 13 Phase 2, legally described as a portion of Leigh Clark Survey No. 297, Town of Horizon City, El Paso County, Texas. Application submitted by TRE & Associates, LLC.

21. **PUBLIC HEARING:**
Mayor/Planning Director
On a specific use permit application (#SUP002475-2021), for property located at 12504 Weaver Road, Horizon City, Texas, 79928, legally described as Lots, 1, 2, 3, portion of 14, Block 3, Horizon Industrial Park Unit

One. The request is to allow the facility to maintain its existing level of operation while transferring ownership. Application submitted by Air Systems Components, Inc.

22. **Discussion and Action:** **168**
Mayor/Planning Director
On a specific use permit application (#SUP002475-2021), for property located at 12504 Weaver Road, Horizon City, Texas, 79928, legally described as Lots, 1, 2, 3, portion of 14, Block 3, Horizon Industrial Park Unit One. The request is to allow the facility to maintain its existing level of operation while transferring ownership. Application submitted by Air Systems Components, Inc.

23. **Discussion:** **179**
Mayor/Planning Director
On an update regarding the upcoming appointments/reappointments to the Planning and Zoning Commission and the Board of Adjustment.

24. **Discussion and Action:** **180**
Mayor/Asst. City Atty
Emergency Ordinance - On the adoption of an Ordinance to continue the Emergency Ordinance instituting emergency measures due to a public health emergency; severability clause; penalty as provided herein.

25. **Discussion and Action:** **184**
Mayor/Asst. City Atty
On a Resolution to suspend the proposed effective date of the proposed rate change of El Paso Electric Company's Petition and Statement of Intent to Change Rates in compliance with PUC Docket No. 52195 providing the proposed Rate Change be approved on an interim basis, and Authorizing intervention at Public Utility Commission of Texas.

26. **Executive Session**
The City Council of the Town of Horizon City may recess into EXECUTIVE SESSION pursuant to the Texas Government Code, Chapter 551, Subchapter D, under Article 551.071 – Consultation with Attorney; 551.072 – Deliberation Regarding Real Property; 551.073 – Deliberation Regarding Gifts and Donations; 551.074 – Personnel Matters; 551.076 – Deliberation Regarding Security Devices and 551.087 – Deliberation Regarding Economic Development Negotiations.

Adjournment:

Motion to Adjournment: _____ 2nd _____

Dated this Friday, 7/9/2021

By: _____
Elvia Schuller, City Clerk

I, the undersigned authority, hereby certify that the above notice of the Regular City Council Meeting of the Town of Horizon City, Texas is a correct copy of this notice, and that I posted this notice at least seventy-two (72) hours preceding the scheduled meeting at the City Hall Bulletin Boards of the Town of Horizon City, Texas on this Friday, 7/9/2021 by 5:00 p.m.

Agenda Removed: _____ Time _____ By _____

In compliance with the Americans with Disabilities Act, the Town of Horizon City will provide for reasonable accommodations for persons attending meetings. Requests for auxiliary aids and services must be made 48 hours prior to this meeting by calling the City Clerk at (915) 852-1046.

MINUTES
AGENDA
PUBLIC MEETING
SPECIAL CITY COUNCIL MEETING
THE TOWN OF HORIZON CITY, TEXAS
Monday, June 28, 2021, 6:05 PM

Notice is hereby given that a Special City Council Meeting of the Town of Horizon City, Texas was held on **Monday, June 28, 2021 at 6:05 PM**, at Virtual Meeting, at which time the following was discussed and considered:

The Town Council and staff participated in this meeting via videoconferencing or telephone conference.

1. **Call to order; Pledge of Allegiance; Establishment of Quorum**

   Meeting called to order at 6:10 pm. All City Council Members Present. Quorum Established.

2. **Open Forum:**

   No one signed up to speak.

CONSENT AGENDA

All matters listed under the CONSENT AGENDA are considered routine and will be enacted in one motion. There will be no separate discussion of these items unless a member(s) of the City Council requests one or more items be removed from the CONSENT AGENDA to the REGULAR AGENDA for separate discussion and action prior to the City Council's vote to adopt the CONSENT AGENDA.

3. **Approval of Minutes from:**
   June 8, 2021 Regular City Council Meeting

4. **Request to Excuse Absent Council Members:**

   A motion was made by Alderman Corral and seconded by Alderman Duran to approve the Consent Agenda. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

REGULAR AGENDA

5. **Discussion:**
   Mayor/HR Coordinator
   1st Reading of Ord _____, an Ordinance authorizing and allowing, under the act governing the Texas Municipal Retirement System, Restricted Prior Service Credit to employees who are members of the system for service previously performed for various other public entities for which they have not received credited service; and establishing an effective date for the ordinance.

   HR Coordinator, Elizabeth Acosta and TMRS City Services Manager, Collin Davidson spoke regarding this item.

6. **Discussion and Action:**
   Mayor/Planning Director
   On the award of RFP No. 2021-003PW - Parks and Grounds Maintenance Contract, to Abescape Landscaping, LLC as the best value bidder in the amount of $872,370.95, for the award of a 2.5 year contract from July 1, 2021 through December 31, 2023 and authorize the Mayor or his designee to sign the necessary documents.

   Planning Director, Michelle Garcia spoke regarding this item.

A motion was made by Alderman Duran and seconded by Alderman Miller to approve the award of RFP No. 2021-003PW - Parks and Grounds Maintenance Contract, to Abescape Landscaping, LLC as the best value bidder in the amount of $872,370.95, for the award of a 2.5 year contract from July 1, 2021 through December 31, 2023 and authorize the Mayor or his designee to sign the necessary documents. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

7. **Discussion and Action:**
Mayor/Planning Director
On a request for an exception to Chapter 14, Section 602.8 (Exhibit A), Subsection B.7 of the Municipal Code to allow for the sale of alcoholic beverages within 300 feet of a day care center for property located at 13797 Horizon Boulevard, Suite B-6.

Planning Director, Michelle Garcia spoke regarding this item.

A motion was made by Alderman Corral and seconded by Alderman Duran to approve the request for an exception to Chapter 14, Section 602.8 (Exhibit A), Subsection B.7 of the Municipal Code to allow for the sale of alcoholic beverages within 300 feet of a day care center for property located at 13797 Horizon Boulevard, Suite B-6. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Nay; CORRAL – Aye. Motion passed.

8. **Discussion and Action:**
Mayor/Planning Director
On the partial acceptance of the Emigrant Road right-of-way improvements as constructed with the Horizon Country Club Estates Unit Two Replat A subdivision.

Planning Director, Michelle Garcia requested this item be deleted.

A motion was made by Alderman Miller and seconded by Alderman Corral to delete this item as requested. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

9. **Discussion and Action:**
Mayor/Chief McConnell
On an update regarding the annual 4th of July celebration.

Police Chief, Mike McConnell spoke regarding this item.

A motion was made by Alderman Duran and seconded by Alderman Corral to approve the update regarding the annual 4th of July celebration. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

10. **Executive Session**
The City Council of the Town of Horizon City may recess into EXECUTIVE SESSION pursuant to the Texas Government Code, Chapter 551, Subchapter D, under Article 551.071 – Consultation with Attorney; 551.072 – Deliberation Regarding Real Property; 551.073 – Deliberation Regarding Gifts and Donations; 551.074 – Personnel Matters; 551.076 – Deliberation Regarding Security Devices and 551.087 – Deliberation Regarding Economic Development Negotiations.

ADJOURNMENT

A motion was made by Alderman Miller and seconded by Alderman Duran to adjourn at 6:46 PM.

Approved this _____ day of _____, 20__.

Attest:

_____
Elvia Schuller, City Clerk

_____
Ruben Mendoza, Mayor

TOWN OF HORIZON CITY
MEMORANDUM

Date: July 7, 2021

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, Planning Director

SUBJECT: On the recording plat application and authorizing the Mayor to sign the recording plat and subdivision construction agreement for Horizon Town Center Unit Two (SUB002455-2020) legally described as being a portion of CD Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas Containing 60.134 Acres. Application submitted by Conde, Inc.

On December 8, 2020, the City Council approved the final plat application for the Town Center Unit Two subdivision. The applicant has completed most of the street and drainage improvements and the park improvements are still pending; however, they now wish to record the plat ahead of the roadway, drainage, and park improvements being constructed and accepted by the City. The applicant will be required to submit a construction bond in the amount of $306,479.30 for the remaining improvements.

The applicant has also requested to provide additional park amenities in the amount of $26,000.00 in lieu of the park fees they owe in the amount of $18,800.00. Two picnic tables with canopies, four benches and two trash receptacles will be provided in addition to the minimum park improvements.

It is requested that the City Council authorize the Mayor to finalize the terms of the Developer Participation Agreement for the park improvements and the Subdivision Construction Agreement for the pending public improvements.

Staff continues to work with the Texas Department of Transportation and the Developer to ensure that a traffic signal will be installed at the intersection of Horizon Boulevard and Horizon Crossing Street.

Attached for your review is the recording plat and application and the draft Subdivision Construction and Developer Participation agreements.

14999 Darrington Rd. Horizon City, Texas 79928 (915) 852-1046 Fax (915) 852-1005

TOWN OF HORIZON CITY
14999 Darrington Road
Horizon City, Texas 79928
Phone 915-852-1046 Fax 915-852-1005

RECORDING PLAT APPLICATION

SUBDIVISION PROPOSED NAME: Horizon Town Center Unit 2 SUBMITTAL DATE: June 22, 2021

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.)
Beinga Portion of C. D. Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas

2. PROPERTY LAND USES:

	ACRES	SITES		ACRES	SITES
SINGLE-FAMILY	44.8873	288	OFFICE		
DUPLEX			STREET & ALLEY	12.03	1
APARTMENT			PONDING & DRAINAGE	1.917	1
MOBILE HOME			INSTITUTIONAL		
P.U.D.			OTHER		
PARK	1.2997	2			
SCHOOL					
COMMERCIAL			TOTAL NO. SITES	292	
INDUSTRIAL			TOTAL (GROSS) ACREAGE	60.134	

3. WHAT IS THE EXISTING ZONING OF THE PROPERTY DESCRIBED ABOVE? R-4 PROPOSED ZONING n/a

4. WILL THE RESIDENTIAL SITES, AS PROPOSED, PERMIT DEVELOPMENT IN FULL COMPLIANCE WITH ALL ZONING REQUIREMENTS OF THE EXISTING RESIDENTIAL ZONE(S)? YES ☒ NO ☐

5. WHAT TYPE OF UTILITY EASEMENTS ARE PROPOSED? UNDERGROUND ☐ OVERHEAD ☐ COMBINATION ☒

6. WHAT TYPE OF DRAINAGE IS PROPOSED? (IF APPLICABLE LIST MORE THAN ONE)
Lots to streets to drainage structures

7. If SINGLE-FAMILY OR DUPLEX DEVELOPMENT IS PROPOSED: AVERAGE FLOOR AREA OF HOUSES n/a

8. ARE SPECIAL IMPROVEMENTS PROPOSED IN CONNECTION WITH THE DEVELOPMENT? YES _____ NO X

9. IS A MODIFICATION OF ANY PORTION OF THE SUBDIVISION ORDINANCE PROPOSED? YES ☐ NO ☒
IF ANSWER IS "YES", PLEASE EXPLAIN THE NATURE OF THE MODIFICATION _____

10. WHAT TYPE OF LANDSCAPING IS PROPOSED? PARKWAY ☐ MEDIANS ☐ OTHER ☒ _____

11. REMARKS AND/OR EXPLANATION OF SPECIAL CIRCUMSTANCES: n/a

12. WILL PLAT BE RECORDED PRIOR TO SUBDIVISION IMPROVEMENTS BEING COMPLETED & APPROVED? YES ☒ NO ☐ N/A ☐ INITIALS CC
IF YES, REQUIRED GUARANTEE, Improvement Cost Estimates & Construction Agreement have been submitted? YES ☒ NO ☐ Date: 6-23-21

13. WILL ANY RESTRICTIONS AND COVENANTS BE RECORDED WITH PLAT? YES ☒ NO ☐ INITIALS CC IF YES, PLEASE ATTACH COPY.

14. OWNER OF RECORD Ranchos Real XV, LLC 6080 Surety Dr., Ste. 300 El Paso, Texas 79905 915-592-0290
(NAME & ADDRESS) (EMAIL) (PHONE)

15. DEVELOPER Ranchos Real XV, LLC 6080 Surety Dr., Ste. 300 El Paso, Texas 79905 915-592-0290
(NAME & ADDRESS) (EMAIL) (PHONE)

16. ENGINEER Conde, Inc. 6080 Surety Dr., Ste. 100, El Paso, TX 79905 cconde@condeinc.com 915-592-0283
(NAME & ADDRESS) (EMAIL) (PHONE)

17. APPLICANT Ranchos Real XV, LLC 6080 Surety Dr., Ste. 300 El Paso, Texas 79905 915-592-0290
(NAME & ADDRESS) (EMAIL) (PHONE)

18. REP/POINT OF CONTACT Conrad Conde 6080 Surety Dr., Ste. 100, El Paso, TX 79905 cconde@condeinc.com - 592-0283
(NAME & ADDRESS) (EMAIL) (PHONE)

NOTE: *Applicant is responsible for all expenses incurred by the City in connection with the Recording plat approval request, including but not limited to attorneys, engineering, County Clerk & publication fees. Charges exceeding deposit will be invoiced separately.* Initials _____.

Applicant Signature _____ EMAIL DOUGLAS@SWLDS.NET

APPLICATION MUST BE COMPLETELY FILLED OUT & VALIDATED PRIOR TO SUBDIVISION PROCESSING | APPLICATION FEE: $80.00

HORIZON TOWN CENTER UNIT TWO

BEING A PORTION OF C.D STEWART SURVEY NO. 321,
TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS
CONTAINING: 60.13 ACRES

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C89	20.00'	31.42'	20.00'	28.28'	N47°21'55"E	89°59'51"
C90	20.00'	31.42'	20.00'	28.28'	S42°38'05"E	90°00'09"
C91	20.00'	31.42'	20.00'	28.28'	S47°21'55"W	89°59'51"
C92	20.00'	31.42'	20.00'	28.28'	S42°38'05"E	90°00'09"
C93	30.00'	47.12'	30.00'	42.43'	N47°21'55"E	89°59'51"
C94	30.00'	10.44'	5.28'	10.39'	N77°39'42"W	19°56'54"
C95	70.00'	33.16'	16.90'	32.85'	S81°15'29"E	27°08'28"
C96	70.00'	39.60'	20.35'	39.08'	N68°57'49"E	32°24'56"
C97	70.00'	39.60'	20.35'	39.08'	N36°32'53"E	32°24'56"
C98	70.00'	46.33'	24.05'	45.49'	N1°22'45"E	37°55'21"
C99	30.00'	10.44'	5.28'	10.39'	S7°36'28"E	19°56'54"
C100	30.00'	10.44'	5.28'	10.39'	S12°20'26"W	19°56'54"
C101	70.00'	46.33'	24.05'	45.49'	N3°21'13"E	37°55'21"
C102	70.00'	39.87'	20.49'	39.33'	N31°55'25"W	32°37'56"
C103	70.00'	39.87'	20.49'	39.33'	N64°33'21"W	32°37'56"
C104	70.00'	32.64'	16.62'	32.34'	S85°46'18"W	26°42'44"
C105	30.00'	10.44'	5.28'	10.39'	N82°23'23"E	19°56'54"
C106	30.00'	47.13'	30.00'	42.43'	N42°38'05"W	90°00'09"
C107	20.00'	31.42'	20.00'	28.28'	S47°21'55"W	89°59'51"
C108	20.00'	31.42'	20.00'	28.28'	S42°38'05"E	90°00'09"
C109	20.00'	31.65'	20.24'	28.45'	S47°42'06"W	90°40'15"
C110	20.00'	31.18'	19.77'	28.12'	N42°17'53"W	89°19'45"

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of C.D Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing brass disk City Monument at the centerline intersection of Town Center Dr. and Horizon Crossing St. from which an existing brass disk City Monument at the centerline intersection of Town Center Dr. and Park Vista Pl. bears, South 86°43'32" East a distance of 461.05 feet; thence, South 61°26'25" East a distance of 123.07 feet to a point on southerly right-of-way line of Town Center Dr. in Horizon Town Center Unit One, Recorded in Clerks File No. 20180057691, Real Property Records of El Paso County, Texas for the "True Point of Beginning".

Thence along said right-of-way line, North 89°48'38" East a distance of 234.97 feet to a point of curve;

Thence continuing said right-of-way line, 45.35 feet along the arc of a curve to the right which has a radius of 750.00 feet an interior angle of 03°27'51" a chord which bears South 88°27'27" East a distance of 45.34 feet to a point;

Thence still continuing said right-of-way line, South 86°43'32" East a distance of 23.90 feet to a point of curve;

Thence leaving said right-of-way line, 31.42 feet along the arc of a curve to the right which has a radius of 20.00 feet an interior angle of 90°00'00" a chord which bears South 41°43'32" East a distance of 28.28 feet to a point on the westerly right-of-way line of Park Vista Pl.;

Thence along said right-of-way line, South 03°16'28" West a distance of 444.59 feet to a point of curve;

Thence leaving said right-of-way line, 31.10 feet along the arc of a curve to the right which has a radius of 20.00 feet an interior angle of 89°05'22" a chord which bears South 47°49'09" West a distance of 28.06 feet to a point on the northerly right-of-way line of Lago Vista Ave.;

Thence along said right-of-way line, North 87°38'10" West a distance of 11.42 feet to a point;

Thence leaving said right-of-way line and along the southwesterly boundary line of Horizon Town Center Unit One, recorded in Clerks File No. 20180057691, Real Property Records of El Paso County, Texas, South 02°21'50" West a distance of 172.00 feet to a point;

Thence continuing along said boundary line, South 87°38'10" East a distance of 610.44 feet to a point on the westerly right-of-way line of Arzo Vista Pl.;

Thence along said right-of-way line and also boundary line, South 03°16'28" West a distance of 100.33 feet to point of curve;

Thence continuing said boundary line, 31.10 feet along the arc of a curve to the right which has a radius of 20.00 feet an interior angle of 89°05'22" a chord which bears South 47°49'09" West a distance of 28.06 feet to a point;

Thence still continuing along said boundary line, South 0758'29" West a distance of 52.02 feet to a point of curve;

Thence still continuing said boundary line, 31.73 feet along the arc of a curve to the right which has a radius of 20.00 feet an interior angle of 90°54'38" a chord which bears South 42°10'51" East a distance of 28.51 feet to a point on said boundary line and also westerly right-of-way line of Arzo Vista Pl.;

Thence along said right-of-way line and also boundary line, South 03°16'28" West a distance of 96.09 feet to point on the southwest property corner of Horizon Town Center Unit One, Recorded in Clerks File No. 20180057691, Real Property Records of El Paso County, Texas

Thence leaving said southwest property corner, North 87°38'01" West a distance of 2610.94 feet to a point;

Thence, North 02°21'59" East a distance of 1901.00 feet to a point;

Thence, South 86°57'46" East a distance of 272.02 feet to a point;

Thence, South 02°21'59" West a distance of 306.39 feet to a point;

Thence, South 87°38'10" East a distance of 432.58 feet to a point;

Thence, South 02°21'59" West a distance of 640.00 feet to a point;

Thence, South 87°38'10" East a distance of 527.36 feet to a point of curve;

Thence, 46.47 feet along the arc of a curve to the right which has a radius of 485.00 feet an interior angle of 05°29'27" a chord which bears South 84°53'29" East a distance of 46.45 feet to a point;

Thence, 172.31 feet along the arc of a curve to the left which has a radius of 815.50 feet an interior angle of 12°06'23" a chord which bears South 88°12'00" East a distance of 171.99 feet to a point;

Thence, North 85°44'49" East a distance of 33.19 feet to a point;

Thence, 41.13 feet along the arc of a curve to the right which has a radius of 35.00 feet an interior angle of 67°20'09" a chord which bears South 60°35'06" East a distance of 38.81 feet to a point;

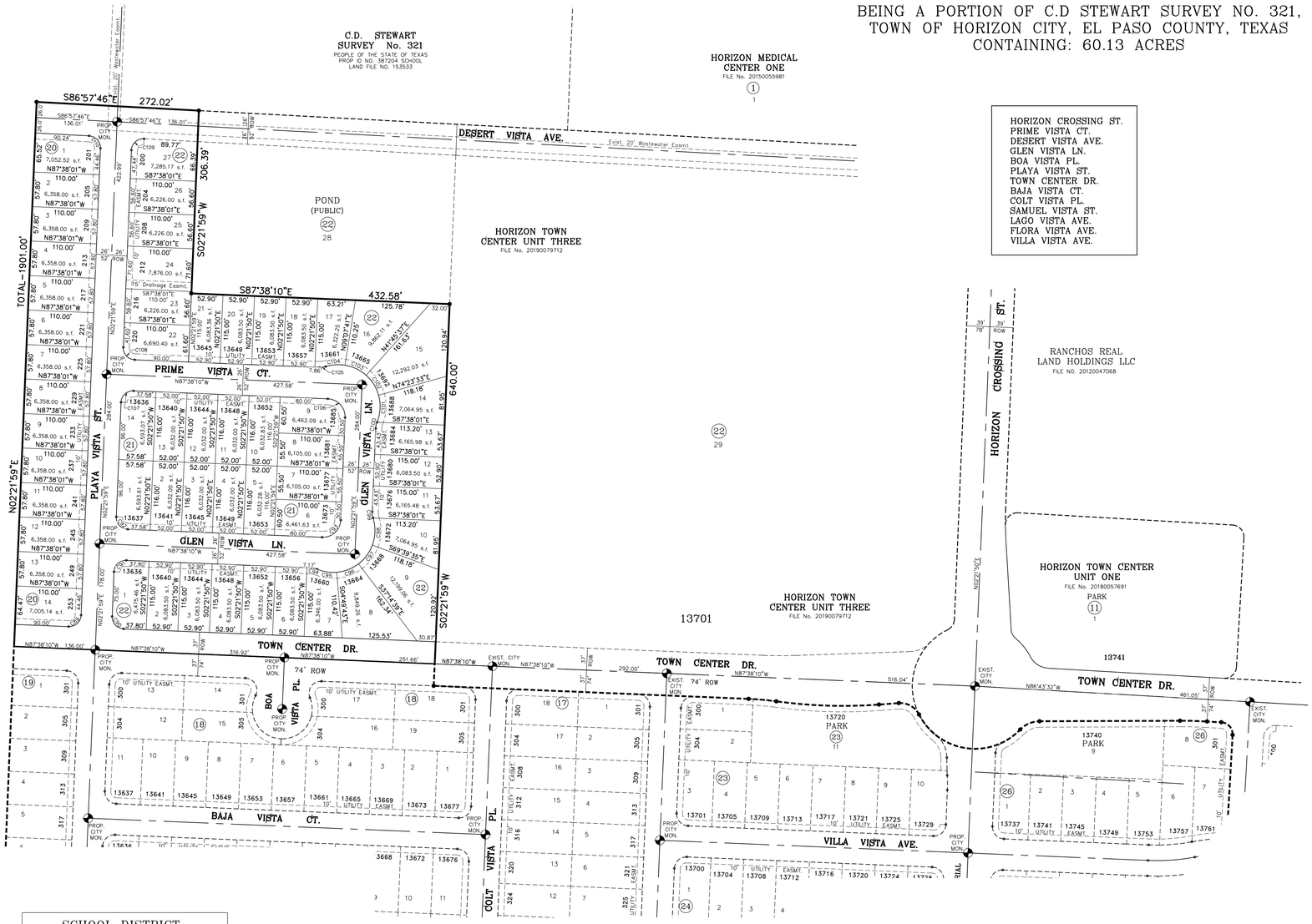
Thence, 200.25 feet along the arc of a curve to the left which has a radius of 105.00 feet an interior angle of 109°16'25" a chord which bears South 81°33'15" East a distance of 171.26 feet to a point;

Thence, 36.13 feet along the arc of a curve to the right which has a radius of 45.00 feet an interior angle of 46°00'00" a chord which bears North 66°48'35" East a distance of 35.17 feet to to the "TRUE POINT OF BEGINNG" and containing 2,619,419.64 Square Feet or 60.13 acres of land more or less.

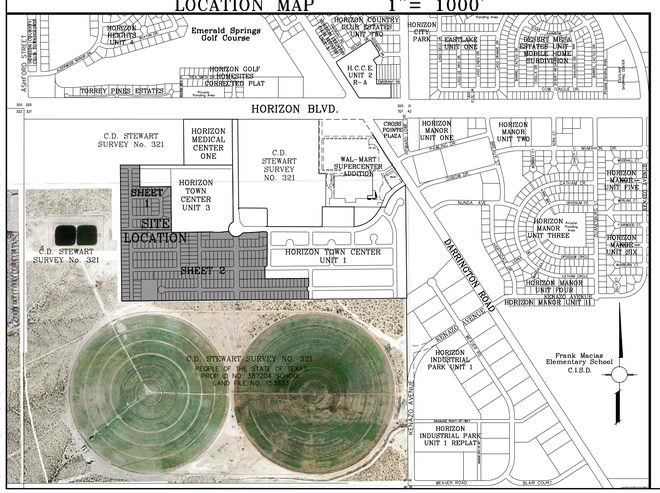
NOTES:

1. TAX CERTIFICATE FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORDS SECTION.
   INSTRUMENT No._____ DATE_____
2. RESTRICTIVE COVENANTS FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORD SECTION.
   INSTRUMENT No._____ DATE_____
3. VEHICULAR ACCESS TO THOSE RESIDENTIAL LOTS ABUTTING, TOWN CENTER DR. AND HORIZON CROSSING ST. SHALL BE FROM OTHER DEDICATED STREETS ONLY. THE INSTRUMENT ASSURING RELEASE OF ACCESS IS FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORD
   INSTRUMENT No._____ DATE_____
4. LOT CORNERS WILL BE SET UPON COMPLETION OF CONSTRUCTION OF ROADWAYS AND UTILITIES.
5. "U.S. POSTAL SERVICE DELIVERY WILL BE PROVIDED THROUGH NEIGHBORHOOD DELIVERY AND COLLECTION BOX UNITS".
6. SET 1/2" REBAR WITH CAP MARKED TX 5152 AT ALL EXTERIOR BOUNDARY CORNERS UNLESS OTHERWISE NOTED.
7. 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.
8. BEARINGS BASED ON THE MONUMENTS FOUND ALONG THE CENTERLINE OF TOWN CENTER DR., RECORDED IN THE PLAT OF HORIZON TOWN CENTER UNIT ONE, FILE No. 20180057691, REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS.
9. NO ROADS WILL BE MAINTAINED BY THE TOWN UNTIL PAVED BY THE SUBDIVIDER OR PROPERTY OWNER AND LEGALLY APPROVED AND ACCEPTED BY THE TOWN (SECTION 4.9.1.7, SUBDIVISION ORDINANCE #35)
10. PROVIDED CERTIFICATION THAT ALL UTILITIES HAVE APPROVED LOCATIONS OF EASEMENTS AND THAT SERVICE WILL BE PROVIDED TO DEVELOPMENT.
11. ENSURE THAT PLAT COMPLIES WITH TBPLS REQUIREMENTS.
12. WATER, SEWER, ELECTRIC AND GAS UTILITIES WILL BE AVAILABLE.
13. A PORTION OF THE STORM WATER RUNOFF WILL DRAIN INTO HORIZON TOWN CENTER UNIT THREE POND (LOT 28, BLOCK 22)

GRAPHIC SCALE
100' 0 50' 100' 200'
SCALE: 1"=100'



LOCATION MAP 1"= 1000'



SCHOOL DISTRICT

SOCORRO INDEPENDENT SCHOOL DISTRICT
12300 EASTLAKE DRIVE

TOTAL RESIDENTIAL LOTS
288

PRINCIPAL CONTACTS:

	Name	Address	City & Zip	Phone	Fax
OWNER:	DOUGLAS A. SCHWARTZ	6080 SURETY DR. STE 300	EL PASO COUNTY, TEXAS 79905	(915) 592-0290	
ENGINEER:	YVONNE C. CURRY	6080 SURETY DR. STE 100	EL PASO, TX. 79905	(915) 592-0283	(915) 592-0286
SURVEYOR	RON R. CONDE	6080 SURETY DR. STE 100	EL PASO, TX. 79905	(915) 592-0283	(915) 592-0286

DATE SUBMIT FINAL PLAT 5/23/17	
REV. DATE	COMMENTS
05/23/17	PUBLIC WORKS COMMENTS
05/30/17	TEXAS GAS COMMENTS
06/27/17	SEND REVISED COPY
07/10/17	PUBLIC WORKS COMMENTS
11/28/17	RESUBMIT
1/15/18	PLANNING REVIEW COMMENTS
10/11/18	RESUBMIT
1/14/19	Town Of Horizon City comments (12/18/18)
3/26/19	Public Works Director comments (3/18/19)
4/11/19	PW Director comments 2nd review (4/11/19)

DATE OF PREPARATION: MAY 29, 2020

CONDE INC.
ENGINEERING / PLANNING
GPS / SURVEYING / CADD
6080 SURETY DR. STE 100
EL PASO, TEXAS 79905
PHONE: (915) 592-0283
FAX: (915) 592-0286 FIRM# 10078100
REGISTRATION No. F-2265

DEDICATION

RANCHOS REAL XV, L.L.C. property owners of this land, hereby presents this plat and dedicates to the use of the public, the streets, drives, parks, pond, drainage R.O.W., drainage easements, and utility easements, as hereon laid down and designated, including easements for overhang of service wires for pole type utilities, and buried service wires, conduits and pipes for underground utilities, and the right to ingress and egress for service and construction and the right to trim interfering trees and shrubs.

Witness my signature this _____ day of _____2020.

BY: RANCHOS REAL XV, L.L.C.

_____
Douglas A. Schwartz, Manager

ATTEST: NOT REQUIRED

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF EL PASO
Before me, the undersigned authority, on this day personally appeared Douglas A. Schwartz, Manager of RANCHOS REAL XV, L.L.C., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of said corporation for the purpose and considerations herein expressed.

Given under my hand and seal of office this_____ day of _____2020.

_____ _____
Notary Public in and for El Paso County — My Commission Expires

TOWN OF HORIZON CITY CITY COUNCIL

This subdivision is hereby approved as to the platting and as to the conditions of the dedication in accordance with Chapter 212 of the Local Government Code of Texas, this_____day of _____2020.

Accepted and adopted by the City Council of Town of Horizon City this_____day of _____2020.

_____ _____
Elvia Schuller, City Clerk — Ruben Mendoza, Mayor

Approved for filing this_____day of_____2020.

_____
Huitt-Zollars Inc. (Town Engineer)
By: Isabel Vasquez, P.E.

FILING

Filed and recorded in the office of the County Clerk of El Paso County, Texas, this_____day of _____, 2020, A.D. in Volume_____ of the Plat Record, Page _____,
File No._____.

_____ _____
County Clerk — By Deputy

Prepared by and under the supervision of:
YVONNE CONDE CURRY, P.E.
Registered Professional Engineer
Registration No. 64648

This plat represents a survey made on the ground by me or under my supervision and complies with the current Texas Board of Professional Land Survey Professional and Technical Standards.

_____ _____
Yvonne Conde Curry, P.E. — Ron R. Conde
Registered Professional Land Surveyor
Texas License No. 5152

S:\DEVELOPMENT\HORIZON TOWN CENTER 2.DWG, FN-SHT1 6/8/2020 8:40:31 AM, ecortez

HORIZON TOWN CENTER UNIT TWO

BEING A PORTION OF C.D STEWART SURVEY NO. 321,
TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS
CONTAINING: 60.13 ACRES

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of C.D Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing brass disk City Monument at the centerline intersection of Town Center Dr. and Horizon Crossing St. from which an existing brass disk City Monument at the centerline intersection of Town Center Dr. and Park Vista Pl. bears, South 86°43'32" East a distance of 461.05 feet; thence, South 61°26'25" East a distance of 123.07 feet to a point on southerly right-of-way line of Town Center Dr. in Horizon Town Center Unit One, Recorded in Clerks File No. 20180057691, Real Property Records of El Paso County, Texas for the "True Point of Beginning".

Thence along said right-of-way line, North 89°48'38" East a distance of 234.97 feet to a point of curve;

Thence continuing said right-of-line, 45.35 feet along the arc of a curve to the right which has a radius of 750.00 feet an interior angle of 03°27'51" a chord which bears South 88°27'27" East a distance of 45.34 feet to a point;

Thence still continuing said right-of-way line, South 86°43'32" East a distance of 23.90 feet to a point of curve;

Thence leaving said right-of-way line, 31.42 feet along the arc of a curve to the right which has a radius of 20.00 feet an interior angle of 90°00'00" a chord which bears South 41°43'32" East a distance of 28.28 feet to a point on the westerly right-of-way line of Park Vista Pl.;

Thence along said right-of-way line, South 03°16'28" West a distance of 444.59 feet to a point of curve;

Thence leaving said right-of-way line, 31.10 feet along the arc of a curve to the right which has a radius of 20.00 feet an interior angle of 89°05'22" a chord which bears South 47°49'09" West a distance of 28.06 feet to a point on the northerly right-of-way line of Lago Vista Ave.;

Thence along said right-of-way line, North 87°38'10" West a distance of 11.42 feet to a point;

Thence leaving said right-of-way line and along the southwesterly boundary line of Horizon Town Center Unit One, recorded in Clerks File No. 20180057691, Real Property Records of El Paso County, Texas, South 02°21'50" West a distance of 172.00 feet to a point;

Thence continuing along said boundary line, South 87°38'10" East a distance of 610.44 feet to a point on the westerly right-of-way line of Arza Vista Pl.;

Thence along said right-of-way line and also boundary line, South 03°16'28" West a distance of 100.33 feet to point of curve;

Thence continuing said boundary line, 31.10 feet along the arc of a curve to the right which has a radius of 20.00 feet an interior angle of 89°05'22" a chord which bears South 47°49'09" West a distance of 28.06 feet to a point;

Thence still continuing along said boundary line, South 03°58'29" West a distance of 52.02 feet to a point of curve;

Thence still continuing said boundary line, 31.73 feet along the arc of a curve to the right which has a radius of 20.00 feet an interior angle of 90°54'38" a chord which bears South 42°10'51" East a distance of 28.51 feet to a point on said boundary line and also westerly right-of-way line of Arza Vista Pl.;

Thence along said right-of-way line and also boundary line, South 03°16'28" West a distance of 96.09 feet to point on the southwest property corner of Horizon Town Center Unit One, Recorded in Clerks File No. 20180057691, Real Property Records of El Paso County, Texas

Thence leaving said southwest property corner, North 87°38'01" West a distance of 2610.94 feet to a point;

Thence, North 02°21'59" East a distance of 1901.00 feet to a point;

Thence, South 86°57'46" East a distance of 272.02 feet to a point;

Thence, South 02°21'59" West a distance of 306.39 feet to a point;

Thence, South 87°38'10" East a distance of 432.58 feet to a point;

Thence, South 02°21'59" West a distance of 640.00 feet to a point;

Thence, South 87°38'10" East a distance of 527.36 feet to a point of curve;

Thence, 46.47 feet along the arc of a curve to the right which has a radius of 485.00 feet an interior angle of 05°29'21" a chord which bears South 84°53'29" East a distance of 46.45 feet to a point;

Thence, 172.31 feet along the arc of a curve to the left which has a radius of 815.50 feet an interior angle of 12°06'23" a chord which bears South 88°12'00 East a distance of 171.99 feet to a point;

Thence, North 85°44'49" East a distance of 33.19 feet to a point;

Thence, 41.13 feet along the arc of a curve to the right which has a radius of 35.00 feet an interior angle of 67°20'09" a chord which bears South 60°35'06" East a distance of 38.81 feet to a point;

Thence, 200.25 feet along the arc of a curve to the left which has a radius of 105.00 feet an interior angle of 109°16'25" a chord which bears South 81°33'15" East a distance of 171.26 feet to a point;

Thence, 36.13 feet along the arc of a curve to the right which has a radius of 45.00 feet an interior angle of 46°00'05" a chord which bears North 66°48'35" East a distance of 35.17 feet to to the "TRUE POINT OF BEGINNING" and containing 2,619,419.64 Square Feet or 60.13 acres of land more or less.

C.D. STEWART
SURVEY No. 321
PEOPLE OF THE STATE OF TEXAS
PROP ID NO. 387204 SCHOOL
LAND FILE NO. 153533

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	750.00'	45.35'	22.68'	45.34'	S88°27'27"E	3°27'51"
C2	20.00'	31.42'	20.00'	28.28'	S41°43'32"E	90°00'00"
C3	20.00'	31.10'	19.68'	28.06'	S47°49'09"W	89°05'22"
C4	20.00'	31.10'	19.68'	28.06'	S47°49'09"W	89°05'22"
C5	20.00'	31.73'	20.32'	28.51'	S42°10'51"E	90°54'38"
C6	485.00'	46.47'	23.25'	46.45'	S84°53'29"E	5°29'21"
C7	815.50'	172.31'	86.48'	171.99'	S88°12'00"E	12°06'23"
C8	35.00'	41.13'	23.31'	38.81'	S60°35'06"E	67°20'09"
C9	105.00'	200.25'	147.95'	171.26'	S81°33'15"E	109°16'25"
C10	45.00'	36.13'	19.10'	35.17'	N66°48'35"E	46°00'05"
C11	20.00'	28.80'	17.55'	26.38'	N44°32'02"E	82°31'06"
C12	376.00'	41.13'	20.59'	41.11'	S82°39'33"W	6°16'03"
C13	324.00'	54.49'	27.31'	54.42'	N84°20'35"E	9°38'07"
C14	324.00'	18.11'	9.06'	18.11'	S89°14'16"E	3°12'12"
C15	350.00'	78.43'	39.38'	78.26'	N85°56'41"E	12°50'19"

HORIZON CROSSING ST.
PRIME VISTA CT.
DESERT VISTA AVE.
GLEN VISTA LN.
BOA VISTA PL.
PLAYA VISTA ST.
TOWN CENTER DR.
BAJA VISTA CT.
COLT VISTA PL.
SAMUEL VISTA ST.
LAGO VISTA AVE.
FLORA VISTA AVE.
VILLA VISTA AVE.

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C16	350.00'	52.38'	26.24'	52.33'	S83°48'47"W	8°34'31"
C17	350.00'	26.04'	13.03'	26.04'	N89°46'03"W	4°15'48"
C18	20.00'	34.82'	23.74'	30.59'	N46°36'29"W	99°45'55"
C19	324.00'	22.53'	11.27'	22.52'	S81°31'03"W	3°59'02"
C20	376.00'	11.75'	5.88'	11.75'	N80°25'15"E	1°47'26"
C21	376.00'	54.44'	27.27'	54.39'	N85°27'50"E	8°17'45"
C22	376.00'	18.06'	9.03'	18.06'	S89°00'43"E	2°45'08"
C23	20.00'	31.42'	20.00'	28.28'	S47°21'50"W	90°00'00"
C24	20.00'	31.42'	20.00'	28.28'	S42°38'10"E	90°00'00"
C25	20.00'	21.58'	11.98'	20.55'	S33°16'55"W	61°50'09"
C26	105.00'	37.37'	18.88'	37.17'	N54°00'16"E	20°23'27"
C27	105.00'	45.34'	23.03'	44.98'	S39°17'11"E	24°44'17"
C28	47.50'	42.96'	23.07'	41.51'	N25°44'51"W	51°48'57"
C29	535.00'	22.09'	11.05'	22.09'	S1°01'20"E	2°21'55"
C30	535.00'	7.75'	3.87'	7.74'	S2°37'11"E	0°49'46"
C31	260.00'	24.50'	12.26'	24.49'	N0°20'07"W	5°23'54"
C32	20.00'	31.42'	20.00'	28.28'	N47°21'50"E	90°00'00"
C33	20.00'	31.42'	20.00'	28.28'	N42°38'10"W	90°00'00"
C34	20.00'	31.42'	20.00'	28.28'	N47°21'50"E	90°00'00"
C35	20.00'	31.42'	20.00'	28.28'	S42°38'10"E	90°00'00"
C36	20.00'	31.42'	20.00'	28.28'	S47°21'50"W	90°00'00"
C37	20.00'	31.42'	20.00'	28.28'	N42°38'10"W	90°00'00"
C38	20.00'	31.42'	20.00'	28.28'	N47°21'50"E	90°00'00"
C39	20.00'	31.42'	20.00'	28.28'	S42°38'10"E	90°00'00"
C40	20.00'	31.42'	20.00'	28.28'	S47°21'50"W	90°00'00"
C41	20.00'	31.42'	20.00'	28.28'	N42°38'10"W	90°00'00"
C42	776.00'	24.87'	12.44'	24.87'	S86°43'04"E	1°50'12"
C43	20.00'	32.06'	20.65'	28.73'	S48°16'56"W	91°50'12"
C44	20.00'	30.69'	19.29'	27.77'	N41°35'51"W	87°56'24"
C45	724.00'	26.24'	13.12'	26.24'	N86°35'51"W	2°04'36"

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C46	20.00'	2.35'	1.18'	2.35'	S88°50'34"W	6°44'33"
C47	20.00'	14.72'	7.71'	14.39'	S64°32'02"W	42°10'31"
C48	50.00'	49.21'	26.80'	47.25'	N71°38'24"E	56°23'14"
C49	50.00'	75.69'	47.23'	68.67'	S36°47'56"E	86°44'06"
C50	50.00'	20.98'	10.65'	20.83'	S18°35'28"W	24°02'43"
C51	50.00'	47.39'	25.64'	45.63'	S57°45'50"W	54°18'00"
C52	50.00'	49.19'	26.79'	47.23'	N66°54'08"W	56°22'04"
C53	20.00'	14.73'	7.72'	14.40'	S59°49'17"E	42°12'22"
C54	20.00'	2.34'	1.17'	2.34'	S84°16'49"E	6°42'42"
C55	776.00'	24.87'	12.44'	24.87'	N86°43'04"W	1°50'12"
C56	20.00'	32.06'	20.65'	28.73'	N48°16'56"E	91°50'12"
C57	750.00'	71.62'	35.84'	71.59'	N84°54'01"W	5°28'17"
C58	750.00'	71.62'	35.84'	71.59'	S84°54'01"E	5°28'17"
C59	724.00'	26.24'	13.12'	26.24'	S86°35'51"E	2°04'36"
C60	20.00'	30.69'	19.29'	27.77'	S41°35'51"E	87°55'24"
C61	20.00'	31.42'	20.00'	28.28'	S47°21'50"W	90°00'00"
C62	20.00'	31.42'	20.00'	28.28'	N42°38'10"W	90°00'00"
C63	20.00'	31.42'	20.00'	28.28'	N47°21'50"E	90°00'00"
C64	20.00'	31.42'	20.00'	28.28'	S42°38'10"E	90°00'00"
C65	20.00'	31.42'	20.00'	28.28'	S47°21'50"W	90°00'00"
C66	20.00'	31.42'	20.00'	28.28'	S42°38'10"E	90°00'00"
C67	485.00'	39.01'	19.52'	39.00'	N84°27'04"E	4°36'32"
C68	485.00'	7.45'	3.73'	7.45'	N87°11'45"W	0°52'49"
C69	20.00'	31.42'	20.00'	28.28'	S47°21'50"W	90°00'00"
C70	20.00'	31.42'	20.00'	28.28'	N42°38'10"W	90°00'00"

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C71	20.00'	31.42'	20.00'	28.28'	S47°21'50"W	90°00'00"
C72	20.00'	31.42'	20.00'	28.28'	N42°38'10"W	90°00'00"
C73	20.00'	31.42'	20.00'	28.28'	N47°21'50"E	90°00'00"
C74	20.00'	31.42'	20.00'	28.28'	N42°38'10"W	90°00'00"
C75	20.00'	31.42'	20.00'	28.28'	S42°38'10"E	90°00'00"
C76	20.00'	31.42'	20.00'	28.28'	N47°21'50"E	90°00'00"
C77	20.00'	31.42'	20.00'	28.28'	S47°21'55"W	89°59'51"
C78	20.00'	31.42'	20.00'	28.28'	S42°38'05"E	90°00'09"
C79	20.00'	31.42'	20.00'	28.28'	S47°21'55"W	89°59'51"
C80	20.00'	31.42'	20.00'	28.28'	S42°38'05"E	90°00'09"
C81	20.00'	31.42'	20.00'	28.28'	N42°38'05"W	90°00'09"
C82	20.00'	31.42'	20.00'	28.28'	S47°21'55"W	89°59'51"
C83	20.00'	40.00'	31.15'	33.66'	N30°20'32"W	114°35'16"
C84	50.00'	29.49'	15.19'	29.07'	S10°03'16"W	33°47'41"
C85	50.00'	70.51'	42.55'	64.81'	S47°14'22"E	80°47'35"
C86	50.00'	68.48'	40.83'	63.25'	N53°07'45"E	78°28'11"
C87	50.00'	31.52'	16.30'	31.00'	N49°59'53"W	36°07'05"
C88	20.00'	40.00'	31.15'	33.66'	S35°04'13"W	114°35'16"

LINE TABLE		
LINE	LENGTH	BEARING
L1	23.90	S86°43'32"E
L2	11.42	N87°38'10"W
L3	52.02	S3°58'29"W
L4	33.19	N85°44'49"E
L5	105.00	N2°21'50"E
L6	56.69	N87°38'10"W
L7	46.01	N87°38'10"W
L8	10.13	S87°38'10"E
L9	15.95	S87°38'10"E
L10	10.00	S2°21'50"W
L11	37.00	N2°21'50"E
L12	37.00	N2°21'50"E

SCHOOL DISTRICT

SOCORRO INDEPENDENT SCHOOL DISTRICT
12300 EASTLAKE DRIVE

TOTAL RESIDENTIAL LOTS
288

PRINCIPAL CONTACTS:

	Name	Address	City & Zip	Phone	Fax
OWNER:	DOUGLAS A. SCHWARTZ	6080 SURETY DR. STE 300	EL PASO COUNTY, TEXAS 79905	(915) 592-0290	
ENGINEER:	YVONNE C. CURRY	6080 SURETY DR. STE 100	EL PASO, TX. 79905	(915) 592-0283	(915) 592-0286
SURVEYOR	RON R. CONDE	6080 SURETY DR. STE 100	EL PASO, TX. 79905	(915) 592-0283	(915) 592-0286

DATE SUBMIT FINAL PLAT 5/23/17	
REV. DATE	COMMENTS
05/23/17	PUBLIC WORKS COMMENTS
05/30/17	TEXAS GAS COMMENTS
06/27/17	SEND REVISED COPY
07/10/17	PUBLIC WORKS COMMENTS
11/28/17	RESUBMIT
1/15/18	PLANNING REVIEW COMMENTS
10/11/18	RESUBMIT
1/14/19	Town Of Horizon City comments (12/18/18)
3/26/19	Public Works Director comments (3/18/19)
4/11/19	PW Director comments 2nd review (4/11/19)

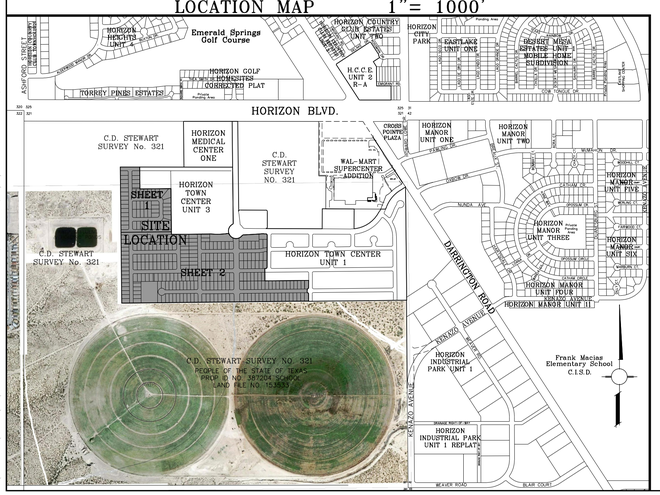
DATE OF PREPARATION: MAY 29, 2020

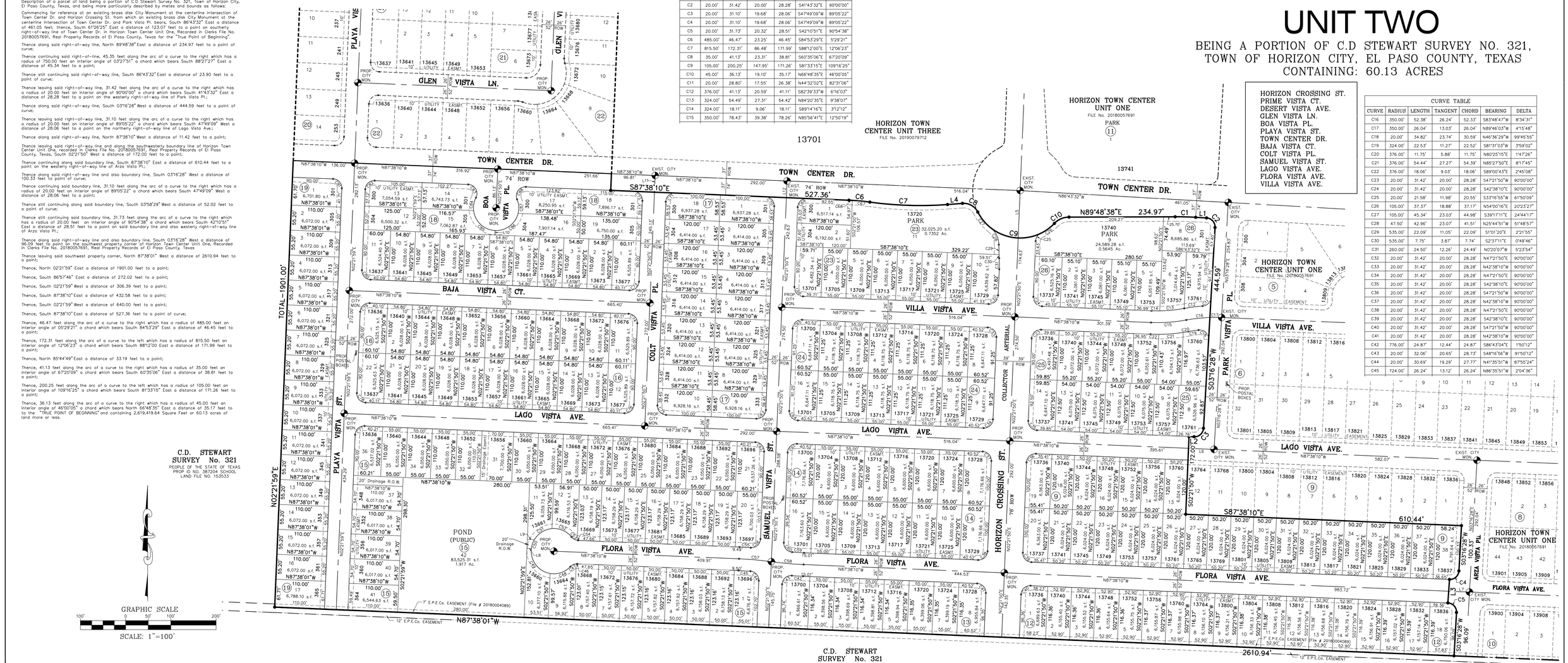
CONDE INC.
ENGINEERING / PLANNING
GPS / SURVEYING / CADD
6080 SURETY DR. STE 100
EL PASO, TEXAS 79905
PHONE (915) 592-0283
FAX (915) 592-0286 FIRM# 10078100
REGISTRATION No. F-8381

NOTES:

1. TAX CERTIFICATE FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORDS SECTION.
   INSTRUMENT No._____ DATE_____
2. RESTRICTIVE COVENANTS FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORD SECTION.
   INSTRUMENT No._____ DATE_____
3. VEHICULAR ACCESS TO THOSE RESIDENTIAL LOTS ABUTTING, TOWN CENTER DR. AND HORIZON CROSSING ST. SHALL BE FROM OTHER DEDICATED STREETS ONLY. THE INSTRUMENT ASSURING RELEASE OF ACCESS IS FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORD
   INSTRUMENT No._____ DATE_____
4. LOT CORNERS WILL BE SET UPON COMPLETION OF CONSTRUCTION OF ROADWAYS AND UTILITIES.
5. "U.S. POSTAL SERVICE DELIVERY WILL BE PROVIDED THROUGH NEIGHBORHOOD DELIVERY AND COLLECTION BOX UNITS".
6. SET 1/2" REBAR WITH CAP MARKED TX 5152 AT ALL EXTERIOR BOUNDARY CORNERS UNLESS OTHERWISE NOTED.
7. 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.
8. BEARINGS BASED ON THE MONUMENTS FOUND ALONG THE CENTERLINE OF TOWN CENTER DR., RECORDED IN THE PLAT OF HORIZON TOWN CENTER UNIT ONE, FILE No. 20180057691, REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS.
9. NO ROADS WILL BE MAINTAINED BY THE TOWN UNTIL PAVED BY THE SUBDIVIDER OR PROPERTY OWNER AND LEGALLY APPROVED AND ACCEPTED BY THE TOWN (SECTION 4.9.1.7. SUBDIVISION ORDINANCE #35)
10. PROVIDED CERTIFICATION THAT ALL UTILITIES HAVE APPROVED LOCATIONS OF EASEMENTS AND THAT SERVICE WILL BE PROVIDED TO DEVELOPMENT.
11. ENSURE THAT PLAT COMPLIES WITH TBPLS REQUIREMENTS.
12. WATER, SEWER, ELECTRIC AND GAS UTILITIES WILL BE AVAILABLE.
13. A PORTION OF THE STORM WATER RUNOFF WILL DRAIN INTO HORIZON TOWN CENTER UNIT THREE POND (LOT 28, BLOCK 22)

LOCATION MAP 1"= 1000'





DEVELOPER PARTICIPATION AGREEMENT

HORIZON TOWN CENTER UNIT #2

BETWEEN THE TOWN OF HORIZON CITY
AND
RANCHOS REAL XV, LLC

This Developer Participation Agreement (the "Agreement") is made and entered into as of the _____ day of _____ 2021 (the "Effective Date"), by and between the TOWN OF HORIZON CITY ("City"), and Ranchos Real XV, LLC, a Texas limited liability company ("Developer").

RECITALS

A. Developer owns property described as Horizon Town Center Unit #2 on Exhibit "A" attached hereto (the "Developer Property")

C. Developer is required by the approved preliminary plat for the Developer Property to dedicate certain parkland ("Dedicated Park") and/or pay certain in-lieu park fees pursuant to Horizon City Code Chapter 10, Article 10.02, Section 2.8 in connection with the development of the Developer Property pursuant to the rules and regulations of the City and dedicate the required parkland to the City for use as a public park.

D. The Developer has requested that in lieu of making certain in-lieu park fees to the City, that it be allowed to use the required funds to construct those certain additional or public improvements as permitted under state law and the City Code Chapter 14 to the Dedicated Park ("Additional Park Improvements") and receive credit for the expenditure of the additional funds in lieu of payment of the required park fees to the City.

E. The Developer will enter into a Construction Agreement with the City with regard to the Additional Park Improvements, aka the public improvements that the subdivision of the Developer Property is required to provide under the Horizon City Code Chapter 10, Article 10.02, Section 8.

E. As provided in Texas Local Government Code §212.071 and §232.105, a municipality may contract with a developer to construct public improvements and participate in the cost of the Additional Park Improvements not exceed thirty (30%) percent of the total contract price and participate at a level not to exceed one hundred (100%) percent of the total cost of any oversized improvements required by the municipality.

F. Developer and City desire that the Developer shall construct the Additional Park Improvements to the dedicated park property concurrent with the Developer's construction of the adjacent Subdivision improvements and acknowledge that the amount of the cost of the Additional

Park Improvements does not exceed thirty percent (30%) of the total cost of Additional Park Improvements being required by the City for such Subdivision.

NOW, THEREFORE, for and in consideration of the promises, mutual agreements and in-kind services set forth, the parties mutually agree as follows:

1. PARTIES' OBLIGATIONS

(a) Developer Obligations. Developer shall be responsible to plan, design, engineer, plat and construct all improvements to the Dedicated Park as required by the City in its approval of the Final Plat for Horizon Town Center Unit #2 (on May 14, 2019 and reaffirmed on June 9, 2020) depicted in the attached Exhibit B. The cost estimate for construction of all of the Additional Park Improvements for the Developer Property is attached to this Agreement as Exhibit C, including the costs of the Additional Park Improvements to the Dedicated Park (the "Cost Estimate"). All work shall be done in consultation with The City staff to assure that all aspects of the work to be performed are consistent with the City Final Plat approval and requirements.

Developer and City agree that concurrent with the planning, design, engineering and construction of the Developer Property, the Developer shall construct the Additional Park Improvements.

(b) Construction Costs. Developer shall be solely responsible for the payment of any and all costs and expenses related to the planning, designing, engineering, platting and constructing the entire Developer Property, the Dedicated Park and the Additional Park Improvements as shown on Exhibit C.

The City will give the Developer credit in lieu of park fees for a portion of the total contract price of the Additional Park Improvements constructed under this Agreement to the extent of thirty (30%) of the total cost of the Additional Park Improvements being required by the City for the portion described herein as the Additional Park Improvements. The remaining improvements constructed above the required 30% shall be credited to future new development in anther subdivision development application that the Developer submit and such credit shall be equal to .55 acre of future new development.

(c) Party Coordination; Platting. Developer shall consult with the City's designated representatives to assure that all work is done consistent with and in compliance with City rules, regulations, and conditions including inspection on the on-going work, and applicable federal and state laws and requirements. City designated representative may, at reasonable times, observe or inspect all work done and materials furnished for the Developer Property, the Dedicated Park and the Additional Park Improvements. If City designated representative reasonably believes the Developer Property, the Dedicated Park and the Additional Park Improvements is not being constructed as per the approved plans and specifications, the parties' designated representatives shall meet to discuss appropriate actions to ensure that any defects in the Developer Property, the Dedicated Park and the Additional Park Improvements or deviations in the approved designs are remedied. After final completion of the construction of the Developer Property, the Dedicated Park

and the Additional Park Improvements and the Dedicated Park, including the Additional Park Improvements, shall be dedicated and accepted as required by the City's subdivision ordinance.

(d) Time for Completion. All work to be performed under this Agreement (excluding maintenance and repair after acceptance) shall be substantially completed in no more than two (2) years from the Effective Date, concurrent with the Subdivision Construction Agreement. Upon achieving substantial completion, Developer shall notify City, who shall promptly inspect Developer's work and either accept the work or notify Developer of deficiencies that must be corrected before the work can be accepted.

(e) Invoice. Upon satisfactory completion and acceptance of the improvements, the Developer shall submit to City an invoice detailing the cost of planning, designing, engineering and constructing the Additional Park Improvements for an amount not to exceed the approved amount of the in-lieu park fees of $18,800.00.

(f) The Developer agrees to provide City with copies of all subcontractor and consultant agreements used by the Developer in the construction of the Dedicated Park and the Additional Park Improvements. The City shall also have the right to inspect the Developer's books and records related to the construction of the Dedicated Park and the Additional Park Improvements during regular business hours and after reasonable written notice.

2. TERM. This Agreement shall automatically terminate after the construction of the Developer Property, the Dedicated Park and the Additional Park Improvements is completed, the City Public Works Director has inspected the project to assure that the City Design Standards have been met and the City has accepted the dedication of the Dedicated Park, including the Additional Park Improvements.

3. BOND REQUIRED. The Developer must execute or cause its contractor to execute a performance bond for one hundred percent (100%) of the amount of the in-lieu park fees to secure fulfillment of all the Developer's obligations under this Agreement. The bond or bonds must be in the form attached hereto as Exhibit "E" and incorporated herein for all purposes. The bond must be executed by a corporate surety in accordance with Chapter 2253, Government Code, Vernon's Annotated Civil Statutes. The bond(s) shall identify the City as an additional named Obligee.

4. INSURANCE. During construction, Developer shall carry and maintain, or cause to be carried and maintained by its contractors, in full force and effect the following insurance coverage:

(a) Workers' compensation insurance as provided by law on Developer's and its contractor's employees;

(b) Commercial general liability insurance written on an occurrence basis, including independent contractors, products, completed operations and premises liability with broad form endorsement including blanket contractual liability and personal injury liability with combined single limits of not less than $1,000,000.00 each occurrence/and $2,000,000.00 aggregate;

(c) Comprehensive automobile liability insurance of not less than $300,000.00.

7. THIRD PARTY RIGHTS OR OBLIGATIONS. No person or entity not a party to this Agreement shall have any third-party beneficiary or other rights under this Agreement.

8. MAINTENANCE WARRANTY. Developer hereby covenants and warrants that the Additional Park Improvements being constructed under this Agreement will be free from defective materials, construction defects, or defects in workmanship for a period of one (1) year following acceptance by the City of all required improvements. Developer shall also provide a maintenance bond, as depicted in Exhibit "F", in the amount of fifty percent (50%) of the costs of the Additional Park Improvements for such period. In the event of the maintenance or repair of a defect in the improvements during the initial guarantee period, the Developer shall provide a one-year extended maintenance guarantee in favor of the City for the entire defect area, with the one year period to commence upon completion of the maintenance or repair. The extended maintenance guarantee period shall be repeated until the defect within the affected area has been satisfactorily remedied. Notwithstanding any other provision in this Agreement, this paragraph shall survive the expiration of this Agreement.

9. NOTICES. All notices, communications and reports under this Agreement shall be either hand-delivered or mailed, postage prepaid in the United States Postal Service, to the respective parties at the respective addresses shown below, unless and until either party is otherwise notified in writing:

HORIZON CITY: Town of Horizon City
Attn: Mayor
14999 Darrington Rd.
Horizon City, TX 79928

Copy to: Town of Horizon City
Attn: Planning Director
14999 Darrington Rd.
Horizon City, TX 79928

DEVELOPER: Ranchos Real XV, LLC
Attn: Douglas A. Schwartz
6080 Surety Drive, Suite 300
El Paso, Texas 79905

10. CUMULATIVE RIGHTS. All remedies, either under this Agreement or at law or in equity or otherwise available to a party, are cumulative and not alternative and may be exercised or pursued separately or collectively in any order, sequence or combination. the City do not waive any rights, immunities, or defenses which either has or may have under law or in equity.

11. GOVERNING LAW. All questions concerning the validity, operation, and interpretation of this Agreement and the performance of the obligations imposed upon the parties hereunder shall be governed by the laws of the State of Texas. Venue shall be in El Paso County, Texas.

12. ASSIGNMENT. The Developer shall have the right to assign its rights and obligations in this Agreement. In the event that the Developer does assign its rights under this Agreement, the assignee shall execute an assignment agreeing that it will be responsible for all of the obligations of Developer, a copy of which shall be sent to the City.

13. RELATIONSHIP. It is expressly understood and agreed by and between the parties that Developer is not an officer, agent or employee of either the City and is not subject to the direct or continuous supervision and control of the City. The City and Developer acknowledge and agree that the parties have not formed, and are not hereby forming a partnership, joint venture or any other similar entity and this Agreement is not intended, and shall not be construed, to create any such entity or relationship.

14. CONSTRUCTION STANDARDS. All work performed by the Developer or its agents shall be done in a good and workmanlike manner in accordance with the City's codes and regulations and the City's Subdivision Regulations and Design Standards. Any contractor or consultant hired by the Developer shall have sufficient skills and experience to properly perform the work required of it and shall provide adequate supervision to assure competent performance of the work.

15. CONSTRUCTION CONTRACTS. Developer agrees to furnish the City a copy of each written agreement entered into with a contractor or consultant retained to complete the construction of the improvements the subject of this Agreement. All of the books and records related to the construction of the project shall be available for inspection by the City upon written request. All work performed by a contractor or consultant of the Developer will not under any circumstances, relieve the Developer of its responsibilities and obligations under this Agreement.

16. ENTIRE AGREEMENT. This Agreement embodies and constitutes the entire understanding between the parties with respect to the transactions contemplated herein, and all prior or contemporaneous agreements, understandings, representations, and statements, oral or written, are merged into this Agreement. This Agreement may not be modified except by an instrument in writing signed by all of the parties.

17. AUTHORIZED SIGNATURE. The person executing this Agreement on behalf of the Developer warrants to the City that the Developer is a duly authorized and existing limited partnership, that Developer is qualified to do business in the State of Texas, that Developer has full right and authority to enter into this Agreement, and that every person signing on behalf of Developer is authorized to do so.

EXECUTED in El Paso, El Paso County, Texas as of the Effective Date.

TOWN OF HORIZON CITY

By: _____
Ruben Mendoza, Mayor

APPROVED AS TO FORM:

Bertha A. Ontiveros
Assistant City Attorney

APPROVED AS TO CONTENT:

Michelle Padilla, CNU
Planning Director

DEVELOPER

RANCHOS REAL XV, LLC

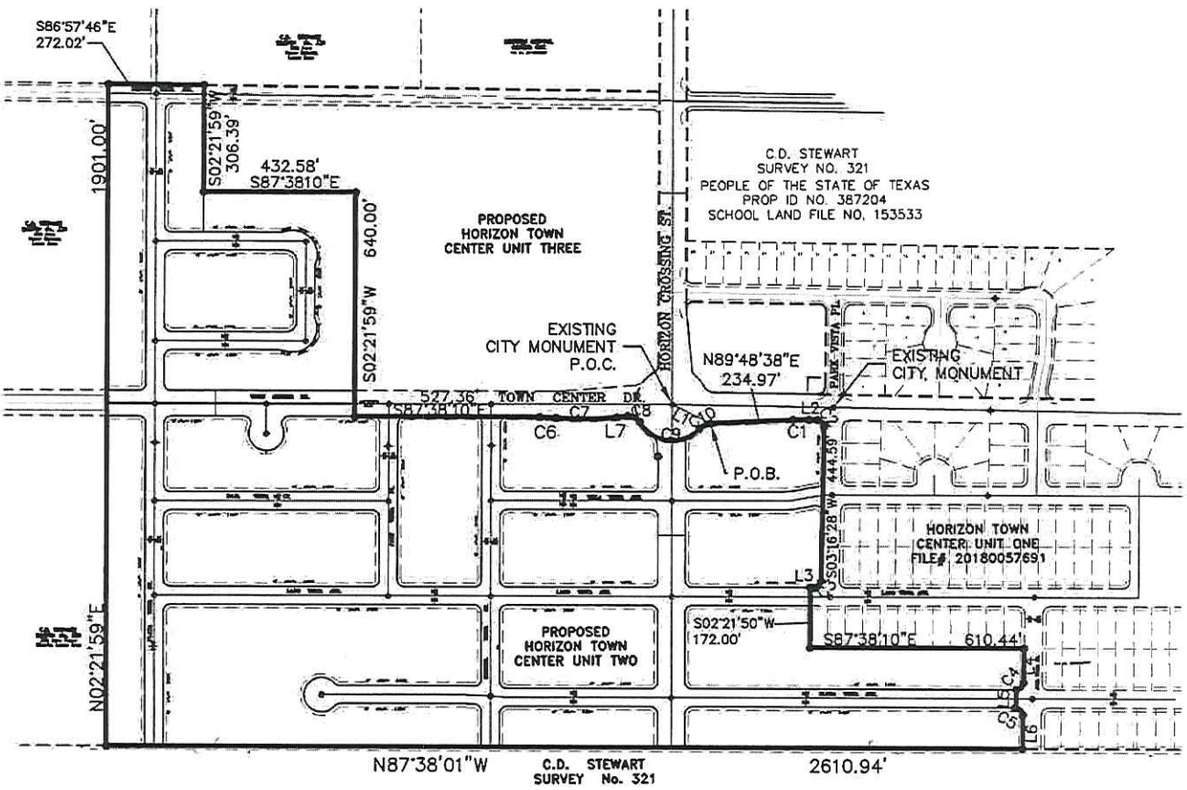
By: _____
Douglas A. Schwartz
Manager

Exhibit A

Developer Property

NOTES:

1. SET 1/2" REBARS WITH CAPS MARKED TX. 5152 ON ALL CORNERS UNLESS OTHERWISE NOTED.
2. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS DRAWING.



CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	750.00'	45.35'	22.68'	45.34'	S88°27'27"E	03°27'51"
C2	20.00'	31.42'	20.00'	28.28'	S41°43'32"E	90°00'00"
C3	20.00'	31.10'	19.69'	28.06'	S47°49'09"W	89°05'22"
C4	20.00'	31.10'	19.69'	28.06'	S47°49'09"W	89°05'22"
C5	20.00'	31.73'	20.32'	28.51'	S42°10'51"E	90°54'38"
C6	485.00'	46.47'	23.25'	46.45'	S84°53'29"E	05°29'21"
C7	815.50'	172.31'	86.48'	171.99'	S88°11'59"E	12°06'23"
C8	35.00'	41.13'	23.31'	38.81'	S60°35'06"E	67°20'09"
C9	105.00'	200.26'	147.95'	171.26'	S81°33'15"E	109°16'25"
C10	45.00'	36.13'	19.10'	35.17'	N66°48'35"E	46°00'05"

LINE TABLE		
LINE	LENGTH	BEARING
L1	123.07'	S61°26'25"E
L2	23.91'	S86°43'32"E
L3	11.42'	N87°38'10"W
L4	100.33'	S03°16'28"W
L5	52.02'	S03°58'29"W
L6	96.09'	S03°16'28"W
L7	33.19'	N85°44'49"E

SCALE: 1"=20'

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JOB # 919-32 DATE: SEPTEMBER 20, 2019 FIELD: W.B. OFFICE: C.C.

A PORTION OF C.D. STEWART SURVEY NO. 321, TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS

CONDE INC.
6080 SURETY SUITE 100
EL PASO, TEXAS 79905, FIRM#10078100

CADD FILE: S:\SU\E\CD321

Prepared For: Southwest Land Development Services Inc.
September 20, 2019.

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of C.D. Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing brass disk Monument at the centerline intersection of Horizon Crossing St. and Town Center Dr. from which an existing brass disk Monument at the centerline intersection of Town Center Dr. and Park Vista Pl. Bears, South 86°43'32" East a distance of 461.05 feet; Thence, South 61°26'25" East a distance of 123.07 feet to a set ½" rebar with cap marked TX 5152 on the southerly right of way line of Town Center Drive for the "TRUE POINT OF BEGINNING".

Thence along said right of way line, North 89°48'38" East a distance of 234.97 feet to a set ½" rebar for point of curve;

Thence along said right of way line, 45.35 feet along the arc of a curve to the right which has a radius of 750.00 feet a central angle of 03°27'51' a chord which bears South 88°27'27" East a distance of 45.34 feet to a set ½" rebar with cap marked Tx 5152;

Thence along said right of way line, South 86°43'32" East a distance of 23.91 feet to a set ½" rebar with cap marked TX 5152 to a point of curve;

Thence, 31.42 feet along the arc of a curve to the right which has a radius of 20.00 feet a central angle of 90°00'00' a chord which bears South 41°43'32" East a distance of 28.28 feet to a set ½" rebar with cap marked TX 5152 on the westerly right of way line of Park Vista Pl.

Thence along said right of way line, South 03°16'28" West a distance of 444.59 feet to a set ½" rebar;

Thence, 31.10 feet along the arc of a curve to the right which has a radius of 20.00 feet a central angle of 89°05'22' a chord which bears South 47°49'09" West a distance of 28.06 feet to a set ½" rebar with cap marked TX 5152 on the northerly right of way line of Lago Vista Ave;

Thence along said right of way line, North 87°38'10" West a distance of 11.42 feet to a set ½" rebar with cap marked TX 5152;

job # 919-32

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

Thence leaving said right of way line, South 02°21'50" West a distance of 172.00 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 87°38'10" East a distance of 610.44 feet to a set ½" rebar with cap marked TX 5152 on the westerly right of way line of Arza Vista Pl.;

Thence along said right of way line, South 03°16'28" West a distance of 100.33 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

Thence, 31.10 feet along the arc of a curve to the right which has a radius of 20.00 feet a central angle of 89°05'22' a chord which bears South 47°49'09" West a distance of 28.06 feet to a set ½" rebar with cap marked TX 5152 on the northerly right of way line of Flora Vista Ave;

Thence leaving said right of way line, South 03°58'29" West a distance of 52.02 feet to a set ½" rebar with cap marked TX 5152 on the southerly right of way line of Flora Vista Ave.

Thence, 31.73 feet along the arc of a curve to the right which has a radius of 20.00 feet a central angle of 90°54'38' a chord which bears South 42°10'51" East a distance of 28.51 feet to a set ½" rebar with cap marked TX 5152 on the westerly right of way line of Arza Vista Pl.;

Thence along said right of way line, South 03°16'28" West a distance of 96.09 feet to a set ½" rebar with cap marked TX 5152 on the proposed southerly boundary line of Horizon Town Center Two;

Thence along said line, North 87°38'01" West a distance of 2610.94 feet to a set ½" rebar with cap marked TX 5152 on the westerly boundary line of Horizon Town Center Unit Two;

Thence along said line, North 02°21'59" East a distance of 1901.00 feet to a set ½" rebar with cap marked TX 5152 on the proposed northerly right of way line of Desert Vista Ave.;

Thence along said right of way line, South 86°57'46" East a distance of 272.02 feet to a set ½" rebar with cap marked TX 5152;

Thence leaving said right of way line, South 02°21'59" West a distance of 306.39 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 87°38'10" East a distance of 432.58 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 02°21'59" West a distance of 640.00 feet to a set ½" rebar with cap marked TX 5152 on the proposed southerly right of way line of Town Center Dr.;

job # 919-32

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
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(915) 592-0283 FAX (915) 592-0286 FIRM# 10078100

Thence along said right of way line, South 87°38'10" East a distance of 527.36 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

Thence, 46.47 feet along the arc of a curve to the right which has a radius of 485.00 feet a central angle of 05°29'21' a chord which bears South 84°53'29" East a distance of 46.45 feet to a set ½" rebar with cap marked TX 5152 for a point of reverse curve;

Thence, 172.31 feet along the arc of a curve to the left which has a radius of 815.50 feet a central angle of 12°06'23' a chord which bears South 88°11'59" East a distance of 171.99 feet to a set ½" rebar with cap marked TX 5152;

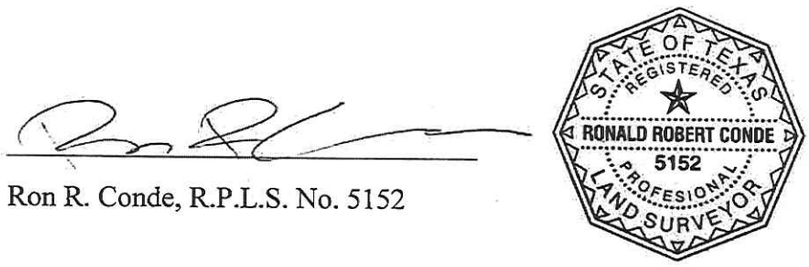
Thence along said right of way line, North 85°44'49" East a distance of 33.19 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

Thence, 41.13 feet along the arc of a curve to the right which has a radius of 35.000 feet a central angle of 67°20'09' a chord which bears South 60°35'06" East a distance of 38.81 feet to a set ½" rebar with cap marked TX 5152 on the southerly right of way line of Town Center Drive;

Thence along said right of way line, 200.26 feet along the arc of a curve to the left which has a radius of 105.00 feet a central angle of 109°16'25' a chord which bears South 81°33'15" East a distance of 171.26 feet to a set ½" rebar with cap marked TX 5152 for a point of reverse curve;

Thence along said right of way line, 36.13 feet along the arc of a curve to the right which has a radius of 45.00 feet a central angle of 46°00'05" a chord which bears North 66°48'35" East a distance of 35.17 feet to "TRUE POINT OF BEGINNING" and containing 2,619,420 Square Feet or 60.13 Acres of land more or less.

A drawing of even date accompanies this description.



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

job # 919-32

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

Exhibit B
Final Plat Approvals

HORIZON TOWN CENTER UNIT TWO

BEING A PORTION OF C.D STEWART SURVEY NO. 321,
TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS
CONTAINING: 60.13 ACRES

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of C.D Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing brass disk City Monument at the centerline intersection of Town Center Dr. and Horizon Crossing St., from which the existing brass disk City Monument at the centerline intersection of Town Center Dr. and Park Vista Pl. bears, South 86°57'32" East a distance of 451.05 feet; thence, South 51°28'27" East a distance of 123.07 feet to a point on southerly right-of-way line of Town Center Dr. in Horizon Town Center Unit One, Recorded in Clerks File No. 20180007091, Real Property Records of El Paso County, Texas for the "True Point of Beginning";

Thence along said right-of-way line, North 87°41'36" East a distance of 234.97 feet to a point of curve;

Thence continuing said right-of-line, 45.35 feet along the arc of a curve to the right which has a radius of 250.00 feet an interior angle of 83°27'01" a chord which bears South 86°37'21" East a distance of 45.24 feet to a point;

Thence still continuing said right-of-way line, South 86°43'32" East a distance of 23.90 feet to a point of curve;

Thence leaving said right-of-way line, 31.42 feet along the arc of a curve to the right which has a radius of 20.00 feet an interior angle of 90°00'00" a chord which bears South 41°43'32" East a distance of 28.28 feet to a point on the westerly right-of-way line of Park Vista Pl.;

Thence along said right-of-way line, South 03°16'28" East a distance of 444.58 feet to a point of curve;

Thence leaving said right-of-way line, 31.50 feet along the arc of a curve to the right which has a radius of 20.00 feet an interior angle of 90°12'29" a chord which bears South 41°43'09" East a distance of 28.06 feet to a point on the northerly right-of-way line of Lago Vista Ave.;

Thence along said right-of-way line, North 87°38'10" East a distance of 11.42 feet to a point;

Thence leaving said right-of-way line and along the said the south westerly boundary line of Horizon Town Center Unit Three, Recorded in Clerks File No. 20190079712, Real Property Records of El Paso County, Texas, South 02°21'59" East a distance of 1172.00 feet to a point;

Thence continuing along said boundary line, South 87°38'10" East a distance of 870.44 feet to a point on the westerly right-of-way line of Aire Vista Pl.;

Thence along said right-of-way line and also boundary line, South 03°16'28" East a distance of 100.33 feet to a point of curve;

Thence continuing said boundary line, 31.42 feet along the arc of a curve to the right which has a radius of 20.00 feet an interior angle of 89°59'32" a chord which bears South 41°43'08" East a distance of 28.28 feet to a point;

Thence still continuing said boundary line, South 03°58'26" East a distance of 52.02 feet to a point of curve;

Thence still continuing said boundary line, 31.73 feet along the arc of a curve to the right which has a radius of 20.00 feet an interior angle of 90°54'38" a chord which bears South 48°25'45" East a distance of 28.51 feet to a point on said boundary line and also westerly right-of-way line of Aire Vista Pl.;

Thence along said right-of-way line and also boundary line, South 03°16'28" East a distance of 36.00 feet to a point on the southerly property corner of Horizon Town Center Unit One, Recorded in Clerks File No. 20180007091, Real Property Records of El Paso County, Texas;

Thence leaving said southerly property corner, North 87°38'01" East a distance of 2610.94 feet to a point;

Thence, North 02°21'59" East a distance of 1303.00 feet to a point;

Thence, South 86°57'46" East a distance of 272.02 feet to a point;

Thence, South 02°21'59" East a distance of 306.39 feet to a point;

Thence, South 87°38'10" East a distance of 432.58 feet to a point;

Thence, South 02°21'59" East a distance of 640.00 feet to a point;

Thence, South 87°38'10" East a distance of 527.00 feet to a point of curve;

Thence, 42.47 feet along the arc of a curve to the right which has a radius of 485.00 feet an interior angle of 05°01'21" a chord which bears South 84°53'29" East a distance of 42.45 feet to a point;

Thence, 172.24 feet along the arc of a curve to the left which has a radius of 815.50 feet an interior angle of 12°06'23" a chord which bears South 85°12'00" East a distance of 171.99 feet to a point;

Thence, North 85°44'49" East a distance of 33.19 feet to a point;

Thence, 33.13 feet along the arc of a curve to the right which has a radius of 35.00 feet an interior angle of 87°20'00" a chord which bears South 02°35'09" East a distance of 30.81 feet to a point;

Thence, 230.25 feet along the arc of a curve to the left which has a radius of 105.00 feet an interior angle of 109°16'20" a chord which bears South 61°33'15" East a distance of 179.26 feet to a point;

Thence, 39.13 feet along the arc of a curve to the right which has a radius of 45.00 feet an interior angle of 49°50'08" a chord which bears North 66°49'35" East a distance of 37.91 feet to the "TRUE POINT OF BEGINNING" and containing 2,618,418.84 Square Feet or 60.13 acres of land more or less.

CURVE TABLE

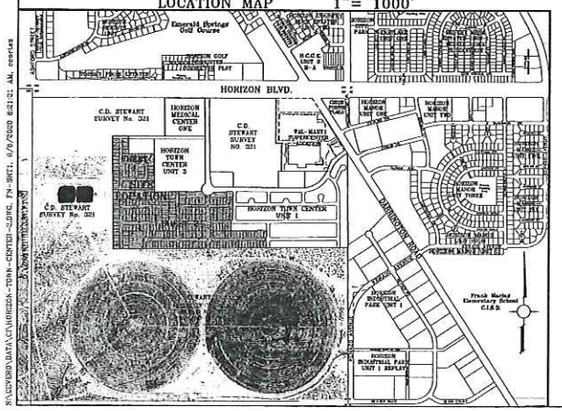
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C89	20.00'	31.42'	20.00'	28.28'	N47°21'55"E	89°58'54"
C90	20.00'	31.42'	20.00'	28.28'	N42°36'05"E	90°00'00"
C91	20.00'	31.42'	20.00'	28.28'	S47°21'55"E	89°58'54"
C92	20.00'	31.42'	20.00'	28.28'	S42°38'05"E	90°00'00"
C93	30.00'	47.13'	30.00'	42.43'	N47°21'55"E	89°58'54"
C94	30.00'	10.44'	5.28'	10.39'	N77°38'42"E	19°56'54"
C95	70.00'	33.96'	17.39'	33.85'	S89°13'29"E	27°48'28"
C96	70.00'	28.00'	20.35'	38.08'	N69°57'49"E	22°54'56"
C97	70.00'	39.00'	20.35'	38.08'	N39°37'53"E	32°24'56"
C98	70.00'	48.33'	24.05'	45.48'	N12°45'45"E	37°50'21"
C99	30.00'	10.44'	5.28'	10.39'	S73°38'25"E	19°56'54"
C100	30.00'	10.44'	5.28'	10.39'	S53°20'28"E	19°56'54"
C101	70.00'	48.33'	24.05'	45.48'	N33°11'13"E	37°50'21"
C102	70.00'	29.87'	20.49'	38.33'	N39°50'25"W	32°27'56"
C103	70.00'	39.87'	20.49'	38.33'	N64°33'21"W	32°27'56"
C104	70.00'	32.64'	16.62'	32.34'	S85°41'18"W	26°42'44"
C105	30.00'	10.44'	5.28'	10.39'	N83°23'23"E	19°56'54"
C106	20.00'	47.13'	30.00'	42.43'	N42°36'06"W	90°00'00"
C107	20.00'	31.42'	20.00'	28.28'	S47°21'55"E	89°58'54"
C108	20.00'	31.42'	20.00'	28.28'	S42°38'05"E	90°00'00"
C109	20.00'	31.85'	20.24'	28.45'	S47°42'08"E	91°16'15"
C110	20.00'	31.15'	19.77'	28.12'	N42°17'56"E	89°15'45"

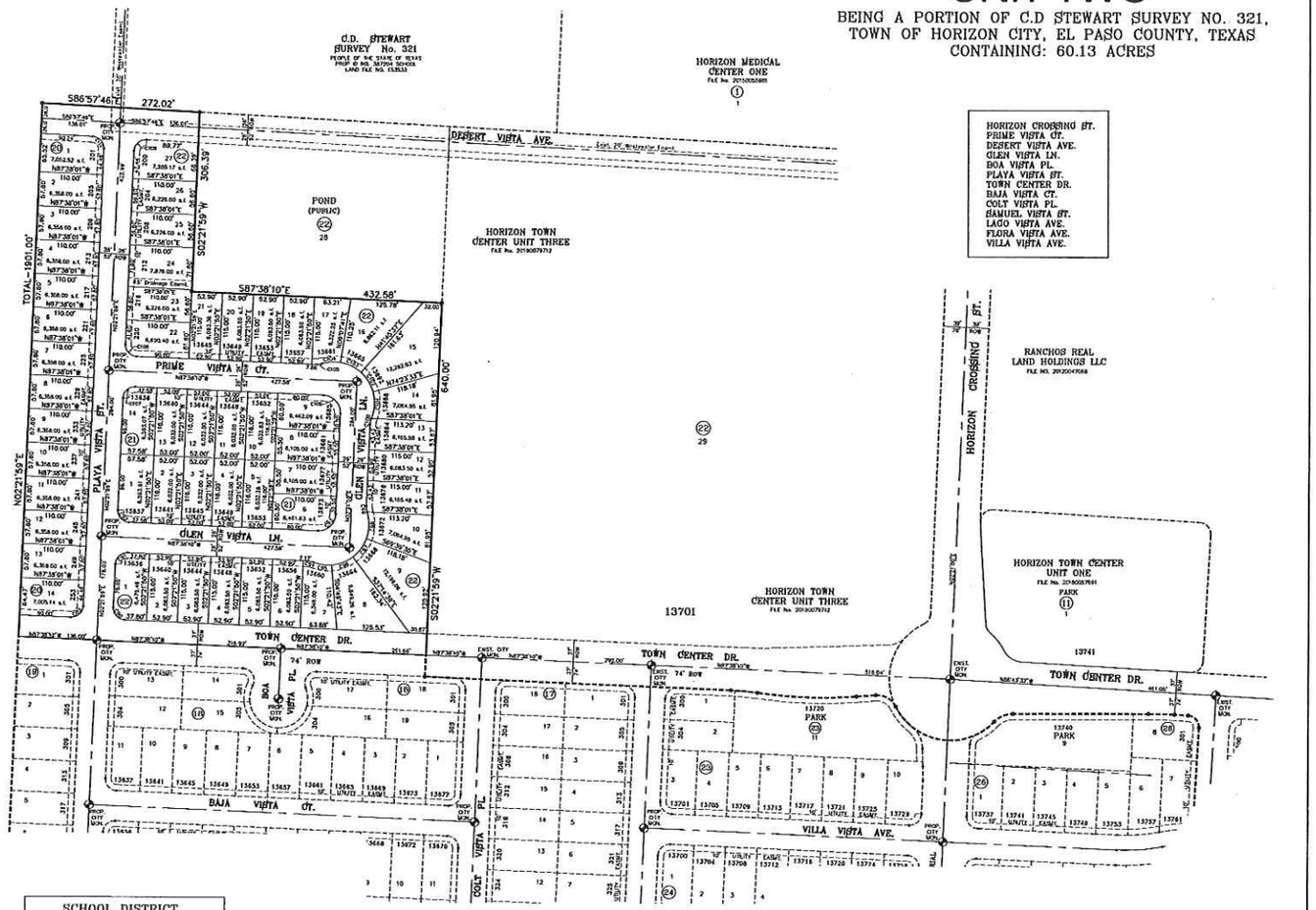
NOTES:

1. TAX CERTIFICATE FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORDS SECTION.
   INSTRUMENT No._____ DATE_____
2. RESTRICTIVE COVENANTS FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORD SECTION.
   INSTRUMENT No._____ DATE_____
3. VEHICULAR ACCESS TO THOSE RESIDENTIAL LOTS ADJUTING, TOWN CENTER DR., AND HORIZON CROSSING ST. SHALL BE FROM OTHER DEDICATED STREETS ONLY. THE INSTRUMENT ASSURING RELEASE OF ACCESS IS FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORD
   INSTRUMENT No._____ DATE_____
4. LOT CORNERS WILL BE SET UPON COMPLETION OF CONSTRUCTION OF ROADWAYS AND UTILITIES.
5. "U.S. POSTAL SERVICE DELIVERY WILL BE PROVIDED THROUGH NEIGHBORHOOD DELIVERY AND COLLECTION BOX UNITS".
6. SET 1/2" REBAR WITH CAP MARKED TX 5152 AT ALL EXTERIOR BOUNDARY CORNERS UNLESS OTHERWISE NOTED.
7. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY PANELS NO 480212-2508 AND 2378, DATED SEPTEMBER 4, 1991 PROPERTY IS IN FLOOD HAZARD ZONE X.
8. BEARINGS BASED ON THE MONUMENTS FOUND ALONG THE CENTERLINE OF TOWN CENTER DR., RECORDED IN THE PLAT OF HORIZON TOWN CENTER UNIT ONE, FILE No. 20180007091, REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS.
9. NO ROADS WILL BE MAINTAINED BY THE TOWN UNTIL PAVED BY THE SUBDIVIDER OR PROPERTY OWNER AND LEGALLY APPROVED AND ACCEPTED BY THE TOWN (SECTION 4.9.1.7, SUBDIVISION ORDINANCE #35)
10. PROVIDED CERTIFICATION THAT ALL UTILITIES HAVE APPROVED LOCATIONS OF EASEMENTS AND THAT SERVICE WILL BE PROVIDED TO DEVELOPMENT.
11. ENSURE THAT PLAT COMPLIES WITH TCPUS REQUIREMENTS.
12. WATER, SEWER, ELECTRIC AND GAS UTILITIES WILL BE AVAILABLE.
13. A PORTION OF THE STORM WATER RUNOFF WILL DRAIN INTO HORIZON TOWN CENTER UNIT THREE POND (LOT 28, BLOCK 22)

GRAPHIC SCALE
100' 0 50' 100' 200'
SCALE: 1"=100'

LOCATION MAP 1"= 1000'





SCHOOL DISTRICT

SOCORRO INDEPENDENT SCHOOL DISTRICT
12300 EASTLAKE DRIVE

TOTAL RESIDENTIAL LOTS

288

PRINCIPAL CONTACTS:

	Name	Address	City & Zip	Phone	Fax
OWNER	DOUGLAS A. SCHWARTZ	6080 SURETY DR. STE 300	EL PASO COUNTY, TEXAS 79905	(915) 592-0280	
ENGINEER	YVONNE C. CURRY	6080 SURETY DR. STE 100	EL PASO, TX 79905	(915) 592-0283	(915) 592-0286
SURVEYOR	RON R. CONDE	6080 SURETY DR. STE 100	EL PASO, TX 79905	(915) 592-0283	(915) 592-0286

DATE SUBMIT FINAL PLAT 6/23/17	
REV. DATE	COMMENTS
05/21/17	PUBLIC WORKS COMMENTS
05/29/17	TEXAS GAS COMMENTS
06/27/17	SEND REVISED COPY
07/10/17	PUBLIC WORKS COMMENTS
11/24/17	RESUBMIT
1/31/18	PLANNING REVIEW COMMENTS
12/5/18	RESUBMIT
1/24/19	Town Of Horizon City comments (1/24/19)
2/25/19	Public Works Director comments (2/25/19)
4/11/19	Fire Director comments 3rd review (4/11/19)

DATE OF PREPARATION: MAY 29, 2020

CONDE INC.
ENGINEERING / PLANNING
GIS / SURVEYING / CADD
6080 SURETY DR. STE 100
EL PASO, TEXAS 79905
PHONE: (915) 592-0280
FAX: (915) 592-0286 FIRM# 10078300

DEDICATION

RANCHOS REAL XV, L.L.C. property owners of this land, hereby presents this plat and dedicates to the use of the public the streets, drives, parks, pond, drainage ROW, drainage easements, and utility easements, as herein laid down and designated, including easements for overhang of eaves and for pole type utilities, and buried service wires, conduits and pipes for underground utilities, and the right to ingress and egress for service and construction and the right to trim interfering trees and shrubs.

Witness my signature this 24th day of June 2020.

BY: RANCHOS REAL XV, L.L.C.

Douglas A. Schwartz, Manager

ATTEST: NOT REQUIRED

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF EL PASO

Before me, the undersigned authority, on this day personally appeared Douglas A. Schwartz, Manager of RANCHOS REAL XV, L.L.C., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of said corporation for the purpose and consideration therein expressed.

Given under my hand and seal of office this 24th day of June 2020.

Notary Public in and for El Paso County — My Commission Expires 01-31-2022

TOWN OF HORIZON CITY CITY COUNCIL

This subdivision is hereby approved as to the platting and as to the conditions of the dedication in accordance with Chapter 212 of the Local Government Code of Texas, this_____day of _____2020.

Accepted and adopted by the City Council of Town of Horizon City this_____day of _____2020.

Elda Schuler, City Clerk — Ruben Mendoza, Mayor

Approved for filing this_____day of_____2020.

Multi-Zahara Inc. (Town Engineer)
By: Isabel Vasquez, P.E.

FILING

Filed and recorded in the office of the County Clerk of El Paso County, Texas, this_____day of _____ 2020, A.D. in Volume_____ of the Plat Record, Page _____
File No._____

County Clerk — By Deputy

Prepared by and under the supervision of:
YVONNE CONDE CURRY, P.E.
Registered Professional Engineer
Registration No. 64568

This plat represents a survey made on the ground by me or under my supervision and complies with the current Texas Board of Professional Land Survey Professional and Technical Standards.

Yvonne Conde Curry, P.E. — Ron R. Conde, Registered Professional Land Surveyor, Texas License No. 5152

SHEET 1 OF 2

HORIZON TOWN CENTER UNIT TWO

BEING A PORTION OF C.D STEWART SURVEY NO. 321,
TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS
CONTAINING: 60.13 ACRES

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of C.D Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing brass disk City Monument at the centerline intersection of Town Center Dr. and Horizon Crossing St. from which an existing brass disk City Monument at the centerline intersection of Town Center Dr. and Playa Vista Pl. bears, South 86°43'33" East a distance of 451.06 feet, thence, South 41°39'25" East a distance of 153.07 feet to a point on southerly right-of-way line of Town Center Dr. in Horizon Town Center Unit One, Recorded in Clerks File No. 20180057691, Real Property Records of El Paso County, Texas for the "True Point of Beginning";

Thence along said right-of-way line, North 89°48'36" East a distance of 234.97 feet to a point of curve;

Thence continuing said right-of-way line, 15.39 feet along the arc of a curve to the right which has a radius of 750.00 feet an interior angle of 01°27'55" a chord which bears South 88°27'37" East a distance of 45.34 feet to a point;

Thence still continuing said right-of-way line, South 86°43'33" East a distance of 23.90 feet to a point of curve;

Thence leaving said right-of-way line, 31.42 feet along the arc of a curve to the right which has a radius of 20.00 feet an interior angle of 90°00'00" a chord which bears South 41°43'33" East a distance of 28.28 feet to a point on the westerly right-of-way line of Park Vista Pl;

Thence along said right-of-way line, South 03°16'27" East a distance of 444.59 feet to a point of curve;

Thence leaving said right-of-way line, 31.30 feet along the arc of a curve to the right which has a radius of 20.00 feet an interior angle of 89°40'32" a chord which bears South 47°49'09" West a distance of 28.56 feet to a point on the northerly right-of-way line of Lago Vista Ave;

Thence along said right-of-way line, North 87°38'10" West a distance of 11.42 feet to a point;

Thence leaving said right-of-way line and along the approximately boundary line of Horizon Town Center Unit One, Recorded in Clerks File No. 20180057691, Real Property Records of El Paso County, Texas, South 02°51'50" West a distance of 172.00 feet to a point;

Thence continuing along said boundary line, South 87°38'10" East a distance of 612.41 feet to a point on the said westerly right-of-way line of Playa Vista Ave;

Thence along said right-of-way line and also boundary line, South 03°16'27" East a distance of 1063.53 feet to point of curve;

Thence continuing said boundary line, 31.10 feet along the arc of a curve to the right which has a radius of 20.00 feet an interior angle of 89°05'22" a chord which bears South 47°45'05" West a distance of 28.06 feet to a point;

Thence still continuing said boundary line, South 03°48'29" East a distance of 52.02 feet to a point of curve;

Thence still continuing said boundary line, 31.73 feet along the arc of a curve to the right which has a radius of 20.00 feet an interior angle of 90°54'38" a chord which bears South 42°42'51" East a distance of 28.51 feet to a point on said boundary line and also westerly right-of-way line of Aire Vista Pl;

Thence along said right-of-way line and also boundary line, South 03°16'27" East a distance of 84.00 feet to a point on the northerly property corner of Horizon Town Center Unit One, Recorded in Clerks File No. 20180057691, Real Property Records of El Paso County, Texas;

Thence leaving said northerly property corner, North 87°38'01" West a distance of 2610.94 feet to a point;

Thence, North 02°21'59" East a distance of 1901.00 feet to a point;

Thence, South 86°57'46" East a distance of 272.62 feet to a point;

Thence, South 02°21'59" West a distance of 206.26 feet to a point;

Thence, South 87°38'10" East a distance of 432.58 feet to a point;

Thence, South 02°21'59" West a distance of 640.00 feet to a point;

Thence, South 87°38'10" East a distance of 527.36 feet to a point of curve;

Thence, 46.47 feet along the arc of a curve to the right which has a radius of 485.00 feet an interior angle of 05°29'21" a chord which bears South 84°53'29" East a distance of 46.45 feet to a point;

Thence, 172.31 feet along the arc of a curve to the left which has a radius of 815.50 feet an interior angle of 12°06'23" a chord which bears South 88°12'00" East a distance of 171.99 feet to a point;

Thence, North 85°44'49" East a distance of 33.19 feet to a point;

Thence, 41.37 feet along the arc of a curve to the right which has a radius of 55.00 feet an interior angle of 43°05'39" a chord which bears South 80°38'06" East a distance of 40.41 feet to a point;

Thence, 200.25 feet along the arc of a curve to the left which has a radius of 105.00 feet an interior angle of 109°15'29" a chord which bears North 81°31'15" East a distance of 171.26 feet to a point;

Thence, 36.15 feet along the arc of a curve to the right which has a radius of 45.00 feet an interior angle of 45°00'00" a chord which bears North 86°48'26" East a distance of 35.17 feet to the "TRUE POINT OF BEGINNING" and containing 2,618,415.64 Square Feet or 60.13 acres of land more or less.

C.D. STEWART SURVEY No. 321
PEOPLE OF THE STATE OF TEXAS
PROP ID NO. 367295 SOCORRO
LAND FILE NO. 113533

GRAPHIC SCALE
SCALE: 1"=100'

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	750.00'	45.35'	22.68'	45.34'	S89°27'27"E	3°27'51"
C2	20.00'	31.42'	20.00'	28.28'	S41°43'33"E	90°00'00"
C3	20.00'	31.10'	19.66'	28.06'	S47°49'09"W	89°05'22"
C4	20.00'	31.10'	19.66'	28.06'	S41°16'13"E	89°05'22"
C5	20.00'	31.73'	20.32'	28.51'	S42°42'51"E	90°54'38"
C6	485.00'	46.47'	23.25'	46.45'	S84°53'29"E	5°29'21"
C7	815.50'	172.31'	86.48'	171.99'	S88°12'00"E	12°06'23"
C8	55.00'	41.37'	23.31'	38.87'	S80°38'06"E	43°05'39"
C9	105.00'	200.25'	141.95'	171.26'	S81°31'15"E	109°15'29"
C10	45.00'	36.15'	19.10'	35.17'	N86°48'26"E	45°00'00"
C11	20.00'	28.80'	17.55'	26.38'	N44°32'02"E	82°31'06"
C12	275.00'	41.12'	20.58'	41.11'	S82°39'33"E	8°34'02"
C13	324.00'	54.49'	27.31'	54.42'	N84°29'26"E	9°38'07"
C14	324.00'	18.11'	9.06'	18.11'	S89°51'58"E	3°12'12"
C15	300.00'	78.43'	39.56'	78.26'	N85°56'41"E	12°50'19"

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C16	350.00'	52.36'	26.24'	52.31'	S82°46'47"E	8°34'36"
C17	300.00'	24.04'	13.02'	29.04'	N88°41'03"E	4°35'45"
C18	20.00'	34.82'	23.74'	30.53'	N46°36'29"E	89°45'26"
C19	324.00'	22.52'	11.27'	22.52'	S81°31'03"E	3°59'02"
C20	276.00'	11.75'	5.88'	11.75'	N82°05'15"E	2°26'21"
C21	276.00'	34.44'	27.27'	34.37'	N85°27'50"E	8°54'45"
C22	276.00'	18.08'	9.05'	18.06'	S89°02'43"E	3°45'08"
C23	20.00'	31.42'	20.00'	28.28'	S47°21'50"E	90°00'00"
C24	20.00'	31.42'	20.00'	28.28'	S42°38'10"W	90°00'00"
C25	20.00'	31.58'	20.26'	28.41'	S03°16'36"E	90°27'50"
C26	105.00'	27.37'	13.80'	27.17'	N04°02'16"E	29°23'27"
C27	105.00'	45.34'	23.03'	44.98'	S28°11'11"E	24°44'37"
C28	47.50'	42.98'	23.07'	41.51'	N25°45'58"E	51°49'37"
C29	535.00'	22.00'	11.00'	22.00'	S01°06'28"E	2°21'35"
C30	535.00'	7.75'	3.87'	7.74'	S02°37'41"E	0°49'46"
C31	20.00'	31.52'	20.06'	28.49'	N42°30'57"E	90°17'54"
C32	20.00'	31.42'	20.00'	28.28'	N47°21'50"E	90°00'00"
C33	20.00'	31.42'	20.00'	28.28'	N42°38'10"W	90°00'00"
C34	20.00'	31.42'	20.00'	28.28'	N47°21'50"E	90°00'00"
C35	20.00'	31.42'	20.00'	28.28'	S42°38'10"E	90°00'00"
C36	20.00'	31.42'	20.00'	28.28'	N47°21'50"E	90°00'00"
C37	20.00'	31.42'	20.00'	28.28'	S42°38'10"E	90°00'00"
C38	20.00'	31.42'	20.00'	28.28'	N47°21'50"E	90°00'00"
C39	20.00'	31.42'	20.00'	28.28'	S42°38'10"E	90°00'00"
C40	20.00'	31.42'	20.00'	28.28'	S47°21'50"E	90°00'00"
C41	20.00'	31.42'	20.00'	28.28'	N42°38'10"W	90°00'00"
C42	275.00'	24.82'	12.41'	24.82'	S84°13'24"E	5°10'12"
C43	20.00'	32.09'	20.65'	28.73'	S48°18'26"E	91°56'12"
C44	20.00'	30.69'	19.29'	27.77'	N41°35'16"E	87°56'24"
C45	724.00'	29.24'	13.12'	29.24'	N86°32'51"E	2°18'36"

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C46	20.00'	2.35'	1.18'	2.35'	S86°58'34"E	6°44'33"
C47	20.00'	14.79'	7.71'	14.39'	S61°32'02"E	42°22'24"
C48	50.00'	49.21'	26.80'	47.20'	N61°38'10"W	56°23'51"
C49	50.00'	75.49'	47.23'	68.67'	S30°47'58"E	86°29'58"
C50	50.00'	29.98'	16.65'	29.83'	S39°38'28"E	34°22'43"
C51	50.00'	47.38'	25.64'	45.62'	S57°45'56"E	54°18'00"
C52	50.00'	43.16'	24.79'	41.23'	N66°54'08"E	49°27'54"
C53	20.00'	14.73'	7.72'	14.40'	S22°49'47"E	42°12'27"
C54	20.00'	2.35'	1.18'	2.34'	S01°19'49"E	6°43'52"
C55	775.00'	24.82'	12.41'	24.82'	N85°45'04"E	1°50'12"
C56	20.00'	32.06'	20.65'	28.73'	N41°41'56"E	91°50'12"
C57	750.00'	71.63'	35.84'	71.56'	N84°54'28"E	5°28'17"
C58	750.00'	71.42'	35.69'	71.38'	S84°54'51"E	5°27'17"
C59	724.00'	25.24'	13.12'	25.24'	S86°30'51"E	2°29'36"
C60	20.00'	33.66'	19.29'	27.77'	S41°35'16"E	87°56'24"
C61	20.00'	31.42'	20.00'	28.28'	S47°21'50"E	90°00'00"
C62	20.00'	31.42'	20.00'	28.28'	N42°38'10"W	90°00'00"
C63	20.00'	31.42'	20.00'	28.28'	S47°21'50"E	90°00'00"
C64	20.00'	31.42'	20.00'	28.28'	S42°38'10"E	90°00'00"
C65	20.00'	31.42'	20.00'	28.28'	N47°21'50"E	90°00'00"
C66	20.00'	31.42'	20.00'	28.28'	S42°38'10"E	90°00'00"
C67	155.00'	38.01'	19.52'	39.00'	N84°27'04"E	14°36'32"
C68	155.00'	7.45'	3.73'	7.45'	N78°11'45"E	2°52'49"
C69	20.00'	31.42'	20.00'	28.28'	S47°21'50"E	90°00'00"
C70	20.00'	31.42'	20.00'	28.28'	N42°38'10"W	90°00'00"

LINE TABLE

LINE	LENGTH	BEARING
L1	23.90	S86°43'33"E
L2	11.42	N87°38'10"W
L3	52.02	S3°58'25"W
L4	33.19	N85°44'49"E
L5	105.00	N72°17'50"E
L6	56.69	N87°38'10"W
L7	46.01	N87°38'10"W
L8	10.13	S87°38'10"E
L9	15.95	S87°38'10"E
L10	10.00	S2°21'50"W
L11	37.00	N72°17'50"E
L12	37.00	N72°17'50"E

HORIZON CROSSING ST.
PRIME VISTA CT.
DESERT VISTA AVE.
GLEN VISTA LN.
BOA VISTA PL.
PLAYA VISTA ST.
TOWN CENTER DR.
BAJA VISTA CT.
COLT VISTA PL.
SAMUEL VISTA ST.
LAGO VISTA AVE.
FLORA VISTA AVE.
VILLA VISTA AVE.

LOCATION MAP 1"= 1000'

SCHOOL DISTRICT
SOCORRO INDEPENDENT SCHOOL DISTRICT
12300 EASTLAKE DRIVE

TOTAL RESIDENTIAL LOTS
288

PRINCIPAL CONTACTS:

	Name	Address	City & Zip	Phone	Fax
OWNER:	DOUGLAS A. SCHWARTZ	6080 SURETY DR. STE 100	EL PASO COUNTY, TEXAS 79905	(915) 592-0283	(915) 592-0286
ENGINEER:	YVONNE C. CURRY	6080 SURETY DR. STE 100	EL PASO, TX. 79905	(915) 592-0283	(915) 592-0286
SURVEYOR:	RON R. CONDE	6080 SURETY DR. STE 100	EL PASO, TX. 79905	(915) 592-0283	(915) 592-0286

DATE SUBMIT FINAL PLAT 5/03/17	
REV. DATE	COMMENTS
05/31/17	PUBLIC WORKS COMMENTS
06/30/17	TEXAS GAS COMMENTS
06/27/17	SEND REVISED COPY
07/31/17	PUBLIC WORKS COMMENTS
11/28/17	RESUBMIT
12/1/17	PLANNING REVIEW COMMENTS
12/21/17	RESUBMIT
1/24/18	Town Of Horizon City comments (12/21/17)
3/28/18	Public Works Director comments (1/29/18)
4/21/18	P.B Director comments 3rd review (4/21/18)

DATE OF PREPARATION: MAY 29, 2020

CONDE INC.
ENGINEERING / PLANNING
GIS / SURVEYING / CADD
6080 SURETY DR. STE 100
EL PASO, TEXAS 79905
PHONE (915) 592-0283
FAX (915) 592-0286 TBPELS 10078000

NOTES:

1. TAX CERTIFICATE FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORDS SECTION.
   INSTRUMENT No._____ DATE_____
2. RESTRICTIVE COVENANTS FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORD SECTION.
   INSTRUMENT No._____ DATE_____
3. VEHICULAR ACCESS TO, THOSE RESIDENTIAL LOTS ABUTTING, TOWN CENTER DR. AND HORIZON CROSSING ST., SHALL BE FROM OTHER DEDICATED STREETS ONLY. THE INSTRUMENT ASSURING RELEASE OF ACCESS IS FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORD
   INSTRUMENT No._____ DATE_____
4. LOT CORNERS WILL BE SET UPON COMPLETION OF CONSTRUCTION OF ROADWAYS AND UTILITIES.
5. "U.S. POSTAL SERVICE DELIVERY WILL BE PROVIDED THROUGH NEIGHBORHOOD DELIVERY AND COLLECTION BOX UNITS".
6. SET 1/2" REBAR WITH CAP MARKED TX 5152 AT ALL EXTERIOR BOUNDARY CORNERS UNLESS OTHERWISE NOTED.
7. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY PANELS NO 480212-2508 AND 2378, DATED SEPTEMBER 4, 1991 PROPERTY IS IN FLOOD HAZARD ZONE X.
8. BEARINGS BASED ON THE MONUMENTS FOUND ALONG THE CENTERLINE OF TOWN CENTER DR., RECORDED IN THE PLAT OF HORIZON TOWN CENTER UNIT ONE, FILE No. 20180057691, REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS.
9. NO ROADS WILL BE MAINTAINED BY THE TOWN UNTIL PAVED BY THE SUBDIVIDER OR PROPERTY OWNER AND LEGALLY APPROVED AND ACCEPTED BY THE TOWN (SECTION 4.9.1.7, SUBDIVISION ORDINANCE #35)
10. PROVIDED CERTIFICATION THAT ALL UTILITIES HAVE APPROVED LOCATIONS OF EASEMENTS AND THAT SERVICE WILL BE PROVIDED TO DEVELOPMENT.
11. ENSURE THAT PLAT COMPLIES WITH TBPLS REQUIREMENTS.
12. WATER, SEWER, ELECTRIC AND GAS UTILITIES WILL BE AVAILABLE.
13. A PORTION OF THE STORM WATER RUNOFF WILL DRAIN INTO HORIZON TOWN CENTER UNIT THREE POND (LOT 28, BLOCK 22)

Exhibit C
Cost Estimate and Total Costs

6/22/2021

Development Cost to Complete Horizon Town Center Unit 2

60.13 AC.

	Item Description	Quantity		Unit Cost		Cost
1	Engineering	60.13	Ac.	$150.00	/Ac.	$ 9,019.50
2	Median and Double Frontage Landscaping	2,690.00	LF	$35.00	/LF	$ 94,150.00
3	Park.	56,628.00	SF	$2.85	/SF	$ 161,389.80
4	Traffic Striping and Signage	500	LF	$20.00	/FT	$ 10,000.00
5	Concrete Sidewalks	4,560	SF	$7.00	/SF	$ 31,920.00
	Total Cost					**$ 306,479.30**

Exhibit D
Form of Performance Bond

Exhibit E
Maintenance Bond

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 07/13/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Lisa Hernandez
CD Lee Britton Insurance Agency LLC 2244 Trawood # 208 El Paso TX 79935	PHONE (A/C, No, Ext): (915) 595-3393 FAX (A/C, No): (915) 594-0267 E-MAIL ADDRESS: lisah@cdleebritton.com

INSURED	INSURER(S) AFFORDING COVERAGE	NAIC #
Southwest Land Development Services, Inc. Ranchos Real XV, LLC 6080 Surety Drive, Ste 300 El Paso TX 79905	INSURER A: Associated Industries Insurance Co	
	INSURER B: United Fire & Casualty Company	
	INSURER C: Texas Mutual Insurance Co	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** CERT2021 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC OTHER:			AES120107000	01/15/2021	01/15/2022	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG Employee Benefits	$ 1,000,000 $ 50,000 $ Excluded $ 1,000,000 $ 2,000,000 $ 2,000,000 $ 1,000,000
B	AUTOMOBILE LIABILITY ANY AUTO [ ] OWNED AUTOS ONLY [X] SCHEDULED AUTOS [X] HIRED AUTOS ONLY [X] NON-OWNED AUTOS ONLY			60527653	01/15/2021	01/15/2022	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) 	$ 1,000,000 $ $ $ $
	[ ] UMBRELLA LIAB [ ] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $						EACH OCCURRENCE AGGREGATE 	$ $ $
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N [Y] (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		0001060583	07/11/2021	07/11/2022	[X] PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 1,000,000 $ 1,000,000 $ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re: Horizon Town Center Unit #2

CERTIFICATE HOLDER

Town of Horizon City
14999 Darrington Rd
Horizon City TX 79928

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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SUBDIVISION CONSTRUCTION AGREEMENT

1. **Parties.** The parties to this Subdivision Construction Agreement (the "Agreement") are RANCHOS REAL XV, LLC, a Texas limited liability company (individually and collectively, the "Subdivider") and the Town of Horizon City, Texas, (the "Town").

2. **Effective Date.** This Agreement is effective on the date the Town approves the final plat for the subdivision described in Paragraph 3 of this Agreement by the Town Council approval of the plat in accordance with Town Regulations (the "Effective Date").

Recitals

3. Subdivider is the owner of the land included in the proposed final subdivision plat of the subdivision, as shown in the Town's File Number (the "Subdivision") and described as Horizon Town Center, Unit #2, more particularly described by the metes and bounds description attached and incorporated into this Agreement as Exhibit A (the "Property"); and

4. Subdivider seeks authorization from the Town to subdivide the Property in accordance with the requirements imposed by Texas statute and the Town Rules, Regulations, and other requirements; and

5. Town Regulations require the completion of various improvements in connection with the development of the Subdivision to protect the health, safety, and general welfare of the community and to limit the harmful effect of substandard subdivisions; and

6. The purpose of this Agreement is to protect the Town from the expense of completing subdivision improvements required to be installed by the Subdivider; and

7. This Agreement is authorized by and consistent with state law and the Town Rules, Regulations, and other requirements governing development of a subdivision.

IN CONSIDERATION of the foregoing recitals and the mutual covenants, promises, and obligations by the parties set forth in this Agreement, the parties agree as follows:

Subdivider's Obligations

8. **Improvements.** The Subdivider agrees to construct and install, at Subdivider's expense, all subdivision improvements required to comply with Town orders, regulations, and policies governing subdivision approval, specifically including without limitation those improvements listed on Exhibit B attached and incorporated by reference into this Agreement (collectively, the Improvements, any of which is an "Improvement"). All Improvements shall be constructed in conformity to the Town requirements, procedures, and specifications,

pursuant to construction plans, permits, and specifications approved by the Town prior to commencement of construction, and subject to inspection, certification, and acceptance by the Town.

9. **Completion.** Unless a different time period is specified for a particular Improvement in Exhibit B, construction of all Improvements shall be completed no later than (2) years after the Effective Date (the "Completion Date"); provided, however, that if the Subdivider or the Issuer delivers to the Town no later than the Completion Date a substitute Bond satisfying the criteria established in Paragraph 11 and which has an expiration date no earlier than one year from the Completion Date, then the Completion Date shall be extended to the expiration date of that substitute Bond or any subsequent substitute Bond provided in accordance with this Paragraph. Upon completion of each of the Improvements, the Subdivider agrees to provide to the Town a complete set of construction plans for the Improvements, certified "as built" by the engineer responsible for preparing the approved construction plans and specifications.

Notwithstanding the above, Exhibit B schedule permits the phased construction, completion and dedication of the Improvements, with the construction, completion and dedication date for the Park Improvements to be later than the remaining Improvements. The Town will permit the issuance of conditional building permits for a limited number of new residential structures following the completion and dedication of the remaining Improvements, but before the completion and dedication of the Park Improvements; provided, however, that the total number of permits may not exceed **50% (since park improvements will be constructed after all other street, drainage improvements)** of the total number of lots in the Subdivision, and the issuance of such residential construction permits is subject to the conditions set forth in Exhibit B.

10. **Warranty.** The Subdivider warrants the Improvements constructed by Subdivider or Subdivider's agents, contractors, employees, tenants, or licensees will be free from defects for a period of one (1) year from the date the Town accepts the dedication of a completed Improvement or group of Improvements (the "Warranty Period"), as such Improvement or group of Improvements is separately identified and listed on Exhibit B, except the Subdivider does not warrant the Improvements for defects caused by events outside the control of the Subdivider or the Subdivider's agents, contractors, employees, tenants, or licensees. The Subdivider agrees to repair any damage to the Improvements before and during the Warranty Period due to private construction-related activities. As a condition of the Town acceptance of dedication of any of the Improvements, the Town may require the Subdivider to post a maintenance bond or other financial security acceptable to the Town to secure the warranty established by this Agreement. If the Improvements have been completed but not accepted, and neither the Subdivider nor Issuer is then in default under this Agreement or the Bond, at the written request of the Subdivider or the Issuer the Town shall complete, execute, and deliver to the Issuer a reduction letter documenting that the Stated Amount has been reduced to an amount equal to the face amount of the maintenance bond or other financial security acceptable to the Town.

11. **Security.** To secure the performance of Subdivider's obligations under this Agreement, Subdivider agrees to provide adequate financial guarantees of performance in

the form of a surety bond acceptable to the Town, a cash deposit to be held by the Town in escrow, or an irrevocable Bond in the amount of Three Hundred Six Thousand Four Hundred Seventy Nine and 30/100 Dollars ($306,479.30) (the "Stated Amount"), which amount is the estimated total cost of constructing each of the Improvements as shown on Exhibit B. If a Bond is provided pursuant to this Agreement, it shall be in a standard form acceptable to this Agreement, it shall be in a standard form acceptable to the Town, shall have an expiration date no earlier than one year from the date of its issuance, and shall be issued by a financial institution having a rating equivalent to the minimum acceptable rating established under the Town or County financial institution rating system in effect at the time the initial Bond is issued pursuant to this Agreement (the "Issuer"). During the term of this Agreement and subject to the terms of Paragraph 22 of this Agreement, the Town may revise the standard form Bond it reasonably considers acceptable and necessary to secure the performance of Subdivider's obligations under this Agreement. A Bond satisfying the criteria of this Paragraph (and any substitute or confirming Bond) is referenced to in this Agreement as to the "Bond".

12. **Reduction In Bond.** After the acceptance of any Improvement, the amount which the Town is entitled to draw on the Bond shall be reduced by an amount equal to ninety percent (90%) of the Quoted cost of the accepted Improvement, as shown on Exhibit B. Upon completion of an Improvement, at the written request of subdivider or Issuer, and if neither the Subdivider nor Issuer is then in default under this Agreement or the Bond, the Town shall complete, execute, and deliver to the Issuer a reduction letter verifying the acceptance of the Improvement and documenting that the Stated Amount has been reduced by stating the balance of the Stated Amount remaining after the reduction required by the first sentence of this Paragraph. No later than sixty (60) days after its receipt of a written request to reduce the Stated Amount submitted by the Subdivider or the Issuer, the Town shall determine the Estimated Remaining Cost and shall complete, execute, and deliver to the Issuer a reduction letter documenting that the Stated Amount has been reduced to the Estimated Remaining Cost if the Town determines the Stated Amount exceeds the Estimated Remaining Cost. Notwithstanding the preceding sentence, the Town shall not be required to authorize reductions in the Stated Amount more frequently than every ninety (90) days. As used in this Paragraph, "Estimated Remaining Cost" means the amount the Town estimates to be the cost of completing all Improvements incomplete as of the time of such estimate.

Town Obligations

13. **Inspection and Certificate.** The Town agrees to inspect Improvements during and at the time completion of construction and, if completed in accordance with the standards and specifications for such Improvements, to certify the Improvements as being in compliance with Town standards and specifications. The inspections and certifications will be conducted in accordance with standard Town policies and requirements. The Subdivider grants the Town, its agents, employees, officers, and contractors and easement and license to enter the Property to perform such inspections as it deems appropriate.

14. **Notice of Defect.** The Town will provide timely notice to the Subdivider whenever inspection reveals that an Improvement is not constructed or completed in accordance with the standards and specifications for health or safety, and the notice of defect includes a

statement explaining why the defect creates such immediate and substantial harm, the cure period may be shortened to no less than five (5) days and the Town may declare a default under this Agreement if not satisfied that the defect is cured after the cure period. Any cure period should be reasonable in relation to the nature of the default.

15. Use of Proceeds. The Town will disburse funds drawn under the Bond for the purposes of completing the Improvements in conformance with the Town requirements and specifications for the Improvements, or to correct defects in or failures of the improvements. The Subdivider has no claim or rights under this Agreement to funds drawn under the Bond or any accrued interest earned on the funds. All funds obtained by the Town pursuant to one or more draws under the Bond shall be maintained by the Town in an interest bearing account or accounts until such funds, together with accrued interest there on (the "Escrowed Funds"), are disbursed by the Town. The Town may disperse all or portions of the Escrowed Funds as Improvements are completed and accepted by the Town or in accordance with the terms of a written construction contract between the Town and a third party for the construction of Improvements. Escrowed Funds not used or held by the Town for the purpose of completing an Improvement or correcting defects in or failures of an Improvement, together with interest accrued thereon, shall be paid by the Town to the Issuer of the Bond no later than sixty (60) days following the Town's acceptance of the Improvement or its decision not to complete the Improvement using Escrowed Funds, whichever date is earlier.

16. Return of Excess Escrowed Funds. No later than sixty (60) days after its receipt of a written request from the Subdivider or the Issuer to return Excess Escrowed Funds to the Issuer, the Town shall disburse to the Issuer from the Escrowed Funds all Excess Escrowed Funds. For purposes of this Paragraph, "Excess Escrowed Funds" means the amount of Escrowed Funds exceeding one hundred ten percent (110%) of the estimated cost of constructing Improvements the Town intends to construct but which have not been accepted, as such cost is shown on Exhibit B. Notwithstanding the first sentence in this Paragraph, the Town shall not be required to disburse Excess Escrowed Funds more frequently than every ninety (90) days.

17. Conditions of Draw Security. The Town may draw upon any financial guarantee posted in accordance with Paragraph 11 upon the occurrence of one or more of the following events:

a. Subdivider's failure to construct the Improvements in accordance with Paragraph 8 of this Agreement;

b. Subdivider's failure to renew or replace the Bond at least forty five (45) days prior to the expiration date of the Bond;

c. Subdivider's failure to replace or confirm the Bond if the Issuer fails to maintain the minimum rating acceptable to the Town in accordance with Paragraph 11 of this Agreement; or

d. Issuer's acquisition of the Property or a portion of the Property, through foreclosure or an assignment or conveyance in lieu of foreclosure.

The Town shall provide written notice of the occurrence of one or more of the above events to the Subdivider, with a copy provided to the Issuer. Where a Bond has been provided as the financial guarantee, with respect to an event described by subparagraph (**a**), the Town shall provide notice to the Subdivider and the Issuer of the specific default and the notice shall include a statement that the Town intends to perform some or all of Subdivider's obligations under Paragraph 8 for specified Improvements if the failure is not cured. The notice with respect to a default under subparagraph (**a**) shall be given no less than twenty (20) days before presentation of a draft on the Bond, unless, in the reasonable opinion of the Town, the failure creates an immediate and substantial harm to the public health or safety, in which case the notice shall state why the failure creates an immediate and substantial harm to the public health or safety, and shall be given no less than five (5) days before presentation of a draft on the Bond. In the event of a draw based on subparagraph (**a**), the Town shall be entitled to draw in the amount it considers necessary to perform Subdivider's obligation under Paragraph 8, up to the amount allocated according to Exhibit B for any Improvement it states its intent to construct or complete in accordance with the standards and specifications for such improvement. The Subdivider hereby grants to the Town, its successors, assigns, agents, contractors, and employees, a nonexclusive right and easement to enter the Property for the purposes of constructing, maintaining, and repairing such Improvements. Where a Bond has been provided as the financial guarantee, with respect to an event described by a subparagraph (**b**), (**c**), or (**d**), the notice shall be given no less than twenty (20) days before presentation of a draft on the Bond. In lieu of honoring a draft based on an event described in subparagraph (**b**) or (**c**), the Issuer of the Subdivider may deliver to the Town a substitute Bond if the event is described by subparagraph (**b**) or a described by subparagraph (**c**). If the Issuer has acquired all or a portion of the Property through foreclosure or an assignment or conveyance in lieu of foreclosure, in lieu of honoring a draft based on an event described in subparagraph (**d**), the Issuer may deliver to the Town a substitute or confirming Bond.

18. Procedures for Drawing on the Bond. The Town may draw upon the Bond in accordance with paragraph 18 by submitting a draft to the Issuer in compliance with the terms of the Bond governing such draft. The Bond must be surrendered upon presentation of any draft which exhausts the Stated Amount of such Bond. The Town may not draft under a Bond unless it has substantially complied with all its obligations to the Issuer under this Agreement and has property completed and executed the draft in strict accordance with the terms of the Bond.

19. Measure of Damages. The measure of damages for breach of this Agreement by the Subdivider is the reasonable cost of completing the Improvements in conformance with the Town requirements, procedures, and specifications. For improvements upon which construction has not begun, the estimated cost of the improvements shown on Exhibit B will be prima facie evidence of the minimum cost of completion; however, neither that amount nor the amount of the Bond establishes the maximum amount of the Subdivider's liability.

20. Remedies. The remedies available to the Town, the Subdivider, and Issuer under this Agreement and the laws of Texas are cumulative in nature.

21. Provisions for the Benefit of issuer. The provisions of Paragraphs of Paragraphs **9, 10, 11, 12, 15, 16, 17,18, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31,** and **35** of this Agreement for the benefit of the issuer may not be modified, released, diminished, or impaired by the parties without the prior written consent of the Issuer.

22. **Third Party Rights**. No person or entity who or which is not a party to this Agreement shall have any right of action under this Agreement, nor shall any such person or entity other than the Town (including without limitation a trustee in bankruptcy) have any interest in or claim to funds drawn on the Bond and held in escrow by the Town in accordance with this Agreement. Notwithstanding the preceding sentence, the Issuer shall have a right of action to enforce any provision of this Agreement where the Issuer is specifically named as a beneficiary of such provision pursuant to Paragraph 22.

23. **Indemnification.** The Subdivider hereby expressly agrees to indemnify and hold the Town harmless from and against all claims, demands, costs, and liability of every kind and nature, including reasonable attorney's fees for the defense of such claims and demands, arising from any breach on the part of the Subdivider of any provision in this Agreement, or from any act or negligence of Subdivider or Subdivider's agents, contractors, employees, tenants, or licensees in the construction of the Improvements. The Subdivider further agrees to aid and defend the Town if the Town is named as a defendant in an action arising from any breach on the part of Subdivider of any provision in this Agreement, or from any act of negligence of Subdivider or Subdivider's agents, contractors, employees, tenants, or licensees in the construction of the Improvements, except where such suit is brought by the Subdivider. The Subdivider is not an employee or agent of the Town. Notwithstanding anything to the contrary contained in this Agreement, the Subdivider does not agree to indemnify and hold the Town harmless from any claims, demands, costs, or liabilities arising from any act or negligence of the Town, its agents, contractors, employees, tenants, or licensees.

24. **No Waiver**. No waiver of any provision of this Agreement will be deemed or constitute a waiver of any other provision, nor will it be deemed or constitute continuing waiver unless expressly provided for by a written amendment to this Agreement, nor will the waiver of any default under this Agreement be deemed a waiver of any subsequent defaults of the same type. The failure at any time to enforce this Agreement or covenant by the Town, the Subdivider, or the Issuer, their heirs, successors or assigns, whether any violations thereof are known or not, shall not constitute a waiver of estoppels of the right to do so.

25. **Attorney's Fees**. Should either party or the Issuer, to the extend Issuer is named as specific beneficiary, be required to resort to litigation to enforce the terms of this Agreement, the prevailing party, plaintiff or defendant, shall be entitled to recover its costs, including reasonable attorney's fees, court costs, and expert witness fees, from the other party. If the court awards relief to both parties, each will bear its own costs in their entirety.

26. **Assignability**. The benefits and burdens of this Agreement are personal obligations of the Subdivider and also re binding on the heirs, successors, and assigns of the Subdivider. The Subdivider's obligations under this Agreement may not be assigned without the express written approval of the Town. The Town's written approval may not be withheld if the Subdivider's assignee explicitly assumes all obligations of the Subdivider under this Agreement and has posted the required security. The Town agrees to release or reduce, as appropriate, the Bond provided by the Subdivider if it accepts substitute security for all or any portion of the Improvements. The Town in its sole discretion, may assign some or all of

its rights under this Agreement, and any such assignment shall be effective upon notice to the Subdivider and the Issuer.

27. **Expiration**. This Agreement shall terminate upon the expiration of the approval of the proposed final plat of the Subdivision or if the Subdivision is vacated by the Subdivider.

28. **Notice**. Any notice required or permitted by this Agreement is effective when personally delivered in writing or three (3) days after notice is deposited with the U.S. Postal Service, postage prepaid, certified with return receipt requested, and addressed as follows:

if to Subdivider: Ranchos Real XV, LLC
6080 Surety, Suite 300
El Paso, Texas79905
Attn: Douglas Schwartz

if to Town: The Town of Horizon City
14999 Darrington Road
Horizon City, TX 79928 Attn:
Ruben Mendoza, Mayor

if to Issuer: at Issuer's address shown on the Bond

The parties may, from time to time, change their respective addresses listed above to any other location in the United States for the purpose of notice under this Agreement. A party's change of address shall be effective when notice of the change is provided to the other party in accordance with the provisions of this Paragraph.

29. **Severability**. If any part, term, or provision of this Agreement is held by the courts to be illegal, invalid, or otherwise unenforceable, such illegality, invalidity, or enforceability shall not affect the validity of any other part, term, or provision, and the rights of the parties will be construed as if the part, term, or provision was never part of this Agreement.

30. **Personal Jurisdiction and Venue**. Personal jurisdiction and venue for any civil action commenced by either party to this Agreement or the Issuer, whether arising out of or relating to the Agreement or the Bond, will be deemed to be proper only if such action is commenced in District Court for **El Paso** County, Texas, or the United States District Court for the Western District of Texas. The Subdivider expressly waives any right to bring such an action in or to remove such an action to any other court, whether state or federal. The Issuer, by providing a Bond pursuant to the terms of this Agreement, expressly waives any right to bring such an action in or to remove such an action to any other court, whether state or federal.

31. **Release Upon Completion**. Upon acceptance of all Improvements, the Town agrees: (a) to complete, execute and deliver to the Subdivider and the Issuer a release in recordable form releasing the Subdivider and Subdivider's heirs, successors and assigns, and the property from all provisions of this Agreement except those contained in Paragraph 10, and (b) to return to the Issuer the Bond and any Escrowed Funds not expended or obligated by the Town for the completion of the Improvements.

32. **Captions Immaterial**. The numbering, order, and captions or headings of the paragraph of this Agreement are for convenience only and shall not be considered in constraining this Agreement.

33. **Entire Agreement**. This Agreement contains the entire agreement between the parties and correctly sets forth the rights, duties, and obligations of each to the other as of the Effective Date. Any oral representatives or modifications concerning this Agreement shall be of no force or effect excepting a subsequent written modification executed by both parties.

34. **Authorization to Complete Blanks**. By signing and delivering this Agreement to the appropriate official of the Town, the Subdivider authorizes completion of this Agreement by filling in this Effective Date below.

35. **Binding Agreement**. The execution and delivery of this Agreement and the performance of the transactions contemplated thereby have been duly authorized by all necessary corporate and governmental action of the Town. This Agreement has been duly executed and delivered by each party, and constitutes a legal, valid, and binding obligation of each party enforceable in accordance with the terms as of the effective date. These representations and agreements are for the benefit of the Issuer, and have been relied on by the Issuer in issuing the Bond.

EXECUTED by the parties to be effective as of the ____ day of July, 2021.

WITNESS THE FOLLOWING SIGNATURES AND/OR SEALS:

TOWN OFFICIAL: _____

Ruben Mendoza, Mayor

SUBDIVIDER: _____

Douglas Schwartz

ACKNOWLEDGEMENTS

THE STATE OF TEXAS

COUNTY OF EL PASO

This instrument was acknowledged before me on this ___ day of _____, 20___, by **Ruben Mendoza**, as **Mayor** of the **Town of Horizon City, Texas**.

_____

Notary Public, State of Texas My

commission expires:

_____

THE STATE OF TEXAS

COUNTY OF EL PASO

This instrument was acknowledged before me on this 12th day of July, 2021, by Douglas A. Schwartz, as Manager of Ranchos Reel XV, L.L.C..

_____

Notary Public, State of Texas My

commission expires:

6-25-2024

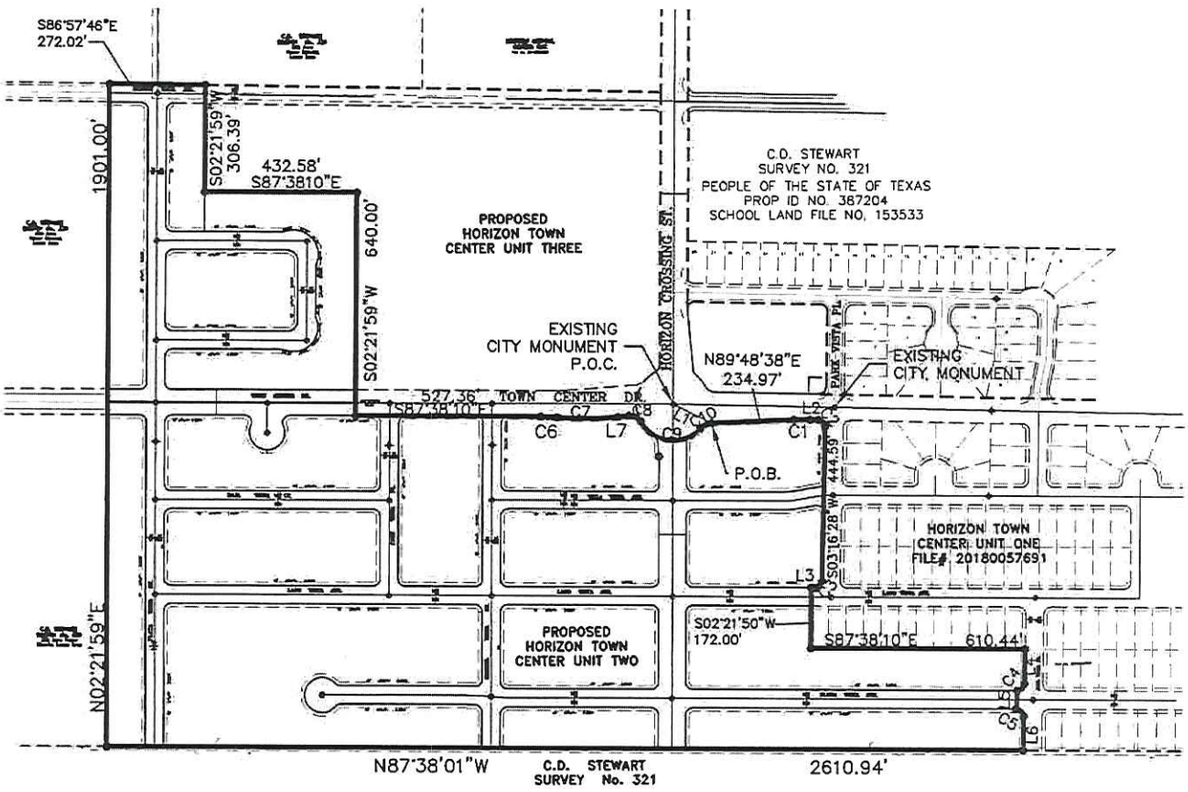
MARIBEL MENDOZA
Notary Public, State of Texas
Comm. Expires 06-25-2024
Notary ID 12992970-0

EXHIBITS:

EXHIBIT A: METES AND BOUNDS DESCRIPTION

NOTES:

1. SET 1/2" REBARS WITH CAPS MARKED TX. 5152 ON ALL CORNERS UNLESS OTHERWISE NOTED.
2. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS DRAWING.



CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	750.00'	45.35'	22.68'	45.34'	S88°27'27"E	03°27'51"
C2	20.00'	31.42'	20.00'	28.28'	S41°43'32"E	90°00'00"
C3	20.00'	31.10'	19.69'	28.06'	S47°49'09"W	89°05'22"
C4	20.00'	31.10'	19.69'	28.06'	S47°49'09"W	89°05'22"
C5	20.00'	31.73'	20.32'	28.51'	S42°10'51"E	90°54'38"
C6	485.00'	46.47'	23.25'	46.45'	S84°53'29"E	05°29'21"
C7	815.50'	172.31'	86.48'	171.99'	S88°11'59"E	12°06'23"
C8	35.00'	41.13'	23.31'	38.81'	S60°35'06"E	67°20'09"
C9	105.00'	200.26'	147.95'	171.26'	S81°33'15"E	109°16'25"
C10	45.00'	36.13'	19.10'	35.17'	N66°48'35"E	46°00'05"

LINE TABLE		
LINE	LENGTH	BEARING
L1	123.07'	S61°26'25"E
L2	23.91'	S86°43'32"E
L3	11.42'	N87°38'10"W
L4	100.33'	S03°16'28"W
L5	52.02'	S03°58'29"W
L6	96.09'	S03°16'28"W
L7	33.19'	N85°44'49"E



SCALE: 1"=20'

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JOB # 919-32 DATE: SEPTEMBER 20, 2019 FIELD: W.B. OFFICE: C.C.

A PORTION OF C.D. STEWART SURVEY NO. 321, TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS

CONDE INC.
6080 SURETY SUITE 100
EL PASO, TEXAS 79905, FIRM#10078100

CADD FILE: S:\SU\E\CD321

Prepared For: Southwest Land Development Services Inc.
September 20, 2019.

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of C.D. Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing brass disk Monument at the centerline intersection of Horizon Crossing St. and Town Center Dr. from which an existing brass disk Monument at the centerline intersection of Town Center Dr. and Park Vista Pl. Bears, South 86°43'32" East a distance of 461.05 feet; Thence, South 61°26'25" East a distance of 123.07 feet to a set ½" rebar with cap marked TX 5152 on the southerly right of way line of Town Center Drive for the "TRUE POINT OF BEGINNING".

Thence along said right of way line, North 89°48'38" East a distance of 234.97 feet to a set ½" rebar for point of curve;

Thence along said right of way line, 45.35 feet along the arc of a curve to the right which has a radius of 750.00 feet a central angle of 03°27'51' a chord which bears South 88°27'27" East a distance of 45.34 feet to a set ½" rebar with cap marked Tx 5152;

Thence along said right of way line, South 86°43'32" East a distance of 23.91 feet to a set ½" rebar with cap marked TX 5152 to a point of curve;

Thence, 31.42 feet along the arc of a curve to the right which has a radius of 20.00 feet a central angle of 90°00'00' a chord which bears South 41°43'32" East a distance of 28.28 feet to a set ½" rebar with cap marked TX 5152 on the westerly right of way line of Park Vista Pl.

Thence along said right of way line, South 03°16'28" West a distance of 444.59 feet to a set ½" rebar;

Thence, 31.10 feet along the arc of a curve to the right which has a radius of 20.00 feet a central angle of 89°05'22' a chord which bears South 47°49'09" West a distance of 28.06 feet to a set ½" rebar with cap marked TX 5152 on the northerly right of way line of Lago Vista Ave;

Thence along said right of way line, North 87°38'10" West a distance of 11.42 feet to a set ½" rebar with cap marked TX 5152;

job # 919-32

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

Thence leaving said right of way line, South 02°21'50" West a distance of 172.00 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 87°38'10" East a distance of 610.44 feet to a set ½" rebar with cap marked TX 5152 on the westerly right of way line of Arza Vista Pl.;

Thence along said right of way line, South 03°16'28" West a distance of 100.33 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

Thence, 31.10 feet along the arc of a curve to the right which has a radius of 20.00 feet a central angle of 89°05'22' a chord which bears South 47°49'09" West a distance of 28.06 feet to a set ½" rebar with cap marked TX 5152 on the northerly right of way line of Flora Vista Ave;

Thence leaving said right of way line, South 03°58'29" West a distance of 52.02 feet to a set ½" rebar with cap marked TX 5152 on the southerly right of way line of Flora Vista Ave.

Thence, 31.73 feet along the arc of a curve to the right which has a radius of 20.00 feet a central angle of 90°54'38' a chord which bears South 42°10'51" East a distance of 28.51 feet to a set ½" rebar with cap marked TX 5152 on the westerly right of way line of Arza Vista Pl.;

Thence along said right of way line, South 03°16'28" West a distance of 96.09 feet to a set ½" rebar with cap marked TX 5152 on the proposed southerly boundary line of Horizon Town Center Two;

Thence along said line, North 87°38'01" West a distance of 2610.94 feet to a set ½" rebar with cap marked TX 5152 on the westerly boundary line of Horizon Town Center Unit Two;

Thence along said line, North 02°21'59" East a distance of 1901.00 feet to a set ½" rebar with cap marked TX 5152 on the proposed northerly right of way line of Desert Vista Ave.;

Thence along said right of way line, South 86°57'46" East a distance of 272.02 feet to a set ½" rebar with cap marked TX 5152;

Thence leaving said right of way line, South 02°21'59" West a distance of 306.39 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 87°38'10" East a distance of 432.58 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 02°21'59" West a distance of 640.00 feet to a set ½" rebar with cap marked TX 5152 on the proposed southerly right of way line of Town Center Dr.;

job # 919-32

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(915) 592-0283 FAX (915) 592-0286 FIRM# 10078100

Thence along said right of way line, South 87°38'10" East a distance of 527.36 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

Thence, 46.47 feet along the arc of a curve to the right which has a radius of 485.00 feet a central angle of 05°29'21' a chord which bears South 84°53'29" East a distance of 46.45 feet to a set ½" rebar with cap marked TX 5152 for a point of reverse curve;

Thence, 172.31 feet along the arc of a curve to the left which has a radius of 815.50 feet a central angle of 12°06'23' a chord which bears South 88°11'59" East a distance of 171.99 feet to a set ½" rebar with cap marked TX 5152;

Thence along said right of way line, North 85°44'49" East a distance of 33.19 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

Thence, 41.13 feet along the arc of a curve to the right which has a radius of 35.000 feet a central angle of 67°20'09' a chord which bears South 60°35'06" East a distance of 38.81 feet to a set ½" rebar with cap marked TX 5152 on the southerly right of way line of Town Center Drive;

Thence along said right of way line, 200.26 feet along the arc of a curve to the left which has a radius of 105.00 feet a central angle of 109°16'25' a chord which bears South 81°33'15" East a distance of 171.26 feet to a set ½" rebar with cap marked TX 5152 for a point of reverse curve;

Thence along said right of way line, 36.13 feet along the arc of a curve to the right which has a radius of 45.00 feet a central angle of 46°00'05" a chord which bears North 66°48'35" East a distance of 35.17 feet to "TRUE POINT OF BEGINNING" and containing 2,619,420 Square Feet or 60.13 Acres of land more or less.

A drawing of even date accompanies this description.

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

STATE OF TEXAS
REGISTERED
RONALD ROBERT CONDE
5152
PROFESIONAL
LAND SURVEYOR

job # 919-32

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

EXHIBIT B: SUBDIVISION IMPROVEMENTS

Subdivision Improvements. Subdivider and Town agree the following improvements are required in connection with the approval and development of the Subdivision (collectively, the "Subdivision Improvements"). Subdivider agrees to deliver a financial guarantee acceptable in form and substance to the Town in an amount equal to the Estimated Cost of Completion listed below, as follows:

SECTION B-1 FEES

A. GENERAL SUBDIVISION FEE. To cover general expenses related to processing subdivision, a subdivision fee will be charged prior to the preliminary plat approval. The subdivision fee shall be $150.00, or $5.00 per lot, whichever is greater.

B. ENGINEERING FEES. The Town shall be reimbursed for all Town engineering fees incurred for the required inspection, testing and approval of any subdivision. These fees shall be paid at the time they are incurred. Town engineering fees are as scheduled:

Sketch Plat Review $ 50.00

Preliminary Plat Review $100.00

Variance Request $150.00

Engineering Report Review $150.00

Construction Plans & Specification Review $150.00

Note: 1. The Developer has the option of contracting the services of a certified testing laboratory, approved by the Town, to conduct all required testing. If this option is selected, the Developer shall be responsible for payment of all laboratory fees; promptly provide copies of all test results to the Town Engineer; and pay a basic testing fee of $100.00 to the Town prior to commencing construction.

2. In the event that the inspection and/or testing requirements involve specialized engineering review, the Town will retain the services of a Registered Professional Engineer to perform these services. The additional cost of the consulting engineering review shall be reimbursed to the Town by the Developer. If possible, estimates of the additional costs will be provided to the Developer prior to any special inspections and/or review.

C. VACATION AND REPLAT FEES. To cover general expenses related to processing, any replat, or vacation of plat shall require a fee of $25.00 for each action.

D. METHOD OF PAYMENT. Fee shall be made payable to the Town of Horizon City, Texas. All fees, including Town engineering fees, shall be paid at the time of application for preliminary approval. Fees are non-refundable.

6/22/2021

Development Cost to Complete Horizon Town Center Unit 2

60.13 AC.

	Item Description	Quantity		Unit Cost		Cost
1	Engineering	60.13	Ac.	$150.00	/Ac.	$ 9,019.50
2	Median and Double Frontage Landscaping	2,690.00	LF	$35.00	/LF	$ 94,150.00
3	Park.	56,628.00	SF	$2.85	/SF	$ 161,389.80
4	Traffic Striping and Signage	500	LF	$20.00	/FT	$ 10,000.00
5	Concrete Sidewalks	4,560	SF	$7.00	/SF	$ 31,920.00
	Total Cost					**$ 306,479.30**

EXHIBIT C: BOND

TOWN OF HORIZON CITY
MEMORANDUM

Date: July 7, 2021

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, Planning Director

SUBJECT: On a recording plat application and authorizing the Mayor to sign the recording plat for Tuscany Park Village Replat (RP002469-2021) legally described as *being a portion of Section 30, Block 78 TSP 3 Tracts 1B, 8, 10 and a portion of section 31, Block 78, TSP 3 Texas and Pacific Railway Company Surveys, Horizon City, Texas, El Paso County, Texas*. Application submitted by HZ Ventures LLC Series, D-Tuscany Ventures.

On May 11, 2021, the City Council approved the final plat application for the Tuscany Park Village Replat with the condition that the rezoning application be approved by the City Council. The rezoning request was approved and adopted by ordinance on June 8, 2021.

The applicant has submitted a recording plat application for consideration by the City Council. No public improvements are being dedicated with this replat; therefore, staff recommends approval of the recording plat.

Attached for your review is the staff report, the recording plat application and the recording plat.

History:

The City Council approved the preliminary plat application for this subdivision on January 14, 2020.

14999 Darrington Rd. Horizon City, Texas 79928 (915) 852-1046 Fax (915) 852-1005

TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report

Case No.: RZ-002468-2021 & RP-002469-2021
Tuscany Park Village Replat
Application Type: **Rezoning and Replat**
P&Z Hearing Date: April 19, 2021
Staff Contact: Emily Offer, Planning Staff
915-238-0691; eoffer@horizoncity.org

Address/Location: Abutting the Southwest corner of Eastlake Boulevard and N. Kenazo Ave.
Legal Description: *Rezoning:*
Lots 1 through 8, Block 1;
Lots 1 and 2, Block 2;
Lot 1, Block 4;
Tuscany Park Land and portion of Tuscany Park Circle,
Tuscany Park Village, El Paso County, Texas.
Replat:
Being Tuscany Park Village and a portion of
Section 30, Block 78, Township 3, Tract 1B, 8, 10 and a portion of Section 31, Block 78 Township 3,
Texas and Pacific Railway Company Surveys,
City of Horizon, El Paso County, Texas
Property Owner: HZ Ventures LLC Series D – Tuscany Ventures
Applicant: HZ Ventures LLC Series D – Tuscany Ventures
Nearest Park: Horizon Mesa Park
Nearest School: Horizon Middle School

SURROUNDING PROPERTIES:

	Zoning	Land Use
NE	C-1 (Commercial)	Shopping Center – TinTan; O'Reillys; Dollar General
SE	R-PD (Residential Planned Development)	Vacant
S	R-4 (Residential)	Residential – Single Family Homes
W	R-4 (Residential)	Residential – Single Family Homes

LAND USE AND ZONING:

	Existing	Proposed
Land Use	Vacant	C-2 Commercial
Zoning	C-2C Commercial and R-PD Residential	C-2 Commercial and R-PD Residential

Application Description:
Rezone:
The applicant is requesting rezone approximately 14.62 acres of land that is currently vacant and zoned as C-2C (Commercial) and R-PD (Residential) to be rezoned as C-2

(Commercial). The property abuts the Southwest corner of Eastlake Boulevard and N. Kenazo Ave. The zoning conditions on the property are as follows:

- Ordinance No. 0148 *Please see the staff report's **Zoning Conditions** attachment for more information.*

Replat:
The following land uses are proposed: R-PD (Residential) (16.17 ACRES), C-2 (Commercial) (14.62 ACRES), and Ponding/ Drainage (1.69 ACRES). The intent behind this replat is to clean -up the lot lines for the commercial development, in accordance with the proposed rezoning and prepare the residential portion of the original plat for a future replat.

Notice:
In accordance with Section 211.007 of the Texas Local Government Code, notices of the April 19, 2021 public hearing were sent to the school district of jurisdiction and to those property owners within 200 feet of the subject property on April 1, 2021. In addition, the applicant is required to erect signs notifying the public of the proposed rezoning on the site proposed for rezoning fifteen (15) days prior to the Planning and Zoning Commission public hearing. This requirement has been met.

Vision 2020 – Future Land Use Map Designation:
Horizon City Vision 2020 Strategic Master Plan designates this area as Commercial and Multi-Family Residential.

Staff Recommendation:
This development coincides with the Comprehensive plan, with commercial developments abutting Eastlake Blvd. and N Kenazo Ave., staff believes that the development of this area will aid in the enhancement of surrounding developments. Staff is also understanding of the need to replat and rezone this development to provide organization and convenience to attract new development. Staff recommends ***APPROVAL*** of the request to rezone to **C-2 Commercial** and **APPROVAL** of the replat with the condition that all staff comments are addressed prior to City Council action.

Planning and Zoning Commission Options:
The Planning and Zoning Commission may consider the following options and additional requirements that it may identify when reviewing this rezoning application:

1. Recommend ***approval*** of the Applicant's request for change of zone classification as stated and forward a recommendation for approval for the change of zone classification to the City Council.
2. Recommend **denial** of the Applicant's request for change of zone classification and forward a recommendation for denial of the requested rezoning to the City Council.

Planning Division Comments:
A drainage easement to the ponding area must be provided and documented on the surveys provided.
Final Replat:

- Include signature blocks for the following people/ positions:
    1. Mayor, Ruben Mendoza
    2. City Clerk, Elvia Schuller
    3. City Engineer, Isabel Vasquez, P.E.
- Provide enough lines for all of the tax certifications related to this property.

Preliminary Replat:

This survey suggests Hernandez Pierre and Norma P is an owner; deeds were provided ensuring HZ Ventures LLC is the sole owner of the entirety of this property. The survey will be corrected prior to recording the plat.

Public Works Director Comments:

Preliminary Plat Review:

1. On all lots provide utility easements.
2. Missing bearing and distance information at north and east side of pond.
3. Provide Benchmark (TO INCLUDE DATUM) information.
4. On note#6 add a note stating all commercial lots are subject to onsite ponding.
5. Both streets abutting N. Kenazo Ave. will need to be constructed as part of this development. Provide street sections AND names.
6. Sidewalks at backside of lots will need to be built by the developer or add a note stating the sidewalks will need to be built by the lot owner.
7. Provide a note stating a driveway will or will not be allowed both streets abutting N. Kenazo .
8. At subdivision north and northwest sides, wording information is overlapping/not legible.
9. Provide location of any existing utilities with the size of sewer or water mains if they exist with in the area as per Ordinance No.0035 (4.2.2.5 letter d).
10. Provide drainage flow arrows along with watershed area and calculations for the entire parcel and abutting streets.

Final Plat Review:

1. On all lots provide utility easements.
2. Missing bearing information at north and east side of pond.
3. Provide Benchmark (TO INCLUDE DATUM) information.
4. On note#6 add a note stating all commercial lots are subject to onsite ponding.
5. Both streets abutting N. Kenazo Ave. will need to be constructed as part of this development. Provide street sections AND names.
6. Sidewalks at backside of lots will need to be built by the developer or add a note stating the sidewalks will need to be built by the lot owner.
7. Provide a note stating a driveway will or will not be allowed both streets abutting N. Kenazo.
8. Missing address, no review.
9. El Paso County 9-1-1 District approval is required for the addresses.
10. Provide Closure with metes and bounds description.
11. Provide a list of the proposed street names and number of lots on the final plat

Town Engineer Comments:

Recommended Conditions for Preliminary Plat Approval:

1. Revise plat name to Tuscany Park Village Unit 1 Replat A.
2. Add utility easement for each proposed lot.
3. Provide metes and bounds for property.
4. Provide bearing and distance information for north and east side of pond.
5. Provide contact information for the Owner.
6. Revise ETJ statement, the property is located in within the City Limits of Town of Horizon City.
7. Revise legend to state City Monument.
8. Provide Datum information including elevation.
9. Revise legal description to state Town of Horizon City, not City of El Paso.
10. Provide drainage flow arrows.
11. What is the purpose of the spaces between Block 1, Lot 4 and Block 2, Lot 1; and Block 2, Lot 3 and Block 3, Lot 1.

12. Provide Lot numbers for pond and open space.
13. Legal description should match on the preliminary and final plat. Revise legal description on face of plat.

Recommended Conditions for Final Plat Approval:

1. Revise plat name to Tuscany Park Village Unit 1 Replat A.
2. Add utility easement for each proposed lot.
3. Provide metes and bounds for property.
4. Provide bearing and distance information for north and east side of pond.
5. Provide contact information for the Owner.
6. Revise ETJ statement, the property is located in within the City Limits of Town of Horizon City.
7. Revise legend to state City Monument.
8. Provide Datum information including elevation.
9. Revise legal description to state Town of Horizon City, not City of El Paso.
10. Provide drainage flow arrows.
11. What is the purpose of the spaces between Block 1, Lot 4 and Block 2, Lot 1; and Block 2, Lot 3 and Block 3, Lot 1.
12. Provide Lot numbers for pond and open space.
13. Dedication statements states drainage easements will be dedicated to the Town of Horizon City, indicate on plat the location of the drainage easements.
14. Per City Ordinance, commercial lots are to be maintained on-site. Is the proposed pond to remain private, maintained by the Developer?
15. Legal description should match on the preliminary and final plat. Revise legal description on face of plat.
16. Revise Town of Horizon City Council signatures as shown below.

Improvement Plan Comments:

General comments:

1. Address all corrections and or red lines on all sheets.
2. Provide evidence that the plans have been submitted to the Fire Marshall's office for review and approval.
3. Provide evidence that plans comply with TAS and ADA requirements

Comments to plans include:

Sheet: Cover

- Provide Engineer of Record information, firm information and firm number on cover sheet.
- Cover should be sealed and signed.

Sheet: Preliminary and Final Plats

- Address comments provided on plats.

Sheet 1 of 7

- Remove line work in red, if not pertinent to the proposed improvements.
- Clearly label drainage areas.
- Identify size of the proposed drainage area to correspond to the drainage calculations table.
- Pond capacity needs to include a 10-year silting volume.
- Per Town of Horizon City ordinance, commercial properties are required to retain their runoff on-site.
- Add a table with contact numbers for utilities in the area.

Sheet 2 of 7

- Is the pond to be dedicated to the Town for maintenance? Commercial water should be maintained on-site or in a private pond maintained by Owner.

Sheet 3-4 of 7

- Provide a Geotechnical Report for the development that shows soil stability for side slopes and suitability for the percolation at the pond site.
- Chain link fence is not permitted around ponds.
- Town of Horizon does not maintain ponds for commercial facilities.

Sheet 6 of 7

- Remove line work in red.
- Use different line type for silt fence, difficult to identify on plan sheet.
- Show where proposed construction entrance is to be located.
- Provide a note that Contractor to rinse out any concrete into a concrete washout area.
- Provide a detail for the concrete washout area.

Addressing these comments would be required before permitting the development of these improvements. Please do not hesitate to call us at 587-4339 if we can be of further assistance.

El Paso 9-1-1 District Comments:
The 911 district has no adverse comments for this plat.

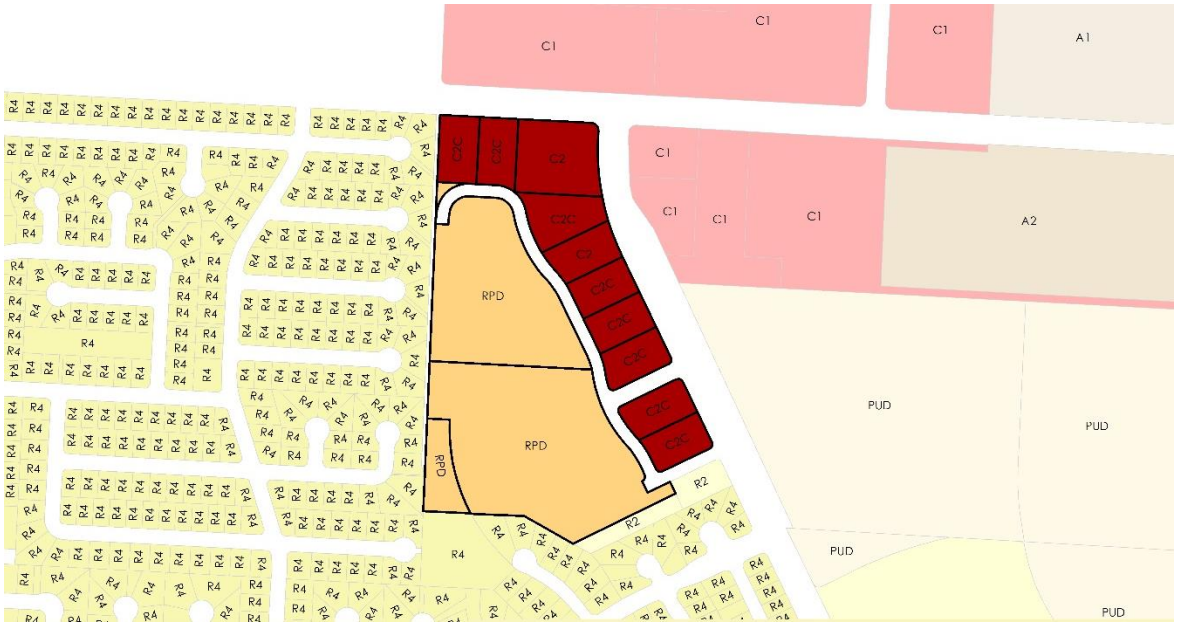
School District Comments:
CISD has the capacity for the additional students expected with this development.

El Paso Central Appraisal District Comments:
The EPCAD approves this development.

El Paso Electric Company Comments:
The El Paso Electric Company approves this development.

Attachments:
1 - Zoning Designation
2 – Aerial
3 - Future Land Use Map (Comp Plan)
4 - Location Map
5 – Applications
6 – Replat
7 – Boundary Survey for Rezoning
8 – Zoning Conditions

Attachment 1: Zoning Designation



Attachment 2: Aerial



Attachment 3: Future Land Use Map



Attachment 4: Location Map

LOCATION MAP SCALE: 1" = 600'



LOCATION MAP AND ETJ STATUS

TUSCANY PARK VILLAGE is located in the El Paso County limits, more specifically located approximately one quarter mile in a northerly direction from the intersection of Eastlake Blvd And North Kenazo Ave. The in municipalities is Horizon City, Texas. According to the 2004 U.S. Census Bureau records The Horizon City, has a population 16,735 and the City of El Paso has a population 592,099.

Attachment 5: Applications

TOWN OF HORIZON CITY
14999 Darrington Road
Horizon City, Texas 79928
Phone 915-852-1046 Fax 915-852-1005

REZONE APPLICATION

RZ-002468-2021

1. **Owner of Record:** HZ VENTURES LLC SERIES D - TUSCANY VENTURES

421 FREDERICK ROAD (ADDRESS) | 79905 (ZIP) | 9154716011 (PHONE) | diego@drselpaso.net (EMAIL)

2. **Applicant** HZ VENTURES LLC SERIES D - TUSCANY VENTURES Is applicant also the Owner? ☒ Yes ☐ No

Contact Person DIEGO VAZQUEZ

241 FREDERICK ROAD (ADDRESS) | 79905 (ZIP) | 9154716011 (PHONE) | diego@drselpaso.net (EMAIL)

3. **PARCEL ONE**

Site Address/Location EASTLAKE BLVD AND NORTH KENAZO HORIZON CITY, TX 79928

Legal Description: 1,2,3,4,5,6,7,8,9,10,11 (Lot) 1,2,3, 4 (Block) LAG TUSCANY PARK VILLAGE UNIT ONE (Subdivision Name)

PARCEL TWO

Site Address/Location EASTLAKE BLVD AND NORTH KENAZO HORIZON CITY, TX 79928

Legal Description: SECTION 30,31 (Lot) 78, TSP 3 (Block) TUSCANY PARK VILLAGE UNIT TWO (Subdivision Name)

If the legal description of the complete tracts or if plat is not available, attached are the ***required*** Metes & Bounds Description & survey map(s)? ☐ Yes ☐ No

4. Briefly explain why you request to rezone? REPLAT OF A TUSCANY PARK VILLAGE UNIT ONE

5. **Land's Presents Use:** C-2 R-PD COMMERCIAL AND RESIDENTIAL Zone C-2 R-PD
Land Vacant ☒ Lot size _____ Structure ☐ Structure's size _____ Last known date the structure was occupied? _____

Land's Proposed Use: C-2 COMMERCIAL Proposed Zone Use C-2

Will you be making any improvements to the existing lot or structure? ☒ Yes ☐ No This request includes *Site Development Plans* for approval? ☒ Yes ☐ No

NOTICE: *Applicant is responsible for all expenses incurred by the City in connection with the Rezone Application request, including but not limited to attorney's fees, engineering fees and publication. Additional charges will be invoiced separately and shall be paid to the Town prior to City Council action.*
Applicant's Signature _____

6. **Signatures:**

_____ *(OWNER'S SIGNATURE)*

_____ *(APPLICANT'S SIGNATURE)*

HZ VENTURES LLC SERIES D - TUSCANY VENTURES_
(OWNER'S PRINTED NAME))

_HZ VENTURES LLC SERIES D - TUSCANY VENTURES
(APPLICANT'S PRINTED NAME)

FEE SCHEDULE: (NON-REFUNDABLE)

$300 - UP TO 1.0 ACRES	**$450** - 30.1 ACRES TO 50 ACRES
$350 – 1.1 ACRES TO 10 ACRES	**$500** – 50.1 ACRES TO 75 ACRES
$400 - 10.1 ACRES TO 30 ACRES	**$600** – 75.1 ACRES AND UP
EL PASO TIMES PUBLISHING FEE APPROXIMATELY $460	**ENGINEERING FEE APPROXIMATELY $60 PER ½ HOUR**

Application & Submittals Due Date: _____
P&Z Scheduled Mtg. Date: _____
City Council Scheduled Date: _____
Application Received By: _____
Date Application Rec'd: _____

Please see reverse side for list of items required at time of submitting REZONING application.

Page 1 of 2
Revised 03/01/19

TOWN OF HORIZON CITY
14999 Darrington Road
Horizon City, Texas 79928
Phone 915-852-1046 Fax 915-852-1005

REPLAT APPLICATION

RP-002469-2021

SUBDIVISION PROPOSED NAME: TUSCANY PARK VILLAGE REPLAT SUBMITTAL DATE: 12/21/2020

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.) TUSCAY PARK VILLAGE BEING A PORTION OF SECTION 30 BLOCK 78 TSP 3 TRACTS 1B, 8 , 10 AND A PORTION OF 31 BLOCK 78, TSP 3 , T&P R.R SURVEYS EL PASO COUNTY ,TEXAS
2. PROPERTY LAND USES:

	ACRES	SITES		ACRES	SITES
SINGLE-FAMILY	16.17	1	OFFICE		
DUPLEX			STREET & ALLEY		
APARTMENT			PONDING & DRAINAGE	1.69	1
MOBILE HOME			INSTITUTIONAL		
P.U.D.			OTHER		
PARK					
SCHOOL					
COMMERCIAL	14.62	3	TOTAL NO. SITES		
INDUSTRIAL			TOTAL (GROSS) ACREAGE		

3. WHAT IS THE EXISTING ZONING OF THE ABOVE DESCRIBED PROPERTY? C-2 - R-PD PROPOSED ZONING C-2 - R-PD
4. WILL THE RESIDENTIAL SITES, AS PROPOSED, PERMIT DEVELOPMENT IN FULL COMPLIANCE WITH ALL ZONING REQUIREMENTS OF THE EXISTING RESIDENTIAL ZONE(S)? YES ☒ NO ☐
5. WHAT TYPE OF UTILITY EASEMENTS ARE PROPOSED? UNDERGROUND ☐ OVERHEAD ☐ COMBINATION ☒
6. WHAT TYPE OF DRAINAGE IS PROPOSED? (IF APPLICABLE LIST MORE THAN ONE) PONDING AREA
7. IF SINGLE-FAMILY OR DUPLEX DEVELOPMENT IS PROPOSED: AVERAGE FLOOR AREA OF HOUSES R-PD 1500 SQ FT
8. ARE SPECIAL IMPROVEMENTS PROPOSED IN CONNECTION WITH THE DEVELOPMENT? YES ☐ NO ☒
9. IS A MODIFICATION OF ANY PORTION OF THE SUBDIVISION ORDINANCE PROPOSED? YES ☒ NO ☐
   IF ANSWER IS "YES", PLEASE EXPLAIN THE NATURE OF THE MODIFICATION REPLAT OF A TUSCANY PARK VILLAGE UNIT ONE
10. WHAT TYPE OF LANDSCAPING IS PROPOSED? PARKWAY ☒ MEDIANS ☐ OTHER ☐
11. REMARKS AND/OR EXPLANATION OF SPECIAL CIRCUMSTANCES:
12. WILL PLAT BE RECORDED PRIOR TO SUBDIVISION IMPROVEMENTS BEING COMPLETED & APPROVED? ☒ YES ☐ NO ☐ N/A INITIALS
    IF YES, submit REQUIRED GUARANTEE (SECTION 4.10.3 & 8.1.7, Municode Chapter 10) **OR** Improvement Cost Estimates & Construction Agreement
13. WILL ANY RESTRICTIONS AND COVENANTS BE RECORDED WITH PLAT? YES ☒ NO ☐ INITIALS _____ IF YES, PLEASE ATTACH COPY.
14. OWNER OF RECORD HZ VENTURES LLC SERIES D - TUSCANY VENTURES diego@drselpaso.net 915-471-6011
    (NAME & ADDRESS) 421 FREDERICK ROAD 79905 (EMAIL) (PHONE)
15. DEVELOPER HZ VENTURES LLC SERIES D - TUSCANY VENTURES diego@drselpaso.net 915-471-6011
    (NAME & ADDRESS) (EMAIL) (PHONE)
16. ENGINEER G3NGINEERING, LLC 1901 ARIZONA STE 205 Luis@g-3ng.com 9152747605
    (NAME & ADDRESS) EL PASO TX 79902 (EMAIL) (PHONE)
17. APPLICANT HZ VENTURES LLC SERIES D - TUSCANY VENTURES diego@drselpaso.net 915-471-6011
    (NAME & ADDRESS) 421 FREDERICK ROAD 79905 (EMAIL) (PHONE)
18. REP/POINT OF CONTACT DIEGO VAZQUEZ diego@drselpaso.net 915-471-6011
    (NAME & ADDRESS) (EMAIL) (PHONE)

NOTE: *Applicant is responsible for all expenses incurred by the City in connection with the Replat approval request, including but not limited to attorney's fees, engineering fees and publication. Charges exceeding deposit will be invoiced separately.* Initials _____.

Applicant Signature _____ EMAIL diego@drselpaso.net

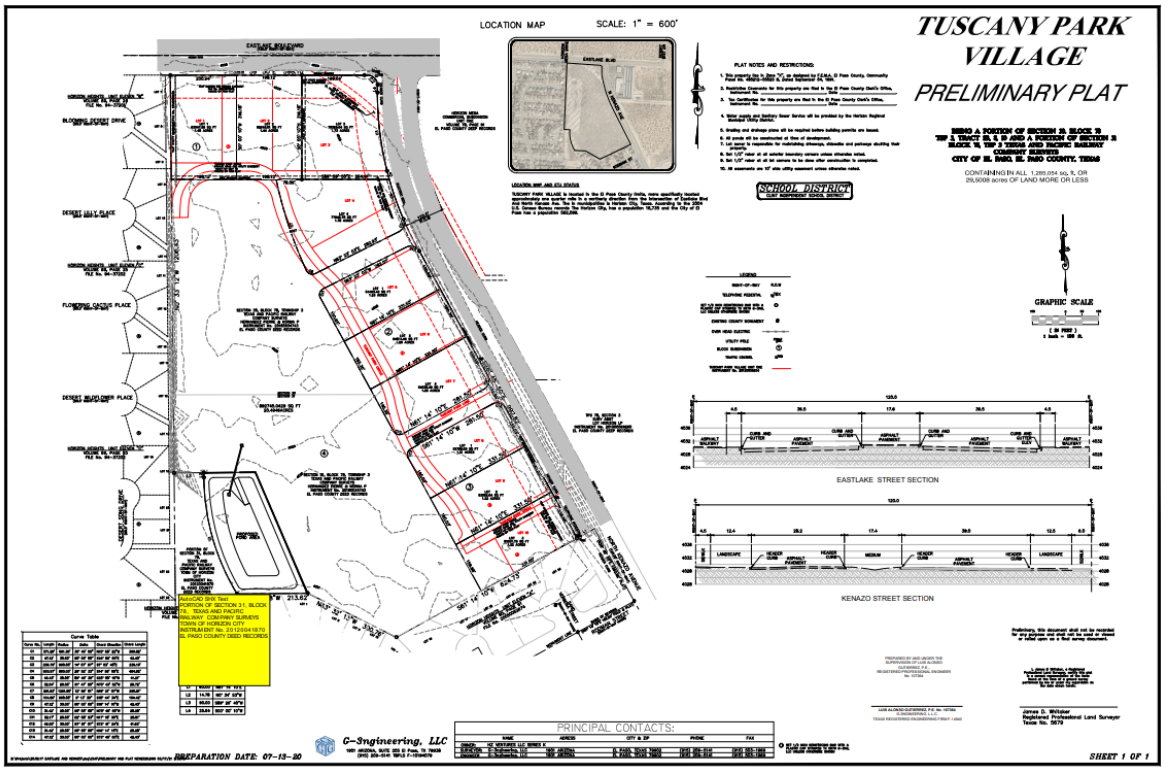
APPLICATION MUST BE COMPLETE & VALIDATED PRIOR TO SUBDIVISION PROCESSING

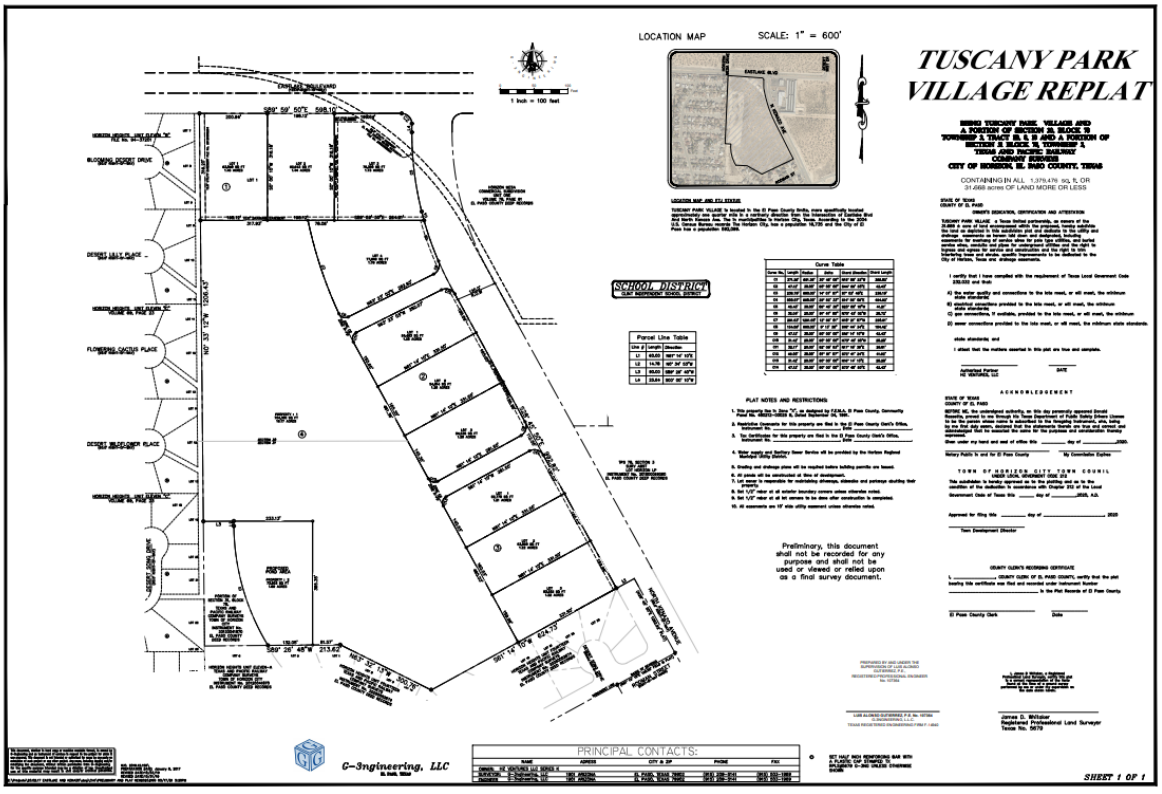
Acceptance of fee does not grant acceptance of application.

Non Refundable Deposit $500 | Application Fees: $100 | Publishing Fee Deposit (if applicable): $260

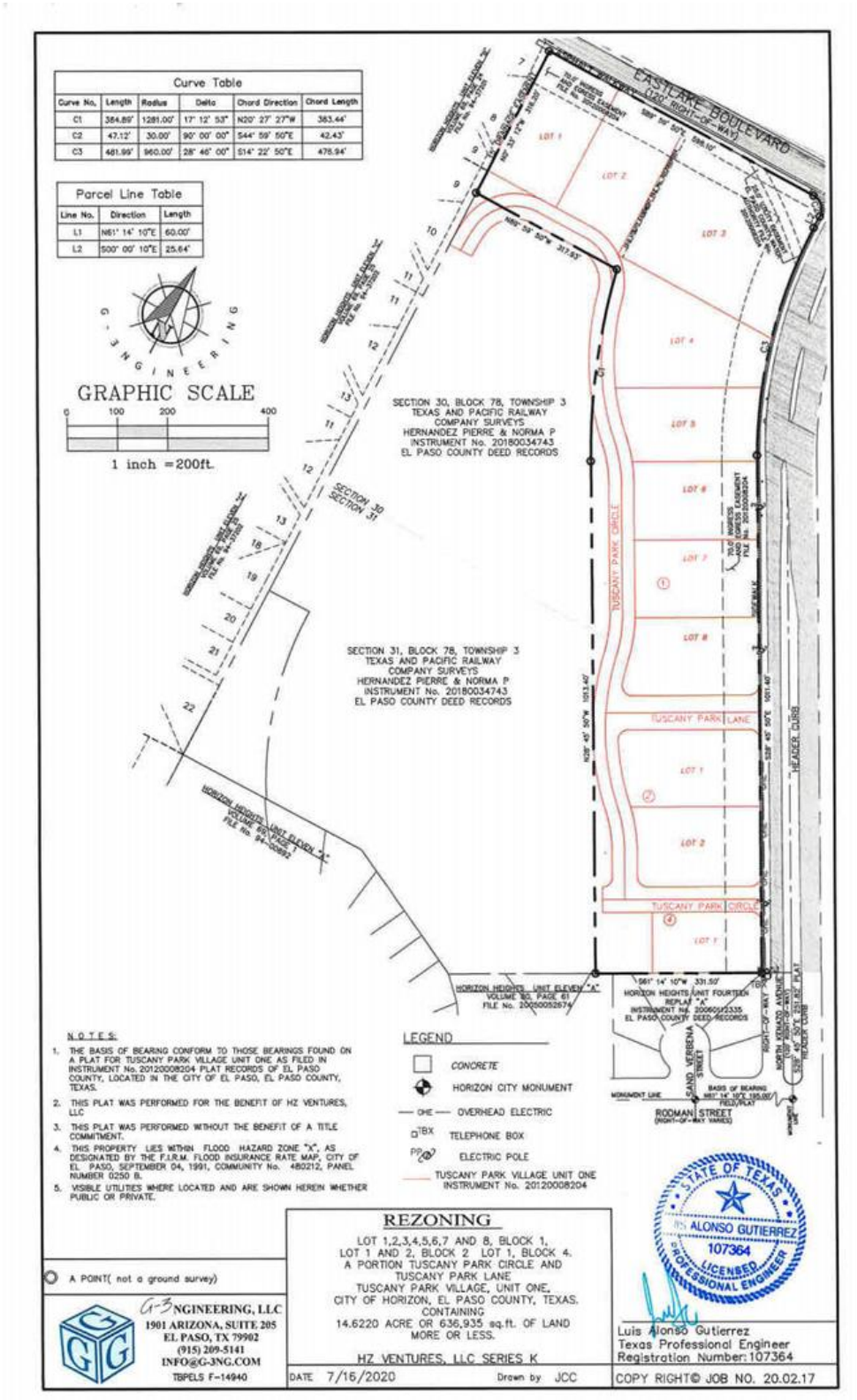
Page 1 of 2 Rev 13FEB2020

Attachment 6: Replat





Attachment 7: Boundary Survey for Rezoning



Attachment 7: Zoning Conditions

ORDINANCE NO. 0148

AN ORDINANCE CHANGING THE ZONING OF PORTIONS OF SECTIONS 30 AND 31, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILROAD SURVEYS, EL PASO COUNTY, TEXAS FROM R-2 (RESIDENTIAL) TO C-2 (HEAVY COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS THEREON.

Whereas, an application was made to change a designated zone within the municipal limits of the Town of Horizon City; and,

Whereas, said application was forwarded to and considered by the Horizon City Planning and Zoning Commission; and,

Whereas, the Horizon City Planning and Zoning Commission has complied with all state and local laws affecting the changing of zones and held public hearings to obtain public comments; now therefore,

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

I.

That the zoning be changed from R-2 (Single-family Residential) to C-2 (Heavy Commercial), within the meaning of the Zoning Ordinance, for portions of Sections 30 and 31, Block 78, Township 3, Texas and Pacific Railroad Surveys, El Paso County, Texas, as more particularly described by metes and bounds attached hereto.

II.

That the property be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning from R-2 (Residential) to C-2 (Heavy Commercial), and are desirable to integrate subsequent development on the subject parcel with adjoining single-family residential developments, and to properly relate the proposed commercial development with adjoining thoroughfares, both considerations of which are necessary in order to protect the health, safety and welfare of adjacent property owners and the residents of this city:

1. Uses permitted in the subject property shall be restricted to those otherwise allowable in the C-1 district, except that a shopping center on a site of 10-acres or more will be allowed.
2. The owner of the subject property shall cause a subdivision plat of the property to be prepared providing for the on-site detention of stormwater. The city shall allow the owner to position a drainage ponding area within property adjacent to, but not being rezoned by this Ordinance, but otherwise under the control of the owner.

3. The owner of the subject property shall cause a detailed site development plan to be prepared and shall submit the same to the Director of Public Works of the Town of Horizon City for review and approval. The detailed site development plan shall reflect the following:

   - The owner shall provide new or rebuilt median openings in both Eastlake Boulevard and North Kenazo Avenue, the design of which shall be subject to the review and approval of the Director of Public Works, and the locations of which are to be coordinated with surrounding developments.
   - The owner shall be responsible for constructing concrete curbing at the edges of the existing pavement of both Eastlake Boulevard and North Kenazo Avenue so as to protect the pavement from deterioration.
   - The owner shall be responsible for landscaping those portions of the medians in North Kenazo and Eastlake Boulevard where the subject property has frontage; said landscaping shall use low-water use xeriscaping compatible with the existing landscaped median in Eastlake Boulevard immediately east of its intersection with North Kenazo Avenue.
   - The owner shall provide a landscaped strip, not less than five-feet in width, between the street right-of-way and any parking lot within the subject property; such landscaping shall employ low-water use xeriscaping.
   - The owner shall provide a landscaped 'buffer' between that portion of the commercial development that abuts Lots 7 through 9, Block 11, Horizon Heights Unit 11B, and Lot 9, Block 10, Horizon Heights Unit 11C, to visually 'screen' the commercial development from said residential properties.
   - The owner shall design lighting, in terms of the height, lumen output, placement, and fixture design, for that portion of the commercial development adjoining residentially-zoned properties, to minimize glare.

4. All improvements shown on the detailed site development plan shall be completed prior to the occupancy of the property by any use requiring commercial zoning.

III.

That these conditions run with the land, are a charge and servitude thereon, and bind the current property owner and any successors in title. The Town of Horizon City may enforce these conditions by injunction, by rescission of the zoning, which is made appropriate as a result of these conditions, or by any other legal or equitable remedy. The Town Council of Horizon City may amend or release the above conditions in its discretion without the consent of any third person that may be benefited thereby, and without affecting the validity of this ordinance.

IV.

That the Zoning Map for the Town of Horizon City be revised to include the zoning changes directed by this ordinance.

V.

That this ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below.

PASSED AND APPROVED this 14th day of February, 2006.

RAYMOND MORALES, MAYOR

ATTEST:

Sandra Sierra
Town Clerk

APPROVED AS TO FORM:

Robert A. Duran
Town Attorney

First Reading: 01/10/06
Second Reading: 02/14/06
Approved: 02/14/06

TOWN OF HORIZON CITY
14999 Darrington Road
Horizon City, Texas 79928
Phone 915-852-1046 Fax 915-852-1005

RECORDING PLAT APPLICATION

SUBDIVISION PROPOSED NAME: Tuscany Park Village Replat SUBMITTAL DATE: _____

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.)
TUSCANY PARK VILLAGE BEING A PORTION OF SECTION 30, BLOCK 78 TSP 3 TRACTS 1B, 8, 10 AND A PORTION OF 31 BLOCK 78, TSP 3, T&P R.R SURVEYS EL PASO COUNTY, TEXAS

2. PROPERTY LAND USES:

	ACRES	SITES		ACRES	SITES
SINGLE-FAMILY	17.86	1	OFFICE		
DUPLEX			STREET & ALLEY		
APARTMENT			PONDING & DRAINAGE	1.69	1
MOBILE HOME			INSTITUTIONAL		
P.U.D.			OTHER		
PARK					
SCHOOL					
COMMERCIAL	14.12	8	TOTAL NO. SITES		
INDUSTRIAL			TOTAL (GROSS) ACREAGE		

3. WHAT IS THE EXISTING ZONING OF THE PROPERTY DESCRIBED ABOVE? C-2-R-PD PROPOSED ZONING C-2-R-PD

4. WILL THE RESIDENTIAL SITES, AS PROPOSED, PERMIT DEVELOPMENT IN FULL COMPLIANCE WITH ALL ZONING REQUIREMENTS OF THE EXISTING RESIDENTIAL ZONE(S)? YES ☐ NO ☐

5. WHAT TYPE OF UTILITY EASEMENTS ARE PROPOSED? UNDERGROUND ☐ OVERHEAD ☐ COMBINATION ☑

6. WHAT TYPE OF DRAINAGE IS PROPOSED? (IF APPLICABLE LIST MORE THAN ONE)
ponding area

7. If SINGLE-FAMILY OR DUPLEX DEVELOPMENT IS PROPOSED: AVERAGE FLOOR AREA OF HOUSES R-PD 1500sq-ft

8. ARE SPECIAL IMPROVEMENTS PROPOSED IN CONNECTION WITH THE DEVELOPMENT? YES _____ NO _____

9. IS A MODIFICATION OF ANY PORTION OF THE SUBDIVISION ORDINANCE PROPOSED? YES ☐ NO ☑
IF ANSWER IS "YES", PLEASE EXPLAIN THE NATURE OF THE MODIFICATION _____

10. WHAT TYPE OF LANDSCAPING IS PROPOSED? PARKWAY ☑ MEDIANS ☐ OTHER ☐ _____

11. REMARKS AND/OR EXPLANATION OF SPECIAL CIRCUMSTANCES: N/A

12. WILL PLAT BE RECORDED PRIOR TO SUBDIVISION IMPROVEMENTS BEING COMPLETED & APPROVED? YES ☑ NO ☐ N/A ☐ INITIALS _____
IF YES, REQUIRED GUARANTEE, Improvement Cost Estimates & Construction Agreement have been submitted? YES ☑ NO ☐ Date: _____

13. WILL ANY RESTRICTIONS AND COVENANTS BE RECORDED WITH PLAT? YES ☑ NO ☐ INITIALS _____ IF YES, PLEASE ATTACH COPY.

	(NAME & ADDRESS)	(EMAIL)	(PHONE)
14. OWNER OF RECORD	HZ VENTURES LLC SERIES D- TUSCANY VENTURES 421 FREDERICK ROAD 79905	diego@drselpaso.net	915-471-6011
15. DEVELOPER	HZ VENTURES LLC SERIES D- TUSCANY VENTURES 421 FREDERICK ROAD 79905	diego@drselpaso.net	915-471-6011
16. ENGINEER	G-3NGINEERING, LLC 1901 ARIZONA AVE STE 205 EL PASO TEXAS 79902	Luis@g-3ng.com	915 274-7605
17. APPLICANT	HZ VENTURES LLC SERIES D- TUSCANY VENTURES 421 FREDERICK ROAD 79905	diego@drselpaso.net	915-471-6011
18. REP/POINT OF CONTACT	Diego Vazquez	diego@drselpaso.net	915-471-6011

NOTE: *Applicant is responsible for all expenses incurred by the City in connection with the Recording plat approval request, including but not limited to attorneys, engineering, County Clerk & publication fees. Charges exceeding deposit will be invoiced separately. Initials _____.*

Applicant Signature _____ EMAIL _____

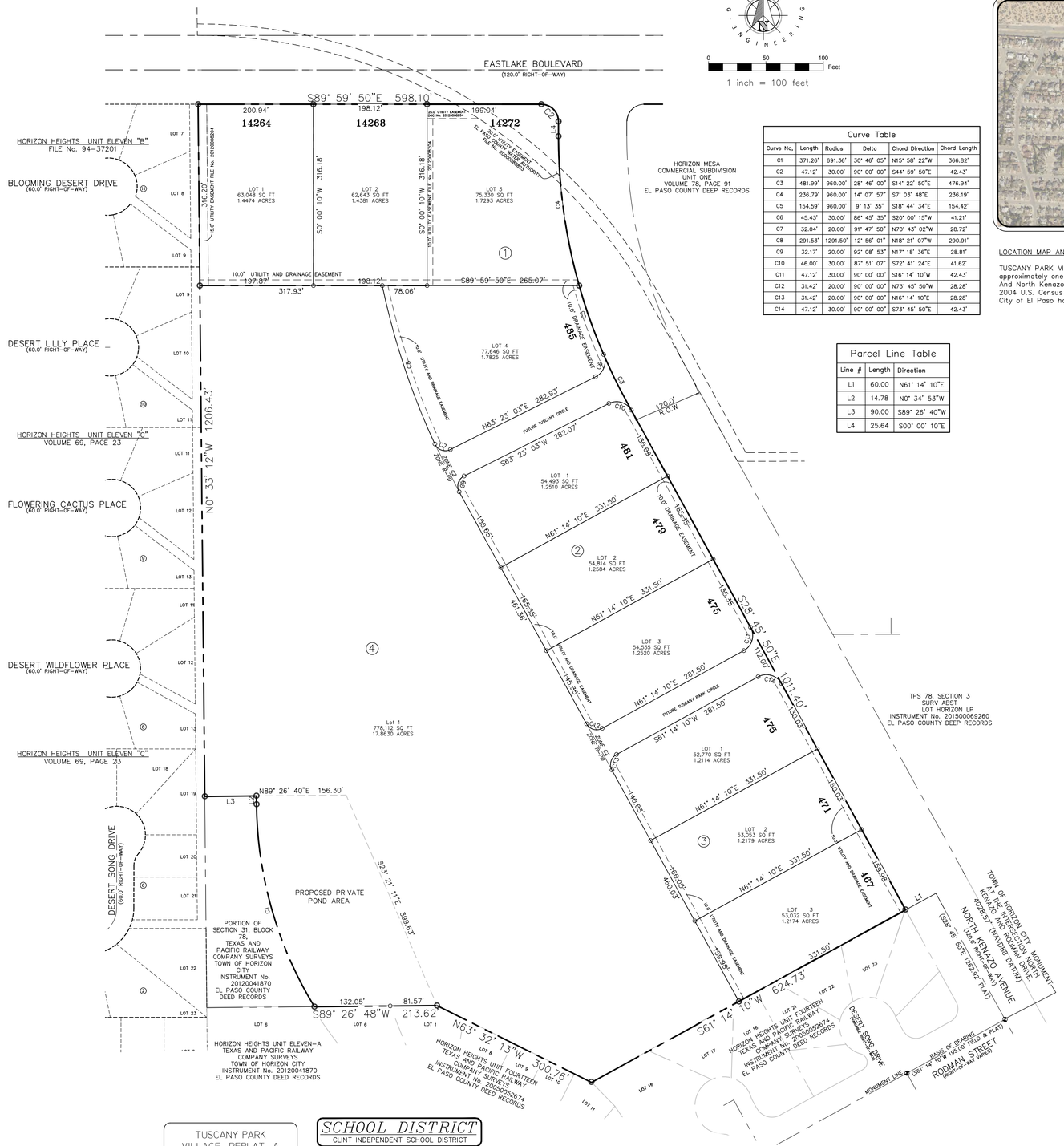
APPLICATION MUST BE COMPLETELY FILLED OUT & VALIDATED PRIOR TO SUBDIVISION PROCESSING | **APPLICATION FEE: $80.00**

TUSCANY PARK VILLAGE REPLAT A

BEING TUSCANY PARK VILLAGE AND A PORTION OF SECTION 30, BLOCK 78 TOWNSHIP 3, TRACT 1B, 8, 10 AND A PORTION OF SECTION 31 BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS

CONTAINING IN ALL 1,379,476 sq. ft. OR
31.668 acres OF LAND MORE OR LESS

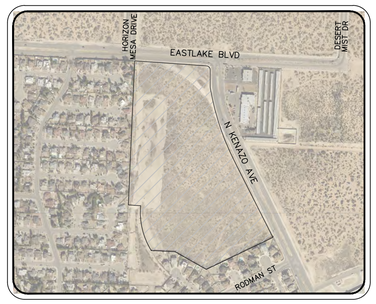
COMMERCIAL LOTS = 10



Curve Table					
Curve No.	Length	Radius	Delta	Chord Direction	Chord Length
C1	371.26'	691.36'	30° 46' 05"	N15° 58' 22"W	366.82'
C2	47.12'	30.00'	90° 00' 00"	S44° 59' 50"E	42.43'
C3	481.99'	960.00'	28° 46' 00"	S14° 22' 50"E	476.94'
C4	236.79'	960.00'	14° 07' 57"	S7° 03' 48"E	236.19'
C5	154.59'	960.00'	9° 13' 35"	S18° 44' 34"E	154.42'
C6	45.43'	30.00'	86° 45' 35"	S20° 00' 15"W	41.21'
C7	32.04'	20.00'	91° 47' 50"	N70° 43' 02"W	28.72'
C8	291.53'	1291.50'	12° 56' 01"	N18° 21' 07"W	290.91'
C9	32.17'	20.00'	92° 08' 53"	N17° 18' 36"E	28.81'
C10	46.00'	30.00'	87° 51' 07"	S72° 41' 24"E	41.62'
C11	47.12'	30.00'	90° 00' 00"	S16° 14' 10"W	42.43'
C12	31.42'	20.00'	90° 00' 00"	N73° 45' 50"W	28.28'
C13	31.42'	20.00'	90° 00' 00"	N16° 14' 10"E	28.28'
C14	47.12'	30.00'	90° 00' 00"	S73° 45' 50"E	42.43'

Parcel Line Table		
Line #	Length	Direction
L1	60.00	N61° 14' 10"E
L2	14.78	N0° 34' 53"W
L3	90.00	S89° 26' 40"W
L4	25.64	S00° 00' 10"E

LOCATION MAP SCALE: 1" = 600'



LOCATION MAP AND ETJ STATUS

TUSCANY PARK VILLAGE is located in the El Paso County limits, more specifically located approximately one quarter mile in a northerly direction from the intersection of Eastlake Blvd And North Kenazo Ave. The in municipalities is Town of Horizon City, Texas. According to the 2004 U.S. Census Bureau records The Town of Horizon City, has a population 16,735 and the City of El Paso has a population 592,099.

PLAT NOTES AND RESTRICTIONS:

1. This property lies in Zone "X", as designed by F.E.M.A. El Paso County, Community Panel No. 480212-00025 B, Dated September 04, 1991.
2. Restrictive Covenants for this property are filed in the El Paso County Clerk's Office, Instrument No. _____, Date _____.
3. Tax Certificates for this property are filed in the El Paso County Clerk's Office, Instrument No. _____, Date _____.
4. Water supply and Sanitary Sewer Service will be provided by the Horizon Regional Municipal Utility District.
5. Town of horizon city monument at the intersection north kenazo and rodman drive. 4028.57' (NAVD 88 Datum)
6. Lot owner is responsible for maintaining driveways, sidewalks and parkways abutting their property.
7. Set 1/2" rebar at all exterior boundary corners unless otherwise noted.
8. Set 1/2" rebar at all lot corners to be done after construction is completed.
9. All easements are 10' wide utility easement unless otherwise noted.
10. Grading and drainage plans will be required before building permits are issued.

FIELD NOTE DESCRIPTION

A field note description of 31.668 acres or 1,379,476 square feet parcel or tract of land being all of Tuscany Park Village Unit One, Portion of Section 30 Block 78, Township 3 and Portion of Section 31 Block 78, Township and lying within the corporate limits of El Paso County, Texas. The said Tuscany Park Village Unit One is recorded in the Instrument No. 20120008204 found in the El Paso County Clerk's Office Deeds and Records located in the City of El Paso, El Paso County, Texas.

This survey conforms to the Plat of Tuscany Park Village Unit One found in the El Paso County Clerk's Office Deeds and Records located in the City of El Paso, El Paso County, Texas.

The Basis of Bearings are based on those bearing depicted on the plat of Horizon Height Unit Fourteen is recorded in the Instrument No. 20050052674 found in the El Paso County Plat Records located in the City of El Paso, Texas. The parcel or tract of land is being more particularly described by metes and bounds as follows:

Beginning at a half-inch reinforcement bar with a cap stamped TX 5679 G-3NG set on the Westerly right-of-way of North Kenazo Avenue (120-feet wide right-of-way) and the southeasterly corner of the 31.668 acres being described, from which two found Town of Horizon City Monument, bears the following courses;

Thence, from the said southeasterly corner, North 61°14'10" East, a distance of 60.00 feet to a point on the monument line of the said North Kenazo;

Thence, continuing along the monument line, South 28°45'50"East, a distance of 1262.92 feet to the first Monument at the intersection of Rodman Street (68.00-feet wide Right-of-Way) And North Kenazo Avenue);

Thence, along monument line of Rodman Street, South 61°14'10" West, a distance of 195.00 to the second Monument at the intersection of Rodman Street (68.00-feet wide Right-of-Way) And Sand Verbena (Right-of-Way Varies);

Thence, from the Beginning, South 61°14'10" West, a distance of 624.73 feet to a point;

Thence, North 63°32'13" West, a distance of 300.76 feet to a point;

Thence, South 89°26'48" West, a distance of 213.62 feet to a point;

Thence, a distance of 371.26 feet along the arc of a radial curve to the right, with an interior angle of 30°46'05" and having a radius of 691.36 feet with a long chord that bears North 15°58'22" West, with a chord distance of 366.82' feet;

Thence, North 00°34'53" West, a distance of 14.78 feet to a point;

Thence, South 89°26'40" West, a distance of 90.00 feet to a point;

Thence, North 00°33'12" West, a distance of 1206.43 feet to a point;

Thence, South 89°59'50" East, a distance of 598.10 feet to a point;

Thence, a distance of 47.12 feet along the arc of a radial curve to the right, with an interior angle of 90°00'00" and having a radius of 30.00 feet with a long chord that bears South 44°59'50" East, with a chord distance of 42.43' feet;

Thence, South 00°00'00" East, a distance of 25.64 feet to a point;

Thence, a distance of 500.57 feet along the arc of a radial curve to the left, with an interior angle of 29°52'13" and having a radius of 960.00 feet with a long chord that bears South 14°56'06" East, with a chord distance of 494.92 feet;.

Thence, from the said southeasterly corner, South 28°45'50"East, a distance of 992.82 feet to a point to the Beginning and containing 31.668 acres or 1,379,476 square feet of land more or less.

I, James D Whitaker, a Registered Professional Land Surveyor, certify this plat is a correct representation of the facts found at the time of a ground survey performed by me or under my supervision on the date shown herein.

James D. Whitaker
Registered Professional Land Surveyor
Texas No. 5679

STATE OF TEXAS
COUNTY OF EL PASO

DEDICATION

TUSCANY PARK VILLAGE The owner of this land, does hereby present this map and dedicate their respective of property to the use public, utility easement as hereon laid down and designated, including easement for overhang of service wires for pole type utilities and the right for installation of service poles a alongside lot lines as may be required, easement for buried service wires, conduits and pipes for underground utilities and the right to ingress and egress for service and construction, and the right to trim interfering trees and shrubs.

We certify that all utilities have been or will be installed in accordance to requirements by the local utility companies and the town of Horizon City

We attest that the matters asserted in this plat are true and complete

witness my signature this_____ day of _____ 2021

_____
Authorized Partner
HZ VENTURES, LLC

A C K N O W L E D G E M E N T

STATE OF TEXAS
COUNTY OF EL PASO

BEFORE ME, the undersigned authority, on this day personally appeared HERNANDEZ PIERRE AND NORMA PIERRE, proved to me through his Texas Department of Public Safety Drivers License to be the person whose name is subscribed to the foregoing instrument, who, being by me first duly sworn, declared that the statements therein are true and correct and acknowledged that he executed the same for the purposes and consideration thereby expressed.

Given under my hand and seal of office this _____ day of _____2020.

_____ _____
Notary Public in and for El Paso County — My Commission Expires

T O W N O F H O R I Z O N C I T Y T O W N C O U N I L

This subdivision is hereby approved as to the platting and as to the condition of the dedication in accordance with Chapter 212 of the Local Government Code of Texas this _____ day of _____,2021, A.D.

_____ _____
Elvia Schuller, City Clerk — Ruben Mendoza, Mayor

Approved for filing this _____ day of _____ 2021

_____
HUITT-ZOLLARS, INC, (Town Enginner)
By Isabel Vazquez, P.E.
Vice President

FILING

Filed and recorded in the office of the County Clerk of EIL Paso County, Texas, this _____ day of_____ 2021, in Volume _____ of the Plat Records, Page _____
File No. _____

_____ _____
County Clerk — Date

PREPARED BY AND UNDER THE SUPERVISION OF LUIS ALONSO GUTIERREZ, P.E., REGISTERED PROFESSIONAL ENGINEER No. 107364

_____
LUIS ALONSO GUTIERREZ, P.E. No. 107364
G-3NGINEERING, L.L.C.
TEXAS REGISTERED ENGINEERING FIRM F-14940

TUSCANY PARK VILLAGE REPLAT A
COMMERCIAL LOT = 10
PRIVATE PONDING = 1

SCHOOL DISTRICT
CLINT INDEPENDENT SCHOOL DISTRICT

This document, whether in hard copy or machine readable format, is owned by G-3ngineering and an instrument of services in respect to the project for which it was prepared. This document is not intended or authorized for reuse by any party on extensions of such project or any other project. Any reuse, including copying and/or modifying the document, without written permission from G-3ngineering for the specific purpose intended may be a violation of law. Unauthorized use of this material may result in civil and/or criminal penalties.

W.O. 2021.02.17
PREPARATION DATE: May 8, 2020
REVISED DATE:03/15/21
REVISED DATE:05/10/21
Z:\Projects\20.02.17 EASTLaKE AND KENAZO\dwg\Civil\PRELIMIARY AND PLAT NEW2020.DWG 05/11/21 3:06PM

G-3ngineering, LLC
EL PASO, TEXAS

PRINCIPAL CONTACTS:

	NAME	ADRESS	CITY & ZIP	PHONE	FAX
OWNER:	HZ VENTURES LLC SERIES K	241 FREDERICK ROAD	EL PASO, TEXAS 79905	(915)471-6011	
SURVEYOR:	G-3ngineering, LLC	1901 ARIZONA	EL PASO, TEXAS 79902	(915) 209-5141	(915) 503-1969
ENGINEER	G-3ngineering, LLC	1901 ARIZONA	EL PASO, TEXAS 79902	(915) 209-5141	(915) 503-1969

○ SET HALF INCH REINFORCING BAR WITH A PLASTIC CAP STAMPED TX RPLS#5679 G-3NG UNLESS OTHERWISE SHOWN

TOWN OF HORIZON CITY
MEMORANDUM

Date: July 13, 2021

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, Planning Director

SUBJECT: On a request to accept the accepted roadway and drainage improvements as constructed with the Rancho Desierto Bello Unit 13 Phase 1 subdivision for maintenance and to accept the required maintenance bond.

At the time that the City Council agenda is posted, the final inspection of the improvements had not been completed. The City Engineer and Public Works Director have since performed a final inspection of the improvements and recommend that that the City Council accept the roadway and drainage improvements for maintenance. The developer will provide a maintenance bond in the amount of $188,132.80.

Per the executed Developer Participation Agreement and Subdivision Construction Agreement for this subdivision, the 5.022 acre park will be completed with Rancho Desierto Bello Unit 13 Phase 2.

History:

On April 13, 2021, the City Council voted unanimously to approve of the final and recording plat applications for the Rancho Desierto Bello unit 13 Phase 1 subdivision.

The applicant resubmitted the final plat application in order to provide the required security for the recording of the plat prior to the completion of the subdivision improvements.

Attached for review is the City Engineer's recommendation.

14999 Darrington Rd. Horizon City, Texas 79928 (915) 852-1046 Fax (915) 852-1005

HUITT-ZOLLARS

HUITT-ZOLLARS, INC. ı 5822 Cromo Dr. ı Suite 210 ı El Paso, TX 79912-5502 ı 915.587.4339 phone ı 915.587.5247 fax ı huitt-zollars.com

July 12, 2021

Honorable Mayor Ruben Mendoza
Town of Horizon City
14999 Darrington Road
Horizon City, Texas 79928

Re: Subdivision Acceptance—Rancho Desierto Bello, Unit 13 Phase 1

Dear Mayor Mendoza,

As of July 12, 2021, the improvements for the subdivision referenced above have been completed. The Phase 1 park improvements have also been completed as indicated in the approve improvement plans and subdivision phasing schedule. As Town Engineer, Huitt-Zollars recommends the final acceptance of the subdivision and the public improvement.

Please do not hesitate to call us at (915) 587-4339, if we can be of further assistance.

Sincerely,

HUITT-ZOLLARS, INC.

Roxanna R. Medina, PE
Project Manager

CC: Michelle Padilla—Director of Planning, Town of Horizon City
Albert Valle, CFM—Public Works Director, Town of Horizon City
Elvia Schuller—City Clerk, Town of Horizon City
Robert Romero, PE—TRE & Associates, Inc.

Town of Horizon City
Capital Improvement Program

Council Meeting

July 13, 2021

Oxbow & Pawling Street Improvements

- Have begun coordinating with HRMUD's water line projects on Breaux and Oxbow
- Project will likely follow HRMUD project for improvements on Horizon Blvd., Breaux and Oxbow
- Reviewing plans

Municipal Facilities – Phase 1

- Staff continues to work on final application for USDA which requires a department-specific environmental document
- Staff coordinating with bond counsel for debt issuance
- USDA has provided comments on environmental document; consultant is addressing the comments, resubmitting by end of July

Municipal Facilities – Phase 1

To meet USDA Requirements, staff is working on the following:

- Council approval of the letter of intent outlining loan conditions – programmed for Summer 2021
- Bond ordinance – coordinating with bond counsel
- USDA review of final plans and specifications – coordinating with consultant and USDA

Municipal Facilities – Phase 1



Rendering from Exigo Architecture – December 2020

Golden Eagle Park

Construction

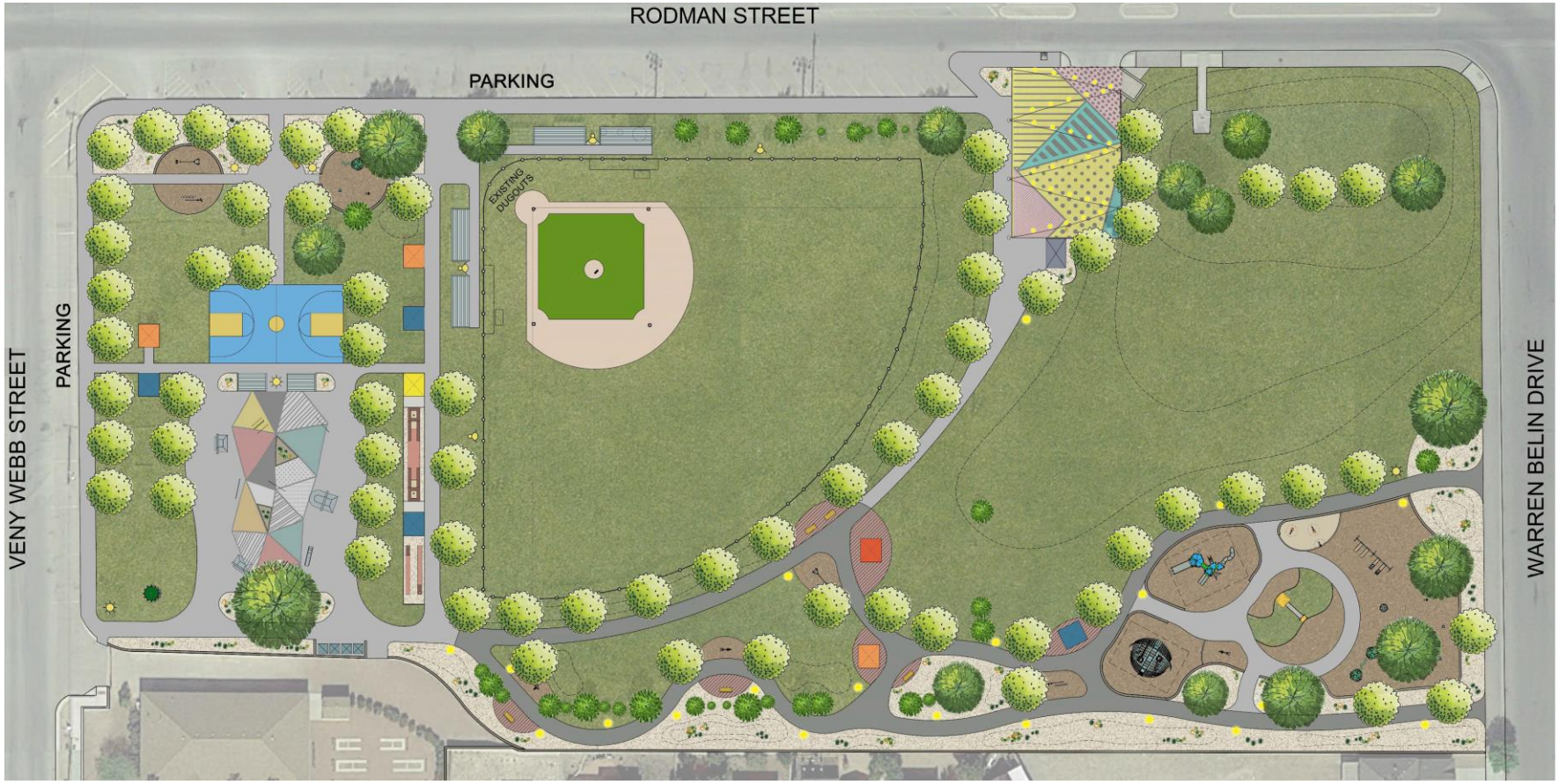
- Construction contract awarded September 16, 2019
- Construction Start – Fall 2019
- Scheduled completion date – Fall 2020
- Pending items include
  - Splash Pad
  - Turf

Desmond Corcoran (Corky) Park

Construction

- Construction start – January 11, 2021
- Working with HRMUD for sewer line connection
- Irrigation work ongoing
- Canopies arrived late June 2021
- Walking path ongoing
- Completion winter 2021/2022

Desmond Corcoran (Corky) Park



Regional Park

- Following Pegasus' presentation to Council on May 24, 2021, staff will develop a plan of action to follow Council's guidance.
- Next steps
  - Partner with EDC to delineate responsibilities and funding
  - Develop scope of work for market analysis to determine amenities
  - Develop scope of work for Parks Master Plan

Regional Park

- **Goal** is to plan a regional facility that:
  - Meets Town's needs for park space;
  - Includes facilities and amenities that are sustainable; and
  - Fosters high value commercial development and activity in the vicinity

Street Maintenance Fund

2020 Street Maintenance Program

- Finalizing specifications for requirements contract to address
  - **N. Darrington**
  - **Duanesburg from McMahon to S. Kenazo**
  - **Acra**
- Updated Schedule
  - Review and revise contractual language – Spring/Summer 2021
  - Award Summer 2021

2021 Street Maintenance

Reviewing available funding to develop a pipeline for maintenance of other eligible streets

- After updated schedule for **N. Darrington Reconstruction,** reassessed areas requiring the most attention and will include in the maintenance package
- **Breaux** – to be packaged with Oxbow & Pawling
- **Duanesburg**
- **S. Kenazo**
- **Acra**

Funding Updates

N. Darrington Reconstruction

- Transportation Policy Board (TPB) approved the 2019 Mobility Plan at its December 13, 2019 meeting.
- Project is scheduled for construction award in late **FY 2022**
- Town staff continues working with TXDOT and design team to develop project

N. Darrington Reconstruction - ROW

- Drainage requires property acquisition in TOD area
- Environmental Clearance scheduled for late summer 2021
- Will prepare for acquisitions by
  - Coordinating with TXDOT for process to acquire parcels for pond and construction easements for storm sewer installation;
  - Procuring appraisal and review appraisal services
  - Procuring ROW professional and surveying services

Safety Projects

- Town submitted several projects for safety funding consideration through TXDOT
- 2 projects are were **approved** for construction
  - S. Darrington Safety Lighting from Alberton to LTV Rd. – **FY 2023**
  - N. Kenazo Safety Lighting from Eastlake to Horizon Blvd. – **FY 2022**
- Funding agreements and participation must be developed and funding identified
- Town is responsible for design
- Planning for N. Kenazo Safety Lighting design

Green Ribbon Project

- TXDOT-funded project for enhanced landscaping along walking trail on Horizon Blvd.
- Limits are from Ashford to Rifton
- Scheduled to advertise Summer 2021
- Construction start: Fall 2021
- Requires updated landscape agreement with TXDOT
- Plants include:

Desert Agave	American Agave
Spanish Dagger	Thompson and Red Yucca
Honey Mesquite	Desert Willow

Funding Updates – 2050 MTP

2050 Metropolitan Transportation Plan (MTP)

Horizon City Staff submitted projects to MPO as presented to Council at the June 9, 2020 Meeting.

Next steps are to go through project evaluation and selection at the MPO.

Proposed MTP Projects

Project	City Design	TIRZ	City /County Funding
S. Darrington Rd. Repaving (Oxbow to Alberton)	X		
N.. Kenazo Ave. Reconstruction (Eastlake to Horizon)	X		
Alberton Ave/Antwerp Rd. Construction	X		
Dilley & Delake (TOD Phase 1 Roadways)		X	
Transit Plaza with park & ride (TOD)		X	
Horizon City – Socorro Circulator Bus Route			X
Horizon City – UTEP Express Route			X

TIRZ Update

RAISE Grant

- Notice of Funding Opportunity issued mid-April 2021
- Highly competitive
- $30 million available nationwide for planning
- Grant applications due by July 12, 2021
- Town plans to submit for planning/design of Dilley and Delake and Transit Plaza

RAISE Grant

Requires support from partner agencies

- Alliance for Regional Military Support (ARMS)approved a resolution of support at their May 20, 2021 meeting
- Resolution of support for Council's consideration on June 8, 2021 agenda
- Resolution of support for Commissioner's Court consideration scheduled for June 21, 2021 agenda
- Resolution of support for EDC Board's consideration scheduled for June 15, 2021 agenda
- Coordinating with HRMUD for their board's consideration of a resolution

Town of Horizon City
Capital Improvement Program

Council Meeting

July 13, 2021

MOTOROLA SOLUTIONS

QUOTE-1482954

Billing Address:
HORIZON CITY FIRE DEPT
14151 NUNDA AVE
HORIZON CITY, TX 79928
US

Quote Date:06/04/2021
Expiration Date:08/01/2021
Quote Created By:
Lisa Hernandez
lisa@rtcinc.org

End Customer:
HORIZON CITY FIRE DEPT
Daniel Ames
dames@epcesd1.com
(915)491-6423

Contract: 17724 - HGAC (TX)
Payment Terms:30 NET

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
	APX™ 8500					
1	M37TXS9PW1AN	APX8500 ALL BAND HP MOBILE	1	$5,620.00	$4,102.60	$4,102.60
1a	GA00250AA	ADD: WIFI/GNSS STUBBY ANTENNA LMR240	1	$100.00	$73.00	$73.00
1b	GA01513AB	ADD: ALL BAND MOBILE ANTENNA (7/8/V/U)	1	$95.00	$69.35	$69.35
1c	G51AT	ENH:SMARTZONE	1	$1,500.00	$1,095.00	$1,095.00
1d	G78AT	ENH: 3 YEAR ESSENTIAL SVC	1	$176.40	$176.40	$176.40
1e	GA05508AA	DEL: DELETE VHF BAND	1	-$800.00	-$584.00	-$584.00
1f	GA05509AA	DEL: DELETE UHF BAND	1	-$800.00	-$584.00	-$584.00
1g	G298AS	ENH: ASTRO 25 OTAR W/ MULTIKEY	1	$740.00	$540.20	$540.20
1h	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX	1	$60.00	$43.80	$43.80
1i	G843AH	ADD: AES ENCRYPTION AND ADP	1	$475.00	$346.75	$346.75
1j	G444AH	ADD: APX CONTROL HEAD SOFTWARE	1	$0.00	$0.00	$0.00

Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the ""Underlying Agreement"") that authorizes Customer to purchase equipment and/or services or license software (collectively ""Products""). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.

Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
1k	GA01517AA	DEL: NO J600 ADAPTER CABLE NEEDED	1	$0.00	$0.00	$0.00
1l	G806BL	ENH: ASTRO DIGITAL CAI OP APX	1	$515.00	$375.95	$375.95
1m	GA01767AG	ADD: RADIO AUTHENTICATION	1	$100.00	$73.00	$73.00
1n	GA01670AA	ADD: APX E5 CONTROL HEAD	1	$572.00	$417.56	$417.56
1o	W22BA	ADD: STD PALM MICROPHONE APX	1	$72.00	$52.56	$52.56
1p	G361AH	ENH: P25 TRUNKING SOFTWARE APX	1	$300.00	$219.00	$219.00
2	LSV00Q00202A	DEVICE PROGRAMMING	1	$562.50	$562.50	$562.50
	APX™ 8000 Series	APX8000XE				
3	H91TGD9PW6AN	APX 8000 ALL BAND PORTABLE MODEL 2.5	6	$5,983.00	$4,367.59	$26,205.54
3a	Q806CB	ADD: ASTRO DIGITAL CAI OPERATION	6	$515.00	$375.95	$2,255.70
3b	Q361AN	ADD: P25 9600 BAUD TRUNKING	6	$300.00	$219.00	$1,314.00
3c	QA02006AC	ENH: APX8000XE RUGGED RADIO	6	$800.00	$584.00	$3,504.00
3d	Q58AL	ADD: 3Y ESSENTIAL SERVICE	6	$115.00	$115.00	$690.00
3e	QA01767AB	ADD: P25 LINK LAYER AUTHENTICATION	6	$100.00	$73.00	$438.00
3f	QA05509AA	DEL: DELETE UHF BAND	6	-$800.00	-$584.00	-$3,504.00
3g	QA05508AA	DEL: DELETE VHF BAND	6	-$800.00	-$584.00	-$3,504.00
3h	Q498AU	ENH: ASTRO 25 OTAR W/ MULTIKEY	6	$740.00	$540.20	$3,241.20
3i	H38BS	ADD: SMARTZONE OPERATION	6	$1,500.00	$1,095.00	$6,570.00
3j	Q629AH	ENH: AES ENCRYPTION AND ADP	6	$475.00	$346.75	$2,080.50

Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the ""Underlying Agreement"") that authorizes Customer to purchase equipment and/or services or license software (collectively ""Products""). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
3k	QA01427AG	ALT: APX8000/XE HOUSING GREEN	6	$25.00	$18.25	$109.50
4	NNTN8860A	CHARGER, SINGLE-UNIT, IMPRES 2, 3A, 115VAC, US/NA	6	$157.00	$117.75	$706.50
5	PMMN4107C	XE500 REMOTE SPKR MIC WITHOUT CHANNEL KNOB, HIGH IMPACT GREEN	6	$550.00	$412.50	$2,475.00

Grand Total $49,561.61(USD)

Notes:

Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the ""Underlying Agreement"") that authorizes Customer to purchase equipment and/or services or license software (collectively ""Products""). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.

Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

MOTOROLA SOLUTIONS

Purchase Order Checklist
Marked as PO/ Contract/ Notice to Proceed on Company Letterhead **(PO will not be processed without this)**
PO Number/ Contract Number
PO Date
Vendor = Motorola Solutions, Inc.
Payment (Billing) Terms/ State Contract Number
Bill-To Name on PO must be equal to the *Legal* Bill-To Name
Bill-To Address
Ship-To Address (If we are shipping to a MR location, it must be documented on PO)
Ultimate Address (If the Ship-To address is the MR location then the Ultimate Destination address must be documented on PO)
PO Amount must be equal to or greater than Order Total
Non-Editable Format (Word/ Excel templates cannot be accepted)
Bill To Contact Name & Phone # and EMAIL for customer accounts payable dept
Ship To Contact Name & Phone #
Tax Exemption Status
Signatures (As required)

CONTRACT PRICING WORKSHEET
For MOTOR VEHICLES Only

Contract No.:	VE11-20	Date Prepared:	6/8/2021

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents MUST be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.

Buying Agency:	EL PASO COUNTY ESD#1 -HORIZON CITY, TX	**Contractor:**	ROCKDALE COUNTRY FORD
Contact Person:	CHIEF KRISTIAN MENENDEZ	**Prepared By:**	AVERYT KNAPP
Phone:	915-852-3204 / C-915-820-7420	**Phone:**	979-567-6116
Fax:		**Fax:**	979-567-0853
Email:	KMENENDEZ@EPCESD1.COM	**Email:**	AKNAPP@CALDWELLCOUNTRY.COM

Product Code:	**D09**	**Description:**	**FORD EXPLORER K8A**

A. Product Item Base Unit Price Per Contractor's H-GAC Contract: 27775

B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable.
(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
3.0L-V6 ECOBOOST 99C	4320	FRONT LICENTE PLATE BRACKET 153	INCL
AUXILARY CLIMATE CONTROL 17A	610	VERMILLION RED E4	INCL
TRAILER TOW CLASS III PACKAGE 52T	80	EBONY CLOTH F6	INCL
BLIND SPOT INFO 55B	545	TAILLAMP HOUSING PROVISION 86T	60
KEYLESS ENTRY 55F	340	H8 AGM BATTERY 19K	110
ANTI THEFT 593	120	REAR CAMERA ON DEMAND 19V	230
OBD-II SPLIT CONNECTOR 61B	55	UNDERBODY DEFLECTOR PLATE 76D	335
18" ALUMINUM WHEELS 64E	475	GRILLE LED WIRING 60A	55
INTERIOR UPGRADE PACKAGE PPV 65U	390	12.1" INTEGRATED COMPUTER SCREEN 47E	2745
PRE COLLISION ASSIST 76P	145	HGAC PUBLISHED OPTION DISCOUNT	-653
REVERSE SENSE 76R	275	**Subtotal From Additional Sheet(s):**	
		Subtotal B:	10237

C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary.
(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
PAINT HOOD WHITE	600	2022 MATERIALS STEEL CHIP AWD ADJUSTMENT	4320
REMOTE START DEALERSHIP INSTALL	780	**Subtotal From Additional Sheet(s):**	
		Subtotal C:	5700

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B). **For this transaction the percentage is:** 15%

D. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C)

Quantity Ordered:	1	**X Subtotal of A + B + C:**	43712	=	**Subtotal D:**	43712

E. H-GAC Order Processing Charge (Amount Per Current Policy) **Subtotal E:** $600

F. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges

Description	Cost	Description	Cost
		CUSTOMER PICKUPS	INCL
		EXTERIOR COLOR VERMILLION RED E4	INCL
		Subtotal F:	0

Delivery Date:	**150 DAYS APPX**	100	**G. Total Purchase Price (D+E+F):**	44312

HGACBuy THE SMART PURCHASING SOLUTION

El Paso COUNTY
EMERGENCY SERVICES DIST. #1

14151 Nunda Ave. • Horizon City, TX 79928
Bus. Phone (915) 852-3204 • Facsimile (915) 852-8400

To: Mayor, Council Members and Chief of Police

From: Kristian Menendez
Fire Chief

Subject: Enhanced Statement of Need for equipment in response to COVID 19

Date: July 7, 2021

The El Paso County Emergency Services District No. 1, Horizon Fire Department is seeking funding for the following items to assist with CoVID 19 response and remediation. As First Responders for the community we have an obligation to be prepared, be able to respond to and have control plans in place for the staff and volunteers. This includes being able to maintain social distancing, and how we interact act with the public in person from emergency response to CoVID 19 vaccinations. The issue at hand is that our personnel are the first line responders to the public when they are diagnosed with, possibly have, or are asymptomatic of the virus CoVID 19. So how do we provide a solution to the problem and keep our responders healthy along with the public.

We do so by funding the equipment needs below. The department has taken on many tasks that involve CoVID 19 to include emergency response to those who are presenting with symptoms and are ill. Providing testing to the community when CoVID 19 was at its all-time high. Providing Vaccines to those who wish to receive them. This all happening while keeping our first responders healthy. Understand that all our First Responders are volunteers, and risk exposing themselves to CoVID 19 all while they work their primary jobs to provide for their families. Without these men and women, we would not be able to provide the exceptional service they give to the community. So, its paramount that we invest in them, and they in turn invest into the community. Looking over the past 6 months we have responded to 91 positive Covid Pt's, 147 possible CoVID pt.'s, have tested several hundred persons of the public and given out over 60 vaccines in our area to date. CoVID is still here, and we are still responding to those emergencies.

Why these items and how will they help? The SCBA masks are full face mask that can be reused over and over. They are good for up to ten years and provide full face protection to include eyes, nose and mouth. After use they are cleaned and ready for the next response, thus saving funds on masks and goggles over that period. Currently we do not have enough masks for everyone, and sizes are an issue. The radios being requested will allow for communications when on CoVID calls. We can limit the exposure by only sending in one Fire Fighter. If equipment or additional equipment is needed, they can call for assistance. It expedites the process and lessons the exposure to crew members. The Horizon Fire Department has increased it personnel to 75, with

that there are not enough radios for all the members when they respond to these CoVID calls. The unit will allow our personnel to keep their distance when responding and or delivering CoVID supplies to stations, Vaccine sites or any other CoVID related duty. We currently place up to three members in a vehicle to respond to these calls. By having another vehicle if one member was to be exposed, we do not have to remove all three from duty as we have done in the past for the 10-day quarantine; We can limit it to just one. This would prevent a strain on staffing that has occurred in the past.

Funding is a large hurdle we encounter when purchasing equipment as there is not always enough to purchase the equipment that is needed. The First Responders need these items as it will provide for a safer response, better communication, and keep personnel separated in case of exposure. If we do not fund these items, we continue to expose the Fire fighters to Covid 19 and risk their health. There was a time when the Fire Fighters primary employers were not going to allow them to continue to volunteer because of the risk that is imposed by responding to these calls and not being able to work at their primary jobs. We have since overcome that hurdle, but that issue can always reappear if we do not do everything we can, to keep our Fire Fighters safe.

The items listed are in order from greatest need to least great. Quotes are also attached, and ready for funding. Understand all items listed are needed but if limited funding is available this is how the equipment has been ranked:

1.	SCBA Masks w/ Comms	Qty 10	$15,921.20
2.	Communication – Radios	Qty 7	$49,561.61
3.	CoVID remediation/Logistics unit	Qty 1	$44,312.00
	Total		**$109,794.81**

Respectfully,

Kristian Menendez
Fire Chief
El Paso County ESD No. 1
Horizon Fire Department
14151 Nunda ave
Horizon City, TX 79928

HORIZON CITY CARES EXPENDITURES

ACTUAL THROUGH JUNE 2021 AND ESTIMATED FOR THE PERIOD JUNE TO DECEMBER 2021

LINE NO.	VENDOR	PURPOSE	AMOUNT
1	Funding		$ 1,080,310.00
	Expenditures through 5/31/21		
2	Town of Horizon City Payroll	Families First Coronavirus Response Act Emergency Paid Leave	39,361.25
3	Bojorquez Law Firm	City Attorney	10,960.00
4	Amazon, Staples, Xclean,etc	PPE, disinfectants, cleaning supplies and equipment	64,840.56
5	Burnett Staffing, KleanIt Janitorial	Contract labor for deep cleaning and temperature screeners	222,612.31
6	Hunt Institute	Study on effects of COVID	21,193.91
7	CDWG, Amzon, Office Depot	Computers, office furniture	62,303.11
8	Enterpirse, Mobile Mini, Sarabia	Rental expenses for equipment, portable offices	58,764.96
9	ID Wholesaler	Temperature Kiosk	7,497.00
10	CASA Nissan	Police vehicle for COVID related duties	22,765.68
11	Emegency Services District 1	Grant	134,654.90
12	El Pasoans Fighting Hunger	Grant	26,250.00
13	Elite Medical Transport	Grant	9,000.00
14	Eastwood Locksmith/Net-Tech/Amazon	maintenance for security	5,341.80
15	Total Actual Expenditures		685,545.48
	Estimated Expense 7/1-12/31/21		
16	Emergency Services District 1	Grant for equipment	109,795.00
17	Elite Medical Transport	Grant	8,828.09
18	Burnett Staffing	Temperature Screeners	1,800.00
19	Kleanit Janitorial	Deep cleaning and Fogging	24,000.00
20	Various	PPE, disinfectants, cleaning supplies and equipment	25,400.00
21	Mobile Mini	Portable Offices	14,820.00
22	EMCO Office Trailers/Other	9 Office mobile unit	105,000.00
23	Ford/Chevrolet	Purchase of vehicles for social distancing	92,000.00
24	Cano HR Group	Consulting	4,000.00
25	Bojorquez Law Firm	Attorney	4,800.00
26	Total Estimated Expenditures		390,443.09
27	Estimated Programmed Funds		$ 1,075,988.57
28	Unprogrammed		$ 4,321.43

EMCO Office Trailers, Inc.

Quotation

6624 Doniphan Dr. El Paso, TX, 79835

DATE July 2, 2021
Quotation # 2110
Customer ID

Bill To:
Horizon City
14999 Darrington Rd.
Horizon City, TX, 79928
Atn, Elvia Schuller

Quotation valid until: July 12, 2021
Prepared by: Edgar M. Jacobsen

Comments or special instructions: Prices plus Tax. Time to perform trailer renovations 6 to 8 weeks after downpayment. All labor included.

Description	AMOUNT
Completely remodeled pre-owned office trailer 28 ft. x 60 ft. includes: =9 Offices (different sizes) = One Bathroom with urinal =One breakroom area with cabinets and sink. = One water heater for bathroom and kitchen = 2 exterior doors = HVAC units (heating and refrigeration package) with new filters. = New Sheetrock in walls. = New interior Paint = New Vinyl floor and new wall base = New wood exterior with new paint (different colors available) = 2x4 walls (exterior walls insulated)	$74,723.00
Transport and Set up	$ 5,850.00
Quote based on Layout send by client and conversation by phone.	
TOTAL before Tax	$80,573.00

If you have any questions concerning this quotation, contact us at emcoofficetrailers@yahoo.com or (915) 2196948
60% Downpayment required to start works and 30% once the trailer is finished before left EMCO's yard and
10% when Transport and setup work is finished.

THANK YOU FOR YOUR BUSINESS!

Elvia Schuller

From: Mary Holguin <mholguin@mobilemini.com>
Sent: Thursday, May 13, 2021 1:46 PM
To: Elvia Schuller
Subject: FW: Horizon

Hi Elvia We were not approved by our Corporate office to sell our rental fleet. Limited inventory for El Paso

---

From: Mary Holguin <mholguin@mobilemini.com>
Sent: Thursday, May 13, 2021 11:32 AM
To: Jose Corral <jcorral@mobilemini.com>
Subject: Horizon

Can we please sell these offices. Long term need.

☐	▾Date	Price	Serial #	Description	Quantity	Address	Postal code/Zip code	Status	PO #	
☐	26-Feb-2021	700.00	AY30SYW0212	30' OPEN BAY OFFICE	1.00	15001 Darrington Rd El Paso	79928-7308	ON RENT	005685	VIE 100
☐	03-Feb-2021	555.00	AY30NYW0052	30' OPEN BAY OFFICE	1.00	14999 DARRINGTON RD El Paso	79928	ON RENT	005636	VIE 100
☐	23-Sep-2020	555.00	AY30SYW0094	30' OPEN BAY OFFICE	1.00	14999 DARRINGTON RD El Paso	79928	ON RENT	005395	VIE 100
☐	24-Jul-2020	554.00	AY30UYW0189	30' OPEN BAY OFFICE	1.00	15001 Darrington Rd El Paso	79928	ON RENT	SOCIAL DISTANCING	VIE 100

CLONE CONTRACT | EXPORT | SERVICE | PICKUP

Mary Holguin | Inside Sales Representative | Mobile Mini | www.mobilemini.com
Direct/Text: 915.860.1935 | **F:** 915.860.1912 | mholguin@mobilemini.com
11931 Trans Park Drive El Paso, TX 79927

WILLSCOT | mobile mini SOLUTIONS | ASIAN PACIFIC AMERICAN HERITAGE MONTH

WillScot and Mobile Mini have united to become the leader in temporary space and storage solu
Learn More.
×

USED MOBILE OFFICE TRAILERS FOR SALE

WillScot is North America's largest provider of mobile office trailers and portable storage units.

For customers who prefer to own their own space at a great value, we offer select units for sale.

If you're interested in purchasing a used mobile office trailer, use the search functionality below to browse the buildings available for sale in your area.

If you don't see what you need or you prefer to rent, chances are we have the right solution for you. Simply request a quote and a WillScot expert will be in touch soon.

SEARCH FOR PRODUCTS NEAR YOU

Please enter your project zip code to view units available in your area with pricing.

Zip Code

79928

Distance

100

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Search By Unit #

SEARCH

CHAT NOW

BUY OR RENT A MOBILE OFFICE TRAILER

We have more than 300,000 mobile office trailers and portable storage units for rent or sale throughout our network of 120 branches in North America.

Request a quote now and a WillScot expert will help you find a mobile office or storage unit that best fits your needs.

REQUEST A QUOTE (/CUSTOMER-SUPPORT/REQUEST-A-QUOTE)

0 Products

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(https://www.linkedin.com/company/willscot)

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CHAT NOW

MENU 110 (tel:866-344-6192)

TMRS

June 11, 2021

Ms. Patricia Randleel
Finance Director
City of Horizon City
14999 Darrington Rd
Horizon City, TX 79928-7442

Dear Ms. Randleel:

We are pleased to enclose a model ordinance for your city to adopt:

Restricted Prior Service Credit

This option allows a member city to grant restricted prior service credit to employees for service performed for:

- A public authority or agency created by the United States.
- Any state or territory of the United States.
- Any political subdivision of any state of the United States.
- Any public agency or authority created by a state or territory of the United States.
- Previously forfeited service with one of the five statewide retirement systems in Texas (Texas Municipal Retirement System, Texas County and District Retirement System, Teacher Retirement System of Texas, Employees Retirement System of Texas, and Judicial Retirement System of Texas).
- Any institution of higher education at which the person was commissioned as a campus security personnel employee.

This credit is used to satisfy length of service requirements for "vesting" and service retirement eligibility; it has no monetary value.

The city's contribution rate will not be immediately affected by the adoption of this provision. Because Restricted Prior Service Credit allows employees time credit for vesting and retirement eligibility requirements, it can have an impact on the city's contribution rate in future years as employees apply for the credits; however, any such rate increase is generally expected to be very slight in any given year, depending upon the amount of service credit added.

We would appreciate receiving a copy of the enclosed ordinance within 30 days of its adoption.

If you have any questions or concerns, please do not hesitate to contact me at 1-800-924-8677.

Sincerely,

Eric W. Davis
Chief Service Officer

TEXAS MUNICIPAL RETIREMENT SYSTEM

AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, RESTRICTED PRIOR SERVICE CREDIT TO EMPLOYEES WHO ARE MEMBERS OF THE SYSTEM FOR SERVICE PREVIOUSLY PERFORMED FOR VARIOUS OTHER PUBLIC ENTITIES FOR WHICH THEY HAVE NOT RECEIVED CREDITED SERVICE; AND ESTABLISHING AN EFFECTIVE DATE FOR THE ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORIZON, TEXAS:

Section 1. Authorization of Restricted Prior Service Credit.

(a) On the terms and conditions set out in Sections 853.305 of Subtitle G of Title 8, Texas Government Code, as amended (hereinafter referred to as the "TMRS Act"), each member of the Texas Municipal Retirement System (hereinafter referred to as the "System") who is now or who hereafter becomes an employee of this City shall receive restricted prior service credit for service previously performed as an employee of any of the entities described in said Section 853.305 provided that (1) the person does not otherwise have credited service in the System for that service, and (2) the service meets the requirements of said Section 853.305.

(b) The service credit hereby granted may be used only to satisfy length-of-service requirements for retirement eligibility, has no monetary value in computing the annuity payments allowable to the member, and may not be used in other computations, including computation of Updated Service Credits.

(c) A member seeking to establish restricted prior service credit under this ordinance must take the action required under said Section 853.305 while still an employee of this City.

Section 2. This ordinance shall become effective on the first day of _____, 20_____.

Passed and approved this the _____ day of _____, 20_____.

ATTEST: **APPROVED:**

_____ _____

City Secretary or Clerk Mayor

ORIDNANCE NO. _____

TOWN OF HORIZON CITY, TEXAS

AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, RESTRICTED PRIOR SERVICE CREDIT TO EMPLOYEES WHO ARE MEMBERS OF THE SYSTEM FOR SERVICE PREVIOUSLY PERFORMED FOR VARIOUS OTHER PUBLIC ENTITIES FOR WHICH THEY HAVE NOT RECEIVED CREDITED SERVICE; AND ESTABLISHING AN EFFECTIVE DATE FOR THE ORDINANCE.

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

Section 1. Authorization of Restricted Prior Service Credit.

(a) On the terms and conditions set out in Sections 853.305 of Subtitle G of Title 8, Texas Government Code, as amended (hereinafter referred to as the "TMRS Act"), each member of the Texas Municipal Retirement System (hereinafter referred to as the "System") who is now or who hereafter becomes an employee of this City shall receive restricted prior service credit for service previously performed as an employee of any of the entities described in said Section 853.305 provided that (1) the person does not otherwise have credited service in the System for that service, and (2) the service meets the requirements of said Section 853.305.

(b) The service credit hereby granted may be used only to satisfy length-of-service requirements for retirement eligibility, has no monetary value in computing the annuity payments allowable to the member, and may not be used in other computations, including computation of Updated Service Credits.

(c) A member seeking to establish restricted prior service credit under this ordinance must take the action required under said Section 853.305 while still an employee of this City.

Section 2. Effective Date. This ordinance shall become effective on the first day of July , 2021.

Passed and approved this the _____ day of June, 2021

TOWN OF HORIZON CITY

By:_____
Ruben Mendoza, Mayor

ATTEST:

By:_____
Elvia Schuller, City Clerk

TOWN OF HORIZON CITY
MEMORANDUM

Date: July 8, 2021

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, Planning Director

SUBJECT: On a request for an exception to Chapter 14, Section 602.8 (Exhibit A), Subsection B.7 of the Municipal Code to allow for the sale of alcoholic beverages within 300 feet of a day care center for property located at 13650 Eastlake Blvd Suite A-106. Submitted by Miguel Ortiz.

An exception request has been received by staff to allow for the sale of alcoholic beverages within 300 feet of a day care center. Dayvasos restaurant is looking to locate within an existing single-story shopping center located at 13650 Eastlake Boulevard and the sale of alcohol is incidental to the restaurant use. The applicant's lease agreement limits their alcohol sales to no more than 20% of their total sales. The Aladdin Daycare Center is located in the same shopping center, although it is on a different lot. There are at least two other tenants within the same shopping center who sell alcohol as part of their operation; both were in operation before the day care center opened.

Section 602.8, subsection B.2 prohibits the sale of alcoholic beverages when the place of business with within three hundred (300) feet of a day care center or child care facility. In such instances, the distance between the place of business where alcoholic beverages are sold and a day care shall be measured in direct line from the property line of the day care center or child care facility to the property line of the place of business, and in direct line across intersections. Being that the two tenants are within same shopping center and their lots share a property line, staff is unable to sign off on the applicant's application to the Texas Alcoholic Beverage Commission.

Subsection B.7 of Section 602.8 allows for City Council to grant an exception to the prohibition of the sale of alcoholic beverages within three hundred feet of a church, school, **commercial day care center**, or public hospital after notice and public hearing if the council determines that the enforcement of the prohibition in a particular instance:

a. Is not in the best interest of the public;
b. Constitutes waste or the inefficient use of land or other resources;
c. Creates an undue hardship on an applicant;
d. Does not serve its intended purpose;
e. Is not effective or necessary; or
f. For any other reason the city council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

Notice of this public hearing was provided to Aladdin Daycare Center's representative via email and the notice was posted at City Hall. Attached are the original request from the restaurant's representative, the lease agreement, and a letter from day care's representative.

14999 Darrington Rd. Horizon City, Texas 79928 (915) 852-1046 Fax (915) 852-1005

July 1st 2021

Dear Horizon City Council:

This is Miguel Ortiz, owner of Mosvi Company LLC dba Dayvasos Jn.
We would like to ask for a grant of exception to get a signature needed from the TABC, Texas Alcohol Beverage Commission application.

The location of the business is 13650 Eastlake Suite A106.

Bellow we will list statements to support our petition.

- We already contacted Aladdin Daycare we spoke with Brenda Guerrero and they have no issues with us selling alcohol. They are actually located on another building. (Letter attached)
- We are a clamato based restaurant we actually sell only 20% of alcohol of our total sales, this is actually stated in our lease contract document attached.
- We don't sale hard liquor, the license we are trying to get only allows us to sell Beer and Wine. We are a family oriented restaurant kids are allowed at all times.
- There is already other places selling alcohol in the proposed location: (Pockets, Tacos Santa Cecilia and WB Liquors). It is a big shopping center.
- We already hold 2 TABC licenses, we have had them for 8 years and we have not had any problems whatsoever.
- We already have a signed lease for 5 years, if we are unable to get this permit, it would create a undue hardship for us.

We are very excited to be part of this growing city, and we hope we do business in the city for many years to come.

Sincerely

Miguel Ortiz

915 401 0328

LEASE AMENDMENT
(No. 1)

This Lease Amendment (this "Amendment") is executed to be effective as of the 1 day of July, 20 21, by and between **JAF-Paso Partners, L.P.** ("Landlord") and **Mosvi Company, LLC dba Dayvasos** ("Tenant").

RECITALS

WHEREAS, Landlord and Tenant are parties to that certain Standard Shopping Center Lease, dated June 16, 2021 for the premises (the "Premises") located at 13650 Eastlake, Suite A106 in the City of Horizon City State of Texas (as previously amended and/or assigned, the "Lease");

WHEREAS, the parties desire to amend certain provisions of the Lease as provided herein.

NOW THEREFORE, for and in consideration of Ten and No/100ths Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and the mutual agreements and promises of the parties as set forth herein, the parties agree as follows:

1. Notwithstanding anything contained in the Lease to the contrary the Tenants Use is hereby amended to include the following: Sale of Prepared Clamato, Snacks and Beer, specifically excluding the sale of liquor, provided the total amount of such beer sales shall not exceed 20% of Tenant's overall sales. In the event Tenant's beer sales should be in excess of the 20% limit specified in the preceding sentence, such violation shall be considered a "default" pursuant to paragraph 25.1 of the Lease and Landlord shall have the right to pursue any of the Landlord remedies specified in section 25 of the Lease.

2. The parties agree and acknowledge that Landlord's name was inadvertently misspelled in the Lease and that the correct spelling of Landlord's name is "JAF-Paso Partners, L.P.".

3. By execution hereof, the undersigned Guarantors hereby release Landlord from any and all damages, claims, demands, liabilities and causes of action arising from or related to the Lease and/or the Premises accruing prior to the date hereof. The undersigned Guarantors hereby agree and acknowledge that their respective guaranties remain in full force and effect with respect to the Lease, as modified by this Amendment, and agrees to the terms and provisions of this Amendment.

4. Except as modified herein, all provisions of the Lease shall continue in full force and effect and the parties agree to be bound thereby. In the event of a conflict between the terms and provisions of the Lease and this Amendment, the terms and provisions of this Amendment shall govern and control. All capitalized terms used herein not otherwise defined shall have the meaning as set forth in the Lease.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date set forth above.

LANDLORD:

JAF-Paso Partners, L.P.
By: Mesita Investors, L.L.C.
Its: General Partner
By: Meyer Marcus
Its: Manager

Address: c/o MIMCO, LLC
6500 Montana
El Paso, Texas 79925

TENANT:

Mosvi Company, LLC dba Dayvasos
By: Miguel Ortiz
Its: Owner

Notice Address: 3737 N Mesa St #2 D1
El Paso TX 79902
Business Phone: 915-533-0449
Email Address: oima012986@gmail.com

GUARANTOR:

Miguel Ortiz, Individually

GUARANTOR:

Osvaldo Rodarte

Osvaldo Rodarte, Individually

https://mimcoinc-my.sharepoint.com/personal/eherrera_mimcoproperties_com/Documents/Erica LEASES & AMENDMENTS/Lease Amendments/13650 Eastlake, Suite A106 - Msvi Company, LLC - Lease Amendment 1.docx

To whom it may concern, Aladdin Daycare Center with address 19021 Darrington Space G707, Horizon TX. 79928, has no problem with the new Tenant (Dayvasos) selling alcohol in their space.

Feel free to contact me if you have any questions, Thank you.

BRENDA MUNOZ
DIRECTOR
(915) 929-0292

TOWN OF HORIZON CITY
MEMORANDUM

Date: June 3, 2021

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, Planning Director

SUBJECT: **1st Reading of Ordinance ___:** An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning three parcels: parcel I from C-2 to R-2; parcel II from R-9/CO to R-2; and parcel III from R-9/CO to C-2; containing approximately 17.933 acres; being a portion of C D Stewart Survey No. 321, El Paso County, Texas; located north and east of the intersection of Town Center Dr. and Horizon Crossing St.; and authorizing the notation of the change on the official zoning map of the Town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

On May 17, 2021, the Planning and Zoning Commission voted unanimously to recommend that the City Council approve the rezoning of the subject property from R-9 (Residential) and C-2 (Commercial) zones to R-2 (Residential) and C-2 (Commercial) zones.

The applicant's request is to rezone the property to a C-2 (Commercial) zone to allow for commercial and residential development. The staff recommendation to the Planning and Zoning Commission was to approve this request. Although the Comprehensive plan designates this area for High-Density Single-Family development, staff believes that the development of this area will help enhance the surrounding properties. Due to their transition from single-family housing units to commercial development, the proposed development is consistent with the single-family unit neighborhood south of HTC Unit 4 and the commercial development north and east of the subdivision.

The preliminary plat for this property was approved by the City Council on May 11, 2021 and it was contingent upon the rezoning request being approved.

Attached for your review, is the draft Ordinance and the staff report, which includes the plat information, that was presented to the Planning and Zoning Commission.

14999 Darrington Rd. Horizon City, Texas 79928 (915) 852-1046 Fax (915) 852-1005

TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report
REVISED

Case No.: SUB002470-2021 & RZ-002471-2021
Horizon Town Center -Unit 4
Application Type: **Preliminary Subdivision**
P&Z Hearing Date: April 19, 2021
Staff Contact: Emily Offer, Planning Staff
915-238-0691; eoffer@horizoncity.org

Address/Location: Abutting the North East corner of Town Center Dr. and Horizon Crossing St.
Legal Description: Horizon Town Center Unit 4 –
A portion of C D STEWART SURVEY #321 (36.3857 AC)
El Paso County, Horizon City, Texas
Property Owner: Ranchos Real XV, LLC
Applicant: Conde, Inc.
Nearest Park: Corky Park
Nearest School: Frank Macias Elementary School

SURROUNDING PROPERTIES:

	Zoning	Land Use
N	C-2 (Commercial)	Vacant
E	C-2 (Commercial)	Walmart
S	R- (Residential)	Single Family Residential and Vacant
SW	R-9 (Residential)	Vacant
NW	C-2 (Commercial)	Hospital of Providence

LAND USE AND ZONING:

	Existing	Proposed
Land Use	Vacant	Residential and Commercial
Zoning	R-9/Conditional Overlay (CO) Residential and C-2 Commercial	R-2 Residential and C-2 Commercial

Application Description:
Rezone:
The applicant is requesting to rezone approximately 17.933 acres of land that is currently vacant and zoned as R-9/CO (residential) and C-2 (commercial) to be rezoned as R-2 (residential) and C-2 (commercial). The property abuts the northeast corner of Town Center Dr. and Horizon Crossing St. The proposed rezoning is as follows (please refer to the attached zoning plan):

- Parcel I – from C-2 to R-2
- Parcel II – from R-9/CO to R-2
- Parcel III – from R-9/CO to C-2

Preliminary Subdivision:

The applicant is also requesting to subdivide approximately 10.736 acres of the area proposed to be rezoned to incorporate a residential subdivision. The proposed subdivision includes 39 lots for single-family residential development, the smallest lot measuring approximately 6,694 square feet and the largest lot measuring approximately 16,973 square feet in size. In accordance with Section 2.8.1 of the Subdivision Ordinance, the developer is required to pay $10,800.00 ($400 per residential unit) in parkland fees. This unit will utilize the parkland credit carried over from Units 1 and 2, as approved by City Council, leaving the developer with a remaining credit of 0.053 acres for any future units within the development.

Notice:

In accordance with Section 211.007 of the Texas Local Government Code, notices of the April 19, 2021 public hearing for the rezoning request were sent to the school district of jurisdiction and to those property owners within 200 feet of the subject property on April 1, 2021. In addition, the applicant is required to erect signs notifying the public of the proposed rezoning on the site proposed for rezoning fifteen (15) days prior to the Planning and Zoning Commission public hearing. The sign that was installed does not meet the minimum notification requirements; therefore, staff and the applicant are requesting that the rezoning application be postponed to the next available meeting.

Vision 2020 – Future Land Use Map Designation:

Horizon City Vision 2020 Strategic Master Plan designates this area as High-Density Single Family. This land use designation includes residential development including approximately 12 to 15 dwellings per acre.

Staff Recommendation:

Although the Comprehensive plan designates this area for High-Density Single-Family development, staff believes that the development of this area will help enhance the surrounding properties. Due to their transition from Single Family housing units to commercial development, the proposed development is consistent with the single-family unit neighborhood south of HTC Unit 4 and the commercial development northwest and east of the subdivision; staff recommends ***APPROVAL*** of the preliminary plat with the condition that all staff comments shall be addressed prior to City Council action. Additionally, the approval of the plat is contingent upon the approval of the rezoning request by the City Council.

At this time, staff requests that the Planning and Zoning Commission postpone the rezoning request until such time that the notice on the property is corrected to include the current and requested zoning.

Planning Division Comments:

Preliminary Plat:

- Horizon Town Center -Unit 4 revised their plat to address planning division comments made. (09APR21)

Public Works Director Comments:

1. Show location of water courses, ravines, present structures, and other features pertinent to subdivision. Provide the total flow for that specific watershed area.
2. Provide Benchmark with Datum information.
3. Provide the total acreage of each lot below the lot number/square footage.
4. El Paso County 9-1-1 District approval is required for the addresses.
5. All lots with curves are missing curve data.
6. Line Table shows L3-L5. Metes and Bounds description does not include this information. Verify if this information belongs to Unit 1. If so, delete.

7. Quadrant in Metes and Bounds description #3 and in the curve table C2 do not match.
8. Verify Metes and Bounds description sequence as it stops in number 5.
9. Verify block number sequence for this subdivision as it increases from Block 1 to Block 27.

NOTE: Traffic study will need to be updated to account for the school and this development.

Town Engineer Comments:

Recommended Conditions for Preliminary Plat Approval:

1. Provide certification that all utilities have approved locations of easements and that service will be provided to development.
2. Show the sizes of all utilities shown on plat.
3. Provide Closure report for subdivision and lots.
4. Verify bearing in Note 3 of Metes and Bounds, does not match bearing on curve table.
5. Verify drainage on Mar Vista, Master Drainage Plan shows runoff toward proposed in Unit 4. Plat show flow onto Town Center Dr.
6. Provide curve information for the lots in the cul-de-sacs and heals.
7. Provide revision date on plat.

El Paso 9-1-1 District Comments:

The 911 District has no adverse comments regarding this plat.

School District Comments:

The Socorro Independent School District has reviewed Horizon Town Center Unit Four. This subdivision will be serviced by Horizon Heights Elementary, Colonel John Ensor Middle, and Eastlake High.

Clint Independent School District has no comments, this subdivision is not within Clint ISD's jurisdiction.

TxDOT Comments:

TxDOT has no comments since proposed unit is not abutting TxDOT right of way.

City staff response: A traffic impact analysis for the overall development has been reviewed and approved by TxDOT. A traffic signal at Horizon Crossing Street and Horizon Boulevard is warranted and the City continues to work with TxDOT towards ensuring that the signal gets installed.

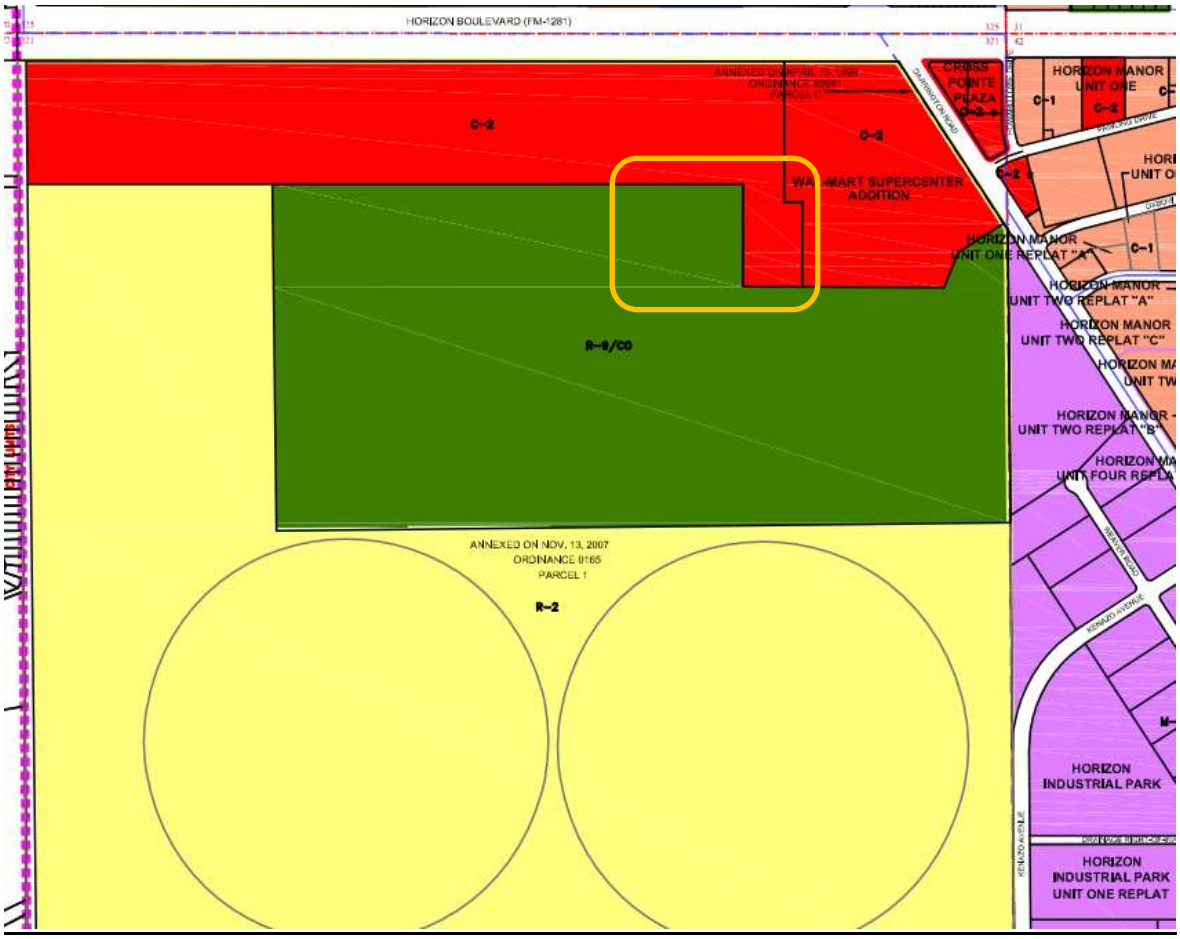
El Paso Central Appraisal District Comments:

The EPCAD approves this development.

Attachments:

1 - Zoning Designation
2 – Aerial
3 - Future Land Use Map (Comp Plan)
4 - Location Map
5 – Applications
6 – Zoning Plan
7 – Preliminary Plat

Attachment 1: Zoning Designation



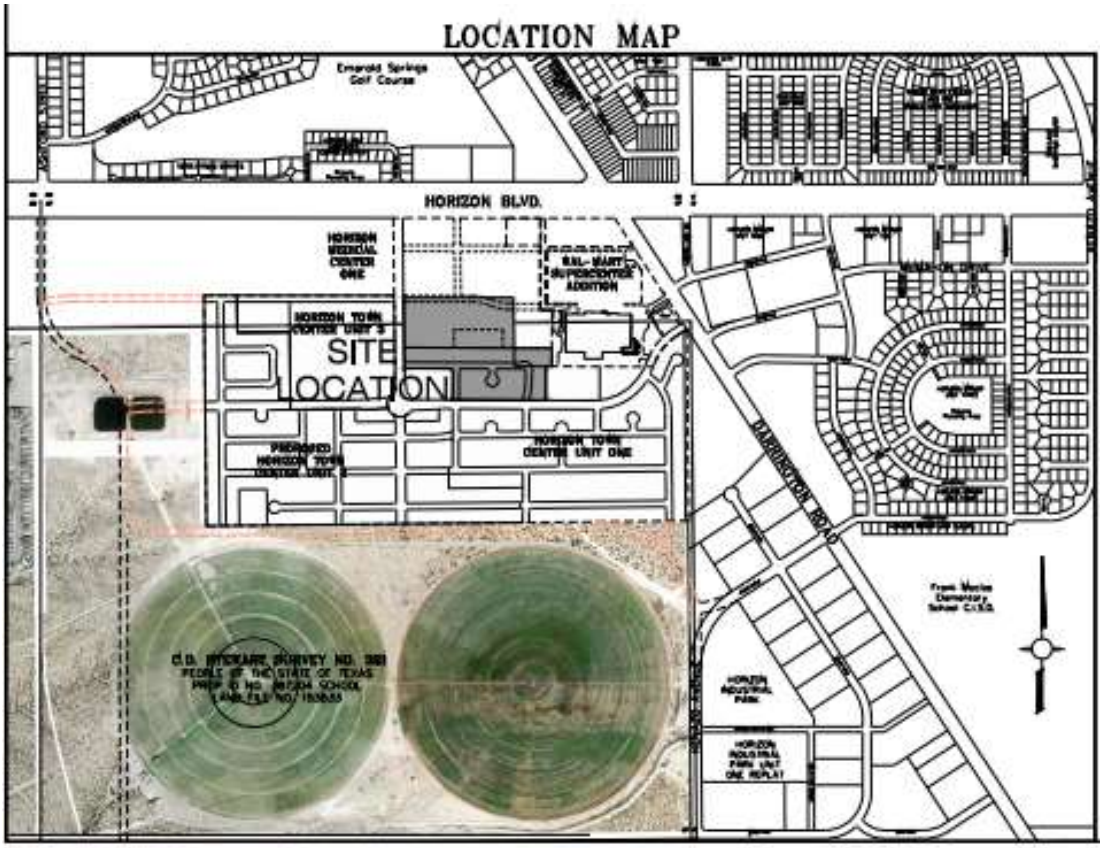
Attachment 2: Aerial



Attachment 3: Future Land Use Map



Attachment 4: Location Map



Attachment 5: Applications

TOWN OF HORIZON CITY
14999 Darrington Road
Horizon City, Texas 79928
Phone 915-852-1046 Fax 915-852-1005

REZONE APPLICATION

1. Owner of Record Ranchos Real XV, LLC
6080 Surety Dr., Ste. El Paso, TX 79905 (ADDRESS) 915-592-0890 (ZIP) (PHONE) dschwartz@swld.net (EMAIL)
2. Applicant Conde, Inc. Is applicant also the Owner? ☐Yes ☒No
Contact Person Conrad Conde
6080 Surety Dr., Ste. 100 El Paso, TX 79905 (ADDRESS) 915-5920283 (ZIP) (PHONE) cconde@condeinc.com (EMAIL)
3. PARCEL ONE
Site Address/Location Being a Portion of C. D. Stewart Survey No. 321, Town of Horizon City, El Paso County,
Legal Description: Texas, 1.062 acres (Lot) (Block) Horizon Town Center Unit Four (Subdivision Name)
PARCEL TWO
Site Address/Location Being a Portion of C. D. Stewart Survey No. 321, Town of Horizon City, El Paso County,
Legal Description: Texas, 8.254 acres (Lot) (Block) Horizon Town Center Unit Four (Subdivision Name)
If the legal description of the complete tracts or if plat is not available, attached are the **required** Metes & Bounds Description & survey map(s)? ☐Yes ☐No
4. Briefly explain why you request to rezone? Clean up Rezoning
5. Land's Presents Use: Zone
Land Vacant ☒ Lot size n/a Structure ☐ Structure's size n/a Last known date the structure was occupied? n/a
Land's Proposed Use: Residential and Commercial Proposed Zone Use R-2 and C-2
Will you be making any improvements to the existing lot or structure? ☐Yes ☐No This request includes *Site Development Plans* for approval? ☐Yes ☐No

NOTICE: Applicant is responsible for all expenses incurred by the City in connection with the Rezone Application request, including but not limited to attorney's fees, engineering fees and publication. Additional charges will be invoiced separately and shall be paid to the Town prior to City Council action.
Applicant's Signature _____

6. Signatures:
(OWNER'S SIGNATURE) Douglas A. Schwartz (OWNER'S PRINTED NAME)
(APPLICANT'S SIGNATURE) Conrad Conde (APPLICANT'S PRINTED NAME)

FEE SCHEDULE: (NON-REFUNDABLE)

$300 - UP TO 1.0 ACRES	$450 - 30.1 ACRES TO 50 ACRES
$350 – 1.1 ACRES TO 10 ACRES	$500 – 50.1 ACRES TO 75 ACRES
$400 - 10.1 ACRES TO 30 ACRES	$600 – 75.1 ACRES AND UP
EL PASO TIMES PUBLISHING FEE APPROXIMATELY $460	ENGINEERING FEE APPROXIMATELY $60 PER ½ HOUR

Application & Submittals Due Date: _____
P&Z Scheduled Mtg. Date: _____
City Council Scheduled Date: _____
Application Received By: _____
Date Application Rec'd: _____

Please see reverse side for list of items required at time of submitting REZONING application.

TOWN OF HORIZON CITY
14999 Darrington Road
Horizon City, Texas 79928
Phone 915-852-1046 Fax 915-852-1005

REZONE APPLICATION

1. Owner of Record: Ranchos Real XV, LLC
6080 Surety Dr., Ste. El Paso, TX 79905 (ADDRESS) (ZIP) 915-592-0890 (PHONE) dschwartz@swld.net (EMAIL)
2. Applicant Conde, Inc. Is applicant also the Owner? ☐Yes ☒No
Contact Person Conrad Conde
6080 Surety Dr., Ste. 100 El Paso, TX 79905 (ADDRESS) (ZIP) 915-5920283 (PHONE) cconde@condeinc.com (EMAIL)
3. PARCEL ONE THREE
Site Address/Location Being a Portion of C. D. Stewart Survey No. 321, Town of Horizon City, El Paso County,
Legal Description: Texas, 8.617 acres (Lot) (Block) Horizon Town Center Unit Four (Subdivision Name)
PARCEL TWO
Site Address/Location
Legal Description: (Lot) (Block) (Subdivision Name)
If the legal description of the complete tracts or if plat is not available, attached are the ***required*** Metes & Bounds Description & survey map(s)? ☐Yes ☐No
4. Briefly explain why you request to rezone? Clean up Rezoning
5. Land's Presents Use: Zone
Land Vacant ☒ Lot size n/a Structure ☐ Structure's size n/a Last known date the structure was occupied? n/a
Land's Proposed Use: Residential and Commercial Proposed Zone Use R-2 and C-2
Will you be making any improvements to the existing lot or structure? ☐Yes ☐No This request includes *Site Development Plans* for approval? ☐Yes ☐No

NOTICE: *Applicant is responsible for all expenses incurred by the City in connection with the Rezone Application request, including but not limited to attorney's fees, engineering fees and publication. Additional charges will be invoiced separately and shall be paid to the Town prior to City Council action.*
Applicant's Signature

6. Signatures:
(OWNER'S SIGNATURE) Douglas A. Schwartz (OWNER'S PRINTED NAME)
(APPLICANT'S SIGNATURE) Conrad Conde (APPLICANT'S PRINTED NAME)

FEE SCHEDULE: (NON-REFUNDABLE)

$300 - UP TO 1.0 ACRES	**$450** - 30.1 ACRES TO 50 ACRES
$350 – 1.1 ACRES TO 10 ACRES	**$500** – 50.1 ACRES TO 75 ACRES
$400 -10.1 ACRES TO 30 ACRES	**$600** – 75.1 ACRES AND UP
EL PASO TIMES PUBLISHING FEE APPROXIMATELY **$460**	ENGINEERING FEE APPROXIMATELY **$60** PER ½ HOUR

Application & Submittals Due Date:
P&Z Scheduled Mtg. Date:
City Council Scheduled Date:
Application Received By:
Date Application Rec'd:

Please see reverse side for list of items required at time of submitting REZONING application.

TOWN OF HORIZON CITY
14999 Darrington Road
Horizon City, Texas 79928
Phone 915-852-1046 Fax 915-852-1005

MAJOR SUBDIVISION PRELIMINARY APPLICATION

SUBDIVISION PROPOSED NAME: Horizon Town Center Unit Four SUBMITTAL DATE: March 18, 2021

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.)
Being a Portion of C. D. Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas

2. PROPERTY LAND USES:

	ACRES	SITES		ACRES	SITES
SINGLE-FAMILY	8.589	39	OFFICE		
DUPLEX			STREET & ALLEY	2.147	1
APARTMENT			PONDING & DRAINAGE		
MOBILE HOME			INSTITUTIONAL		
P.U.D.			OTHER		
PARK (Min 1 acre)					
SCHOOL					
COMMERCIAL			TOTAL NO. SITES		40
INDUSTRIAL			TOTAL (GROSS) ACREAGE	10.736	

3. WHAT IS THE EXISTING ZONING OF THE PROPERTY DESCRIBED ABOVE? C-2/R-9 PROPOSED ZONING R-2

4. WILL THE RESIDENTIAL SITES, AS PROPOSED, PERMIT DEVELOPMENT IN FULL COMPLIANCE WITH ALL ZONING REQUIREMENTS OF THE EXISTING RESIDENTIAL ZONE(S)? YES ☒ NO ☐

5. WHAT TYPE OF UTILITY EASEMENTS ARE PROPOSED? UNDERGROUND ☐ OVERHEAD ☐ COMBINATION ☒

6. WHAT TYPE OF DRAINAGE IS PROPOSED? (IF APPLICABLE LIST MORE THAN ONE) Lots to streets to drainage structures

7. IF SINGLE-FAMILY OR DUPLEX DEVELOPMENT IS PROPOSED: AVERAGE FLOOR AREA OF HOUSES

8. ARE SPECIAL IMPROVEMENTS PROPOSED IN CONNECTION WITH THE DEVELOPMENT? YES ☐ NO ☒

9. IS A MODIFICATION OF ANY PORTION OF THE SUBDIVISION ORDINANCE PROPOSED? YES ☐ NO ☒
IF ANSWER IS "YES", PLEASE EXPLAIN THE NATURE OF THE MODIFICATION

10. WHAT TYPE OF LANDSCAPING IS PROPOSED? PARKWAY ☐ MEDIANS ☐ OTHER ☐

11. REMARKS AND/OR EXPLANATION OF SPECIAL CIRCUMSTANCES:

12. WILL PLAT BE RECORDED PRIOR TO SUBDIVISION IMPROVEMENTS BEING COMPLETED & APPROVED? ☒YES ☐NO ☐ N/A INITIALS
IF YES, submit REQUIRED GUARANTEE (SECTION 4.10.3 & 8.1.7, Municode Chapter 10) OR Improvement Cost Estimates & Construction Agreement

13. WILL ANY RESTRICTIONS AND COVENANTS BE RECORDED WITH PLAT? YES ☐ NO ☐ INITIALS _____ IF YES, PLEASE SUBMIT COPY.

14. OWNER OF RECORD Ranchos Real XV, LLC 6080 Surety Dr., Ste. 300 El Paso, TX 79905 915-592-0290
(NAME & ADDRESS) (EMAIL) (PHONE)

15. DEVELOPER Ranchos Real XV, LLC 6080 Surety Dr., Ste. 300 El Paso, TX 79905 915-592-0290
(NAME & ADDRESS) (EMAIL) (PHONE)

16. ENGINEER Conde, Inc. 6080 Surety Dr., Ste. 100 El Paso, TX 79905 915-592-0283
(NAME & ADDRESS) (EMAIL) (PHONE)

17. APPLICANT Ranchos Real XV, LLC 6080 Surety Dr., Ste. 300 El Paso, TX 79905 915-592-0290
(NAME & ADDRESS) (EMAIL) (PHONE)

18. REP/POINT OF CONTACT Conde, Inc. 6080 Surety Dr., Ste. 100 El Paso, TX 79905 915-592-0283
(NAME & ADDRESS) (EMAIL) (PHONE)

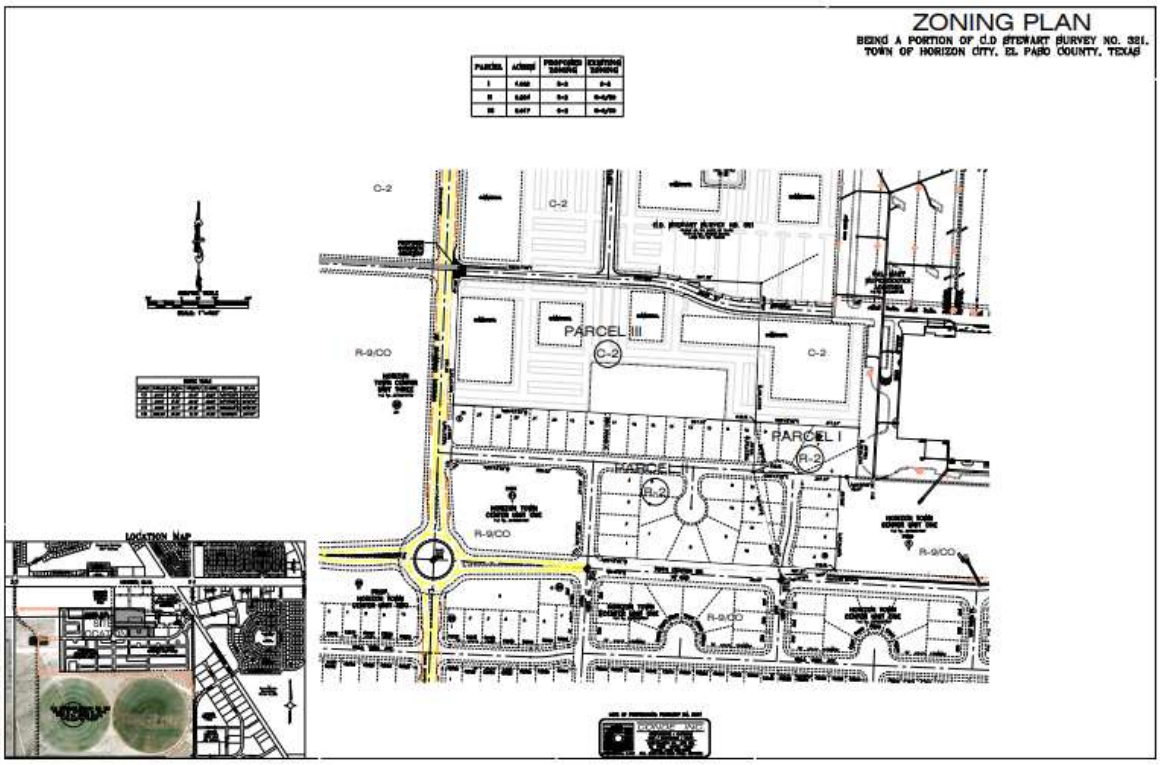
NOTE:
Applicant is responsible for all expenses incurred by the City in connection with the Preliminary Plat approval request, including but not limited to attorney's fees, engineering fees and publication. Charges exceeding deposit will be invoiced separately. Initials WA

Applicant Signature _____ EMAIL DOUGLAS@SWLDS.NET

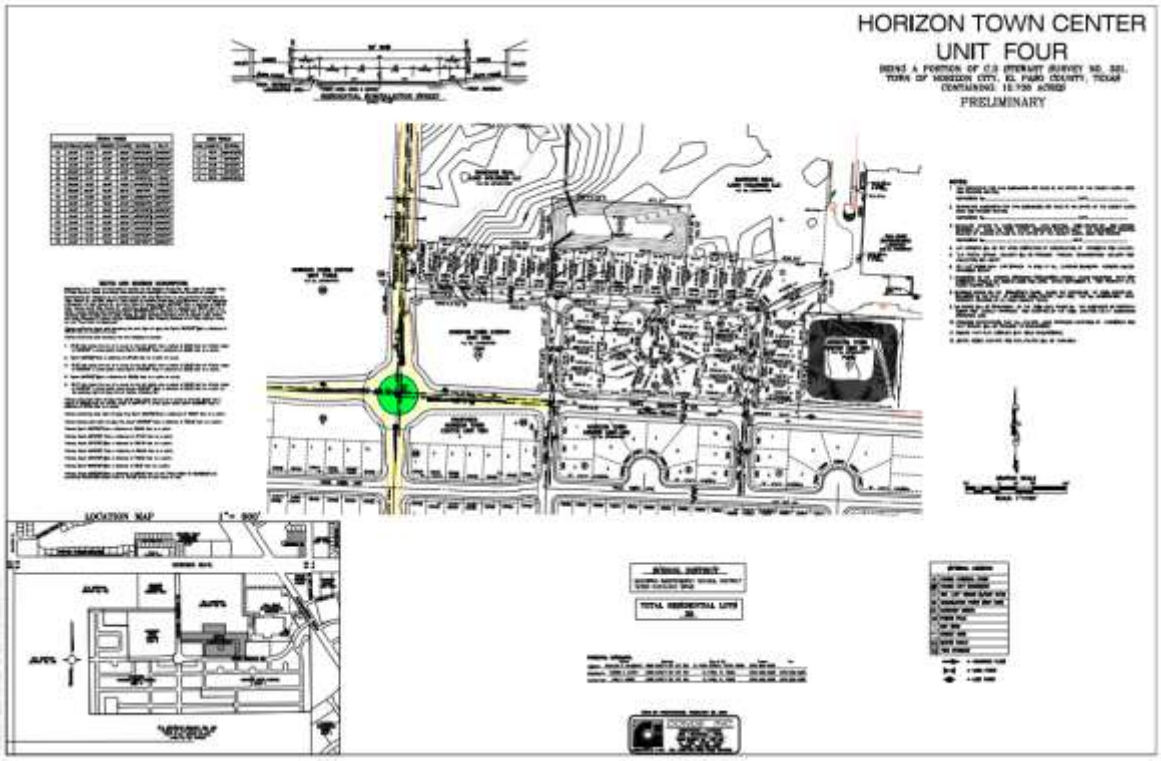
APPLICATION MUST BE COMPLETE & VALIDATED PRIOR TO SUBDIVISION PROCESSING
Acceptance of fee does not grant acceptance of application.
Non Refundable Deposit $500.00 | Application Fee: $100

Rev13FEB2020

Attachment 6: Zoning Plan



Attachment 7: Preliminary Plat



ORDINANCE NO. _____

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING THREE PARCELS: PARCEL I FROM C-2 TO R-2; PARCEL II FROM R-9/CO TO R-2; AND PARCEL III FROM R-9/CO TO C-2; CONTAINING APPROXIMATELY 17.933 ACRES; BEING A PORTION OF C D STEWART SURVEY No. 321, EL PASO COUNTY, TEXAS; NORTH AND EAST OF THE INTERSECTION OF TOWN CENTER DR. AND HORIZON CROSSING ST.; AND AUTHORIZING THE NOTATION OF THE CHANGE ON THE OFFICIAL ZONING MAP OF THE TOWN; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; AND PROPER NOTICE AND HEARING.

WHEREAS, an application was made to change a designated zone for a parcel of property as identified herein within the municipal limits of the Town of Horizon City; and

WHEREAS, said application was forwarded to and considered by the Town of Horizon City Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission has complied with all state and local laws affecting the changing of zones and held a public hearing to obtain public comments; and

WHEREAS, the Planning and Zoning Commission has recommended that the zoning on the parcel of property be rezoned to R-2, Residential without Conditional Overlays, and C-2, Commercial; and

WHEREAS, the City Council of the Town of Horizon City ("Town Council") seeks to promote safe, orderly and consistent use and development of real property; and

WHEREAS, the notice required by the Texas Local Government Code has been published in the official newspaper and given to adjacent property owners; and

WHEREAS, public hearings have been held by the Town Council as required by law; and

WHEREAS, all written and oral protests (if any) submitted against the proposed zoning change have been reviewed and considered; and

WHEREAS, the Town Council in its decision for rezoning finds that such rezoning is in the public interest of the Town of Horizon City, Texas; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the Town has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the Town and is necessary or proper for carrying out a power granted by law to the Town; and

WHEREAS, pursuant to Texas Local Government Code Chapter 211, the Town is authorized to promulgate and enforce zoning regulations; and

WHEREAS, the Town 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:

I. REZONING

The zoning be changed as follows:

Parcel I – from C-2 to R-2
Parcel II – from R-9/CO to R-2
Parcel III – from R-9/CO to C-2

within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, for approximately 17.933 acres, more or less, and legally described by Metes and Bounds Description, Exhibit "A" attached hereto and by reference included herein. None of the subject property will be subject to a Conditional Overlay.

II. ZONING MAP

The zoning map for the Town of Horizon City shall be modified to include the zoning changes directed by this ordinance.

III. FINDINGS OF FACT

That 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.

IV. REPEALER

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.

V. 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.

VI. 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. Notice was also provided as required by Chapter 52, Texas Local Government Code.

PASSED AND APPROVED this the ___ day of _____, 2021, by a vote of ___ (ayes) to ___ (nays) to ___ (abstentions) of the Town Council of Horizon City, Texas.

Town of Horizon City

By: _____
Ruben Mendoza, Mayor

ATTEST:

By: _____
Elvia Schuller, TRMC, City Clerk

APPROVED AS TO FORM:

_____
Sylvia Borunda Firth, Assistant City Attorney

First Reading: 06/08/2021
Second Reading: 07/13/2021

REZONING PLAN

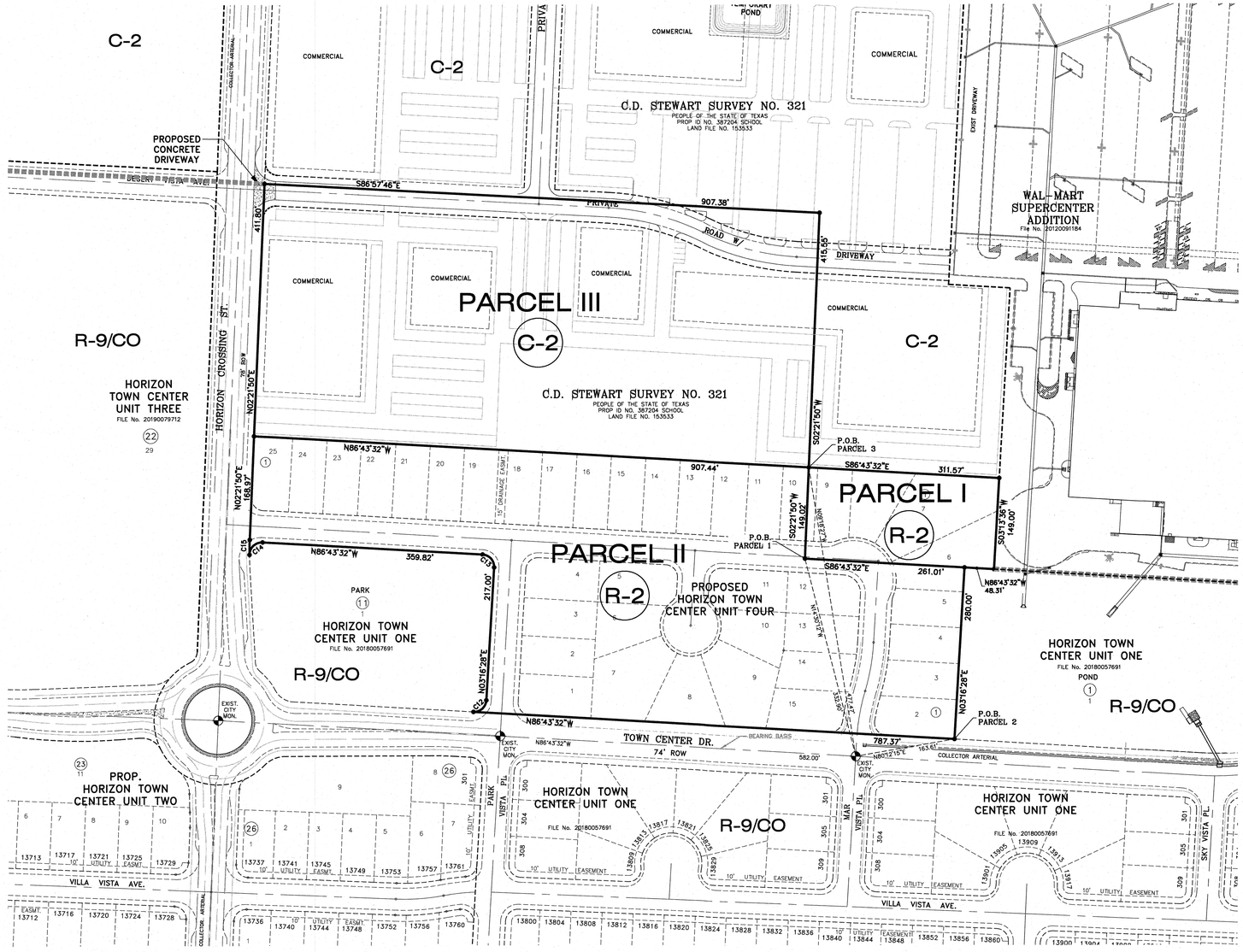
BEING A PORTION OF C.D STEWART SURVEY NO. 321,
TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS

NOTES:

1. SET 1/2" REBARS WITH CAPS MARKED TX. 5152 ON ALL CORNERS UNLESS OTHERWISE NOTED.
2. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS DRAWING.
3. THIS SURVEY NOT INTENDED TO REFLECT IMPROVEMENTS.

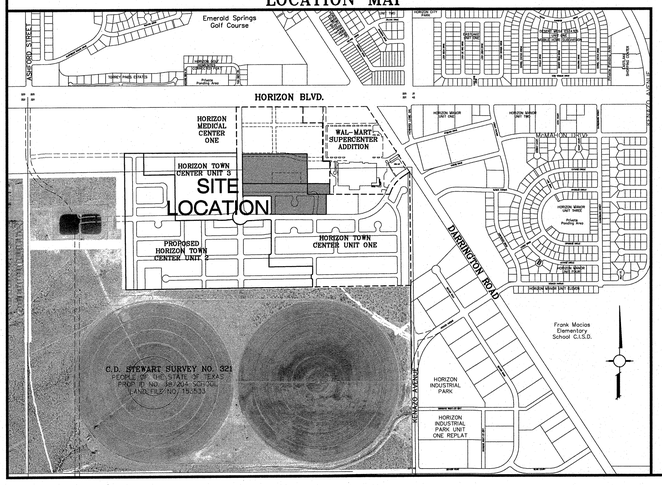
PARCEL	ACRES	PROPOSED ZONING	EXISTING ZONING
I	1.062	R-2	C-2
II	8.254	R-2	R-9/CO
III	8.617	C-2	R-9/CO

GRAPHIC SCALE
100' 0 50' 100' 200'
SCALE: 1"=100'



CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C12	20.00'	31.42'	20.00'	28.28'	N48°16'28"E	90°00'00"
C13	20.00'	31.42'	20.00'	28.28'	N41°43'32"W	90°00'00"
C14	20.00'	32.71'	21.34'	29.18'	S46°25'24"W	93°42'09"
C15	500.00'	24.36'	12.18'	24.36'	N07°58'05"E	2°47'31"

LOCATION MAP



DATE OF PREPARATION: FEBRUARY 24, 2021

CONDE INC.
ENGINEERING / PLANNING
GPS / SURVEYING / CADD
6080 SURETY DR. STE 100
EL PASO, TEXAS 79905
PHONE (915) 592-0283
FAX (915) 592-0266 FIRM# 10078100
REGISTRATION No. F-9381

STATE OF TEXAS REGISTERED RONALD ROBERT CONDE 5152 PROFESSIONAL LAND SURVEYOR

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 R.P.L.S #5152

Prepared For: Southwest Land Development Services
December 8, 2020
(Proposed Rezoning Parcel - I) – (C-2 to R-2)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of C.D. Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing brass disk Monument at the centerline intersection of Town Center Dr. and Mar Vista Pl. from which an existing brass disk Monument at the centerline intersection of Town Center Dr. and Park Vista Pl. Bears, North 86°43'32" West a distance of 582.00 feet; Thence leaving said brass disk Monument, North 14°30'12" West a distance of 332.90 feet to a set ½" rebar with cap marked TX 5152 for the "TRUE POINT OF BEGINNING".

Thence, North 02°21'50" East a distance of 149.02 feet to a to a set ½" rebar with cap marked TX 5152;

Thence, South 86°43'32" East a distance of 311.57 feet to found ½" rebar with cap marked TX 5152 on the westerly line of Lot 3, Block 1, Wal-Mart Supercenter Addition recorded in clerks file# 20120091184, Real Property Records of El Paso County, Texas;

Thence along said line, South 03°13'36" West a distance of 149.00 feet to a set ½" rebar with cap marked TX 5152 on the northerly line of lot 1, block 1, Horizon Town Center Unit One recorded in File No. 20180057691, Real Property Records of El Paso County, Texas;

Thence along said line, North 86°43'32" West a distance of 48.31 feet to a set ½" rebar with cap marked TX 5152 for the northwesterly corner of lot 1, block 1, Horizon Town Center Unit One recorded in File No. 20180057691, Real Property Records of El Paso County, Texas

Thence leaving said northwesterly corner, North 86°43'32" West a distance of 261.01 feet to the "TRUE POINT OF BEGINNING" and containing 46,256 Square Feet or 1.0619 acres of land more or less.

A drawing of even date accompanies this description.

Ron R. Conde
Registered Professional Land Surveyor
Texas License No. 5152



Prepared For: Southwest Land Development Services
December 8, 2020
(Proposed Rezoning Parcel - II) – (R-9/CO to R-2)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of C.D. Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing brass disk Monument at the centerline intersection of Town Center Dr. and Mar Vista Pl. from which an existing brass disk Monument at the centerline intersection of Town Center Dr. and Park Vista Pl. Bears, North 86°43'32" West a distance of 582.00 feet; Thence leaving said brass disk Monument, North 80°12'15" East a distance of 163.61 feet to a set nail in rock wall on the intersection of the Northerly right of way line of Town Center Dr. with the westerly line of Lot 1, Block 1, Horizon Town Center Unit One recorded in clerks file No. 20180057691, Real Property Records of El Paso County, Texas for the "TRUE POINT OF BEGINNING".

Thence along said right-of-way line, North 86°43'32" West a distance of 787.37 feet to a set chiseled x on concrete for a point of curve;

Thence 31.42 feet along the arc of a curve to the left which has a radius of 20.00 feet an interior angle of 90°00'00" a chord which bears North 48°16'28" East a distance of 28.28 feet to a set ½" rebar with cap marked TX 5152 on the easterly line of Lot 1, Block 11, Horizon Town Center Unit One recorded in clerks file No. 20180057691, Real Property Records of El Paso County, Texas;

Thence along said line, North 03°16'28" East a distance of 217.00 feet to a set ½' rebar with cap marked TX 5152 for a point of curve;

Thence 31.42 feet along the arc of a curve to the left which has a radius of 20.00 feet an interior angle of 90°00'00" a chord which bears North 41°43'32" West a distance of 28.28 feet to a set ½" rebar with cap marked TX 5152 on the northerly line of Lot 1, Block 11, Horizon Town Center Unit One recorded in clerks file No. 20180057691, Real Property Records of El Paso County, Texas;

Thence along said line, North 86°43'32" West a distance of 359.82 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

Thence 32.71 feet along the arc of a curve to the left which has a radius of 20.00 feet an interior angle of 93°42'09" a chord which bears South 46°25'24" West a distance of 29.18 feet to a set chiseled x on concrete on the easterly right of way line of Horizon Crossing Street;

Thence along said right-of-way line, 24.36 feet along the arc of a curve to the left which has a radius of 500.00 feet an interior angle of 02°47'31" a chord which bears North 00°58'05" East a distance of 24.36 feet to a point;

Thence along said right-of-way line, North 02°21'50" East a distance of 168.97 feet to a set ½" rebar with cap marked TX 5152;

Thence leaving said right-of-way line, South 86°43'32" East a distance of 907.44 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 02°21'50" West a distance of 149.02 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 86°43'32" East a distance of 261.01 feet to a set ½" rebar with cap marked TX 5152 point on the westerly line of Lot 1, Block 1, Horizon Town Center Unit One recorded in File No. 20180057691, Real Property Records of El Paso County, Texas;

Thence along said line, South 03°16'28" West a distance of 280.00 feet to the "TRUE POINT OF BEGINNING" and containing 359,561 Square Feet or 8.2544 acres of land more or less.

A drawing of even date accompanies this description.

Ron R. Conde
Registered Professional Land Surveyor
Texas License 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

Prepared For: Southwest Land Development Services
December 8, 2020
(Proposed Rezoning Parcel - III) - (R-9/CO to C-2)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of C.D. Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing brass disk Monument at the centerline intersection of Town Center Dr. and Mar Vista Pl. from which an existing brass disk Monument at the centerline intersection of Town Center Dr. and Park Vista Pl. Bears, North 86°43'32" West a distance of 582.00 feet; Thence leaving said brass disk Monument, North 09°18'27" West a distance of 477.47 feet to a set ½" rebar with cap marked TX 5152 for the "TRUE POINT OF BEGINNING".

Thence, North 86°43'32" West a distance of 907.44 feet to a set ½" rebar with cap marked TX 5152 on the easterly right-of-way line of Horizon Crossing St.;

Thence along said right-of-way line, North 02°21'50" East a distance of 411.80 feet to a set ½" rebar with cap marked TX 5152;

Thence leaving said right-of-way line, South 86°57'46" East a distance of 907.38 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 02°21'50" West a distance of 415.55 feet to the "TRUE POINT OF BEGINNING" and containing 375,337 Square Feet or 8.6165 acres of land more or less.

A drawing of even date accompanies this description.

Ron R. Conde
Registered Professional Land Surveyor
Texas License No. 5152

STATE OF TEXAS
REGISTERED
RONALD ROBERT CONDE
5152
PROFESSIONAL
LAND SURVEYOR

TOWN OF HORIZON CITY
MEMORANDUM

Date: July 8, 2021

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, Planning Director

SUBJECT: On a request to vacate an easement between 428 and 429 Cutler Place, Horizon City, Texas 79928, *legally described as a parcel of land being the easterly portion of a platted walkway between Lots 31 & 32, Block 43, Horizon Heights Unit Ten, El Paso, County, Texas*.

On June 21, 2021, the Planning and Zoning Commission voted unanimously to recommended approval of the proposed easement vacation. The easement is a platted walkway between two residential lots that was never developed and does not connect to any other walkway easement. If approved, the two abutting property owners are proposing combine half of the easement with each of their lots.

Staff will work with the Assistant City Attorney to draft and forward an ordinance to the Council to finalize the vacation, if this item it approved. Since the area in question is an easement and does not include any improvements, an appraisal is not required nor is any compensation for the easement.

Attached for your review is the staff report that was presented to the Planning and Zoning Commission and the survey.

14999 Darrington Rd. Horizon City, Texas 79928 (915) 852-1046 Fax (915) 852-1005

TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report

Case No.: VAC-002476-2021
Application Type: Easement Vacation
P&Z Hearing Date: June 21, 2021
Staff Contact: Emily Offer, Planner
915-852-1046 ext.407; eoffer@horizoncity.org

Address/Location: Easement between 428 Cutler Pl. and 429 Cutler Pl.
Legal Description: Lots 31 & 32, Block 43,
Horizon Heights Unit 10,
El Paso County, Texas,
Existing Use: Vacant

Owner: Peter and Dulce Bralich;
Javier and Teresa Saenz
Applicant: Peter and Dulce Bralich;
Javier and Teresa Saenz
Nearest Park: Corky Park
Nearest School: Horizon Middle School

SURROUNDING PROPERTIES:

	Zoning	Land Use
N	R-4 (Residential)	Single Family Housing
E	R-4 (Residential)	Single Family Housing
S	R-4 (Residential)	Single Family Housing
W	R-4 (Residential)	Single Family Housing

LAND USE AND ZONING:

	Existing	Proposed
Land Use	Vacant	R-4 (Residential)
Zoning	R-4 (Residential)	R-4 (Residential)

Application Description:

The applicants are requesting to vacate the easement between their properties to be subdivided and incorporated into their individual properties currently abutting the easement.

Notice:

In accordance with Ordinance No. 0085, notices of the June 21, 2021 public hearing were sent to those property owners within 200 feet of the subject property and notice was also published in the official paper. To date, staff has not received any phone calls or correspondence in support or opposition to the request; however, 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.

Horizon Regional Municipal Utility District

No comments have been received.

El Paso Electric

No comments have been received.

Texas Gas Service

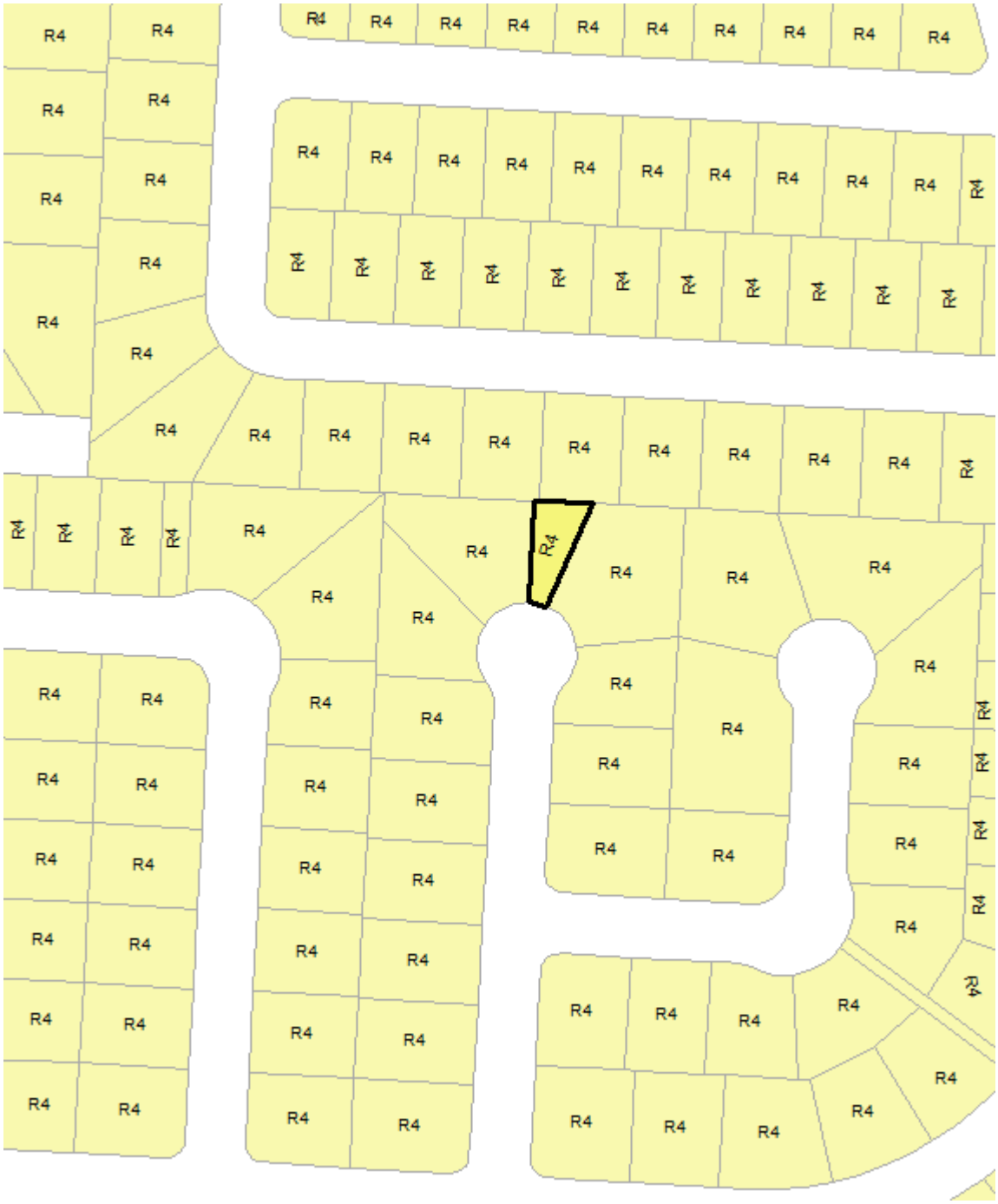
No comments have been received.

Spectrum

No comments have been received.

Attachments:
Attachment 1 – Zoning Map
Attachment 2 – Aerial
Attachment 3 – Survey
Attachment 4 – Application

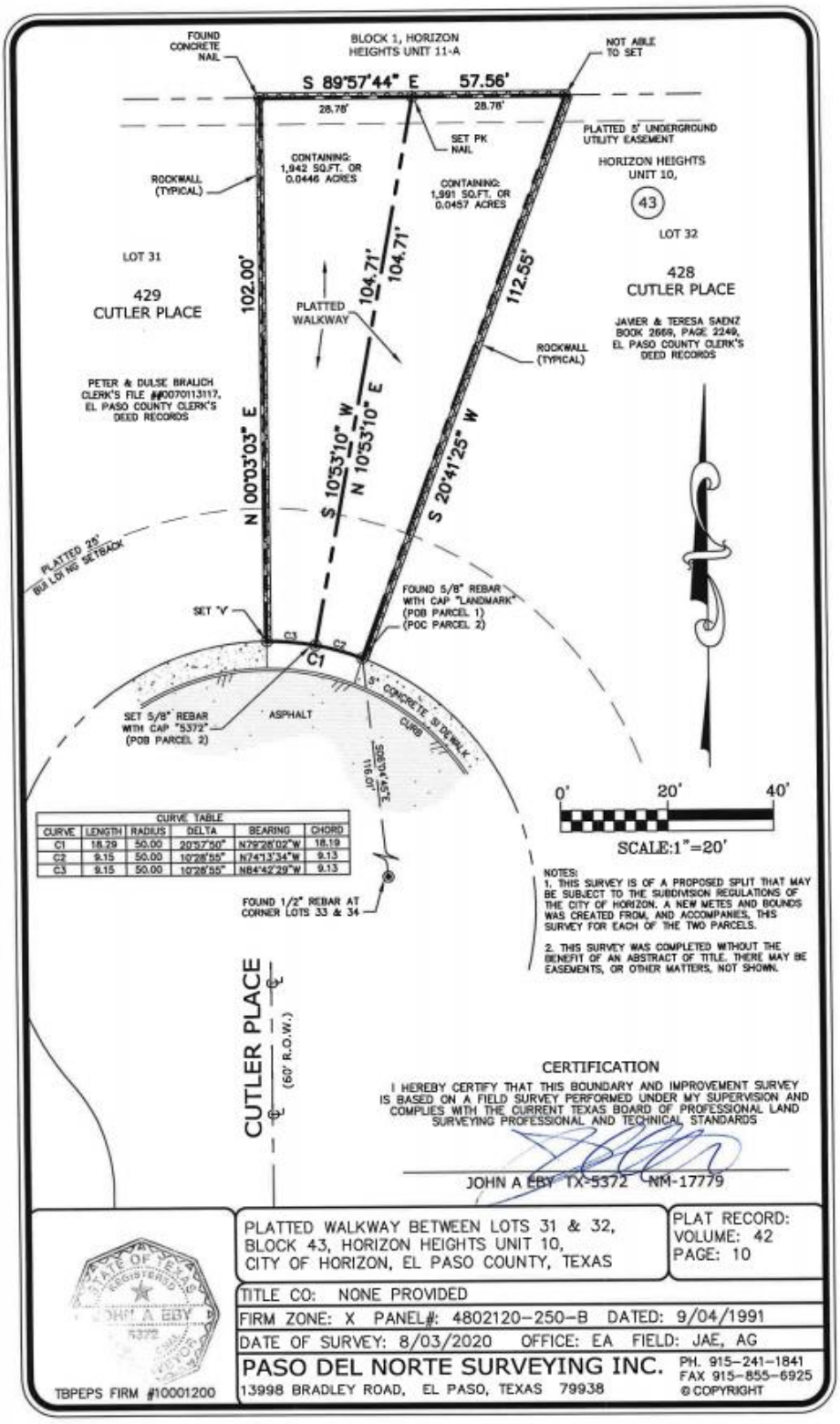
Attachment 1: Zoning Map



Attachment 2: Aerial



Attachment 3: Survey



Attachment 3: Application

Case No. VAC-002476-2021

VACATION OF PUBLIC EASEMENTS & RIGHTS-OF-WAY APPLICATION

Date: _____

1. APPLICANT'S NAME **Peter Bralich & Dulce Bralich; Javier & Teresa Saenz**

   ADDRESS **429 Cutler Pl.; 428 Cutler Pl.** ZIP CODE **79928** TELEPHONE **(915) 383-5874 (915) 667-9550**

2. PROPERTY OWNER **Peter Bralich & Ducle Bralich; Javier & Teresa Saenz**

   ADDRESS **429 Cutler Pl.; 428 Cutler Pl.** ZIP CODE **79928** TELEPHONE **(915) 383-5874 (915) 667-9550**

3. Request is hereby made to vacate the following: (check one) Street: ☐ Alley: ☐ Easement: ☐ Other: ☒

   Street Name / Location: **Between 429 & 428 Cutler/ Lots 31 & 32, Block 43**
   Subdivision Name: **Horizon Heights Unit 10**

4. Reason for vacation request: **Splitting of property between the owners of 428 & 429 Cutler Pl.**

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 ☐ **N/A** Board of Adjustment ☐ **N/A**
   Subdivision ☐ **N/A** Building Permits ☐ **N/A** Other ☐ **N/A**

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
	Lot 31, Block 43, Horizon Heights Unit 10	(915) 383-5874
	Lot 32, Block 43, Horizon Heights Unit 10	(915) 667-9550

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: _____

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.

Case No. _____

VACATION OF PUBLIC EASEMENTS & RIGHTS-OF-WAY APPLICATION

Date: 5·23·2021

1. APPLICANT'S NAME: Javier Saenz, Teresa Saenz
   ADDRESS: 428 Cutter Pl ZIP CODE: 79928 TELEPHONE: 915·491·9550
2. PROPERTY OWNER: Javier Saenz, Teresa Saenz
   ADDRESS: 428 Cutter Pl ZIP CODE: 79928 TELEPHONE: 915·491·9550
3. Request is hereby made to vacate the following: (check one) Street: ☐ Alley: ☐ Easement: ☑ Other: ☐
   Street Name / Location: Cutter Place
   Subdivision Name: _____
4. Reason for vacation request: add easement to property
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
Javier Saenz		915·491·9550
Teresa Saenz		915·491·9551

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.

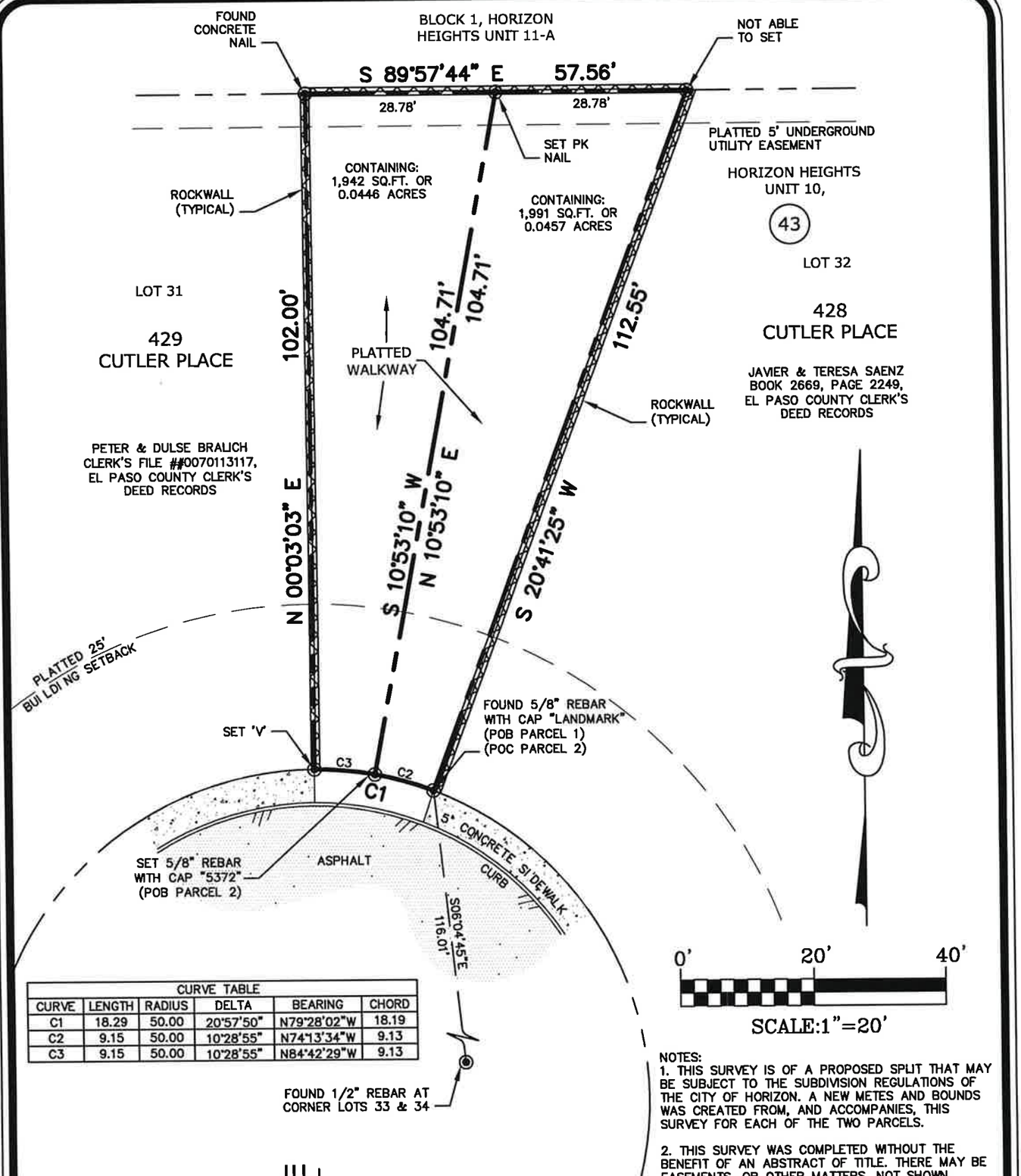
OWNER / APPLICANT SIGNATURE: Javier Saenz Teresa Saenz REPRESENTATIVE: _____

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.



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	18.29	50.00	20°57'50"	N79°28'02"W	18.19
C2	9.15	50.00	10°28'55"	N74°13'34"W	9.13
C3	9.15	50.00	10°28'55"	N84°42'29"W	9.13

NOTES:
1. THIS SURVEY IS OF A PROPOSED SPLIT THAT MAY BE SUBJECT TO THE SUBDIVISION REGULATIONS OF THE CITY OF HORIZON. A NEW METES AND BOUNDS WAS CREATED FROM, AND ACCOMPANIES, THIS SURVEY FOR EACH OF THE TWO PARCELS.

2. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS, OR OTHER MATTERS, NOT SHOWN.

CERTIFICATION

I HEREBY CERTIFY THAT THIS BOUNDARY AND IMPROVEMENT SURVEY IS BASED ON A FIELD SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLIES WITH THE CURRENT TEXAS BOARD OF PROFESSIONAL LAND SURVEYING PROFESSIONAL AND TECHNICAL STANDARDS

JOHN A EBY TX-5372 NM-17779

STATE OF TEXAS REGISTERED JOHN A EBY 5372 SURVEYOR

TBPEPS FIRM #10001200

PLATTED WALKWAY BETWEEN LOTS 31 & 32, BLOCK 43, HORIZON HEIGHTS UNIT 10, CITY OF HORIZON, EL PASO COUNTY, TEXAS

PLAT RECORD: VOLUME: 42 PAGE: 10

TITLE CO: NONE PROVIDED

FIRM ZONE: X PANEL#: 4802120-250-B DATED: 9/04/1991

DATE OF SURVEY: 8/03/2020 OFFICE: EA FIELD: JAE, AG

PASO DEL NORTE SURVEYING INC.
13998 BRADLEY ROAD, EL PASO, TEXAS 79938
PH. 915-241-1841
FAX 915-855-6925
© COPYRIGHT

TOWN OF HORIZON CITY
MEMORANDUM

Date: July 8, 2021

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, Planning Director

SUBJECT: On a preliminary and final plat subdivision applications (#SUB002477-2021) for Aria Subdivision, legally described as a portion of the E1/2 of the SW1/4 of the SW1/4 of section 39, Block 78, Township 3, Texas and Pacific RR Co. Surveys, El Paso County, Texas. Application submitted by CAD Consulting Co.

On June 21, 2021, the Planning and Zoning Commission voted unanimously to recommended approval of the preliminary and final plat applications for the Aria Subdivision with the condition that the staff comments be addressed prior to City Council action.

Staff is pending a response from the County of El Paso regarding the required additional right-of-way. Staff's recommendation will be presented at the City Council meeting.

Attached is the staff report that was presented to the Planning and Zoning Commission and the plats.

14999 Darrington Rd. Horizon City, Texas 79928 (915) 852-1046 Fax (915) 852-1005

TOWN OF HORIZON CITY
Planning and Zoning Staff Report

Case #:	SUB002477-2021 – Aria Subdivision
Application Type:	Preliminary Plat
P&Z Hearing Date:	June 21, 2021
Staff Contact:	Emily Offer 915-852-1046 ext.407; eoffer@horizoncity.org
Address/Location:	15131 Alberton, El Paso County, Texas
Legal Description:	A portion of the E1/2 of the SW1/4 of the S1/4 of the SW1/4 Of section 39, Block 78, Township 3, Texas and Pacific RR Co. Surveys El Paso County, Texas
Acreage:	Approximately 4.9429 **±** acres
Property Owner:	Martin Monroy
Applicant:	CAD Consulting Co.
Nearest Park:	Golden Eagle Park
Nearest School:	Horizon High School

SURROUNDING PROPERTIES:

	Land Use
N	Industrial
E	Residential
S	Residential
SW	Residential

LAND USE AND ZONING:

	Existing	Proposed
Land Use	Residential and Light Industrial	Residential
ETJ	Horizon City's 1-Mile ETJ	Horizon City's 1-Mile ETJ

Application Description:
The applicant is requesting to subdivide the area into two lots. The proposed subdivision includes 2 lots, the smallest lot measuring approximately 43,680 square feet and the largest lot measuring approximately 171,634 square feet.

Staff Recommendation:
Horizon City Vision 2020 Strategic Master Plan does not designate a proposed zone for this area as it is not within Horizon City's city limits; however, it is within the City's extra-territorial jurisdiction. Staff recommends ***APPROVAL*** of the plat with the condition that all staff comments shall be addressed prior to City Council action.

Planning Division Comments:
According to Section 5.2.3 of the Subdivision Regulations in the Municipal Code, the development is required to dedicate property right-of-way along Alberton Ave. as it is designated as a major arterial on the City's major thoroughfare plan. An additional 25 feet of right-of-way is required to be dedicated by this development.

City Council may exempt a developer from having to fully improve a thoroughfare provided the developer submits a traffic impact analysis (TIA) demonstrating such full improvements are neither necessitated by, nor attribute to, the new development. To date, no analysis has been submitted.

Staff continues to work with El Paso County to determine the dedication requirements.

Public Works Director Comments:
Preliminary Plat

1. Missing Benchmark/DATUM
2. Legend is missing existing/proposed contour line information.
3. Will vehicular access prohibition be required at backside of lot? If so, add it on new note 24.

Final Plat

1. Missing Benchmark/DATUM
2. Will vehicular access prohibition be required at backside of lot? If so, add it on new note 24.
3. El Paso County 9-1-1 District approval is required for all lot addresses.
4. Provide a copy of the restrictions and covenants to be recorded, if any.
5. Grading and drainage plans along with Engineering report need to be approved by the County prior to the plat being recorded.

Town Engineer Comments:
Recommended Conditions for Preliminary Plat Approval:

1. Show location and size of water and sewer lines on plat.
2. Provide basis for bearing and elevations.
3. The set monuments should have a cap that is traceable to the licensed surveyor or the company, per Texas minimum standards.
4. Coordinate with Town for any additional comments.

Recommended Conditions for Final Plat Approval:

1. Provide basis for bearing and elevations.
2. The set monuments should have a cap that is traceable to the licensed surveyor or the company, per Texas minimum standards.
3. Verify all dates on plat, they should read 2021.
4. Coordinate with Town for any additional comments.

Engineer's Report:

1. Is an engineer's report required for property within the ETJ? Provide Engineer's report, if necessary.

El Paso 9-1-1 District Comments:
The 911 District has no adverse comments regarding this plat.

El Paso Electric Company:
El Paso Electric has existing facilities serving lot two that are not represented in the final design. All electric easements shall be shown for approval.

School District Comments:
The Socorro Independent School District has reviewed Aria Subdivision and it is beyond our jurisdiction.

Clint Independent School District did not provide comments.

TxDOT Comments:
TxDOT did not provide comments.

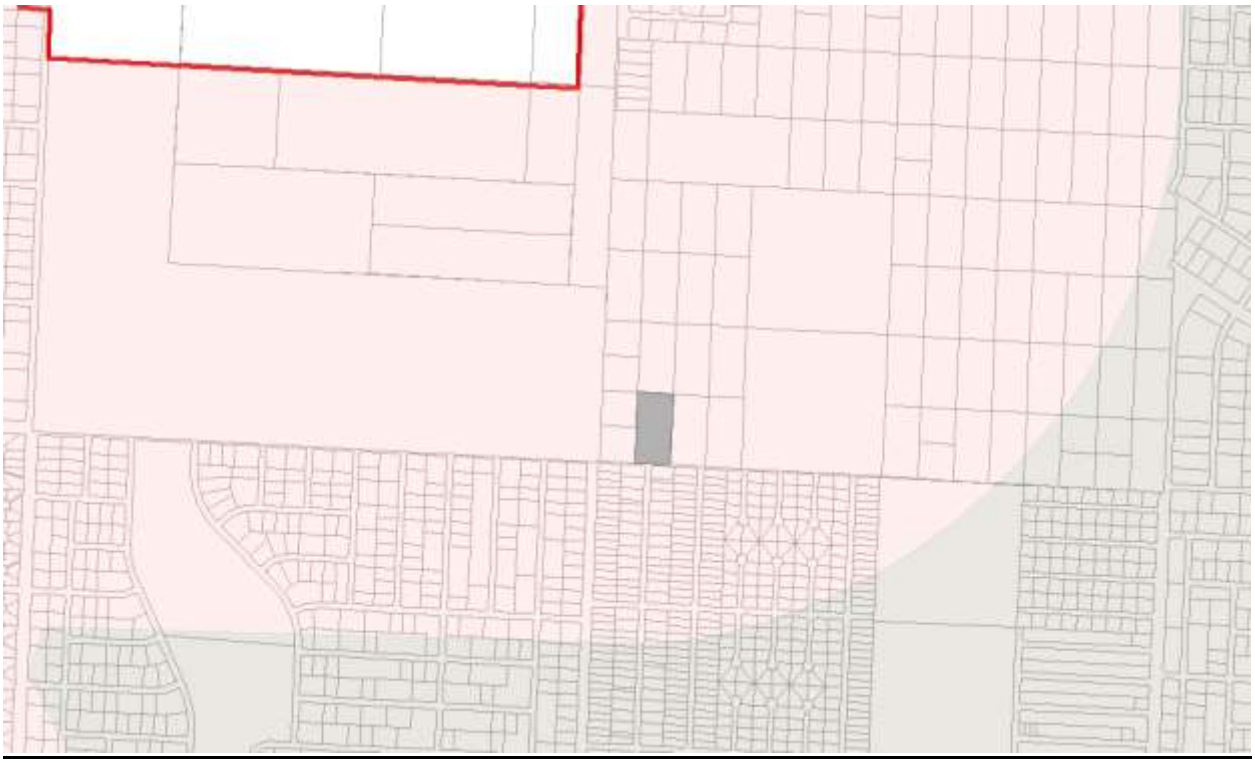
El Paso County
Per El Paso County, the subdivision plat is concurred conditionally pending the following:

1. Revise Drainage Report to cite specific case ID for grading and drainage plans.
2. Approval of variance from standard 2.8 (R) by Commissioners Court

El Paso Central Appraisal District Comments:
The EPCAD approves this development.

Attachments:
1 – ETJ Map
2 – Aerial
3 – Applications
4 – Preliminary Plat
5 – Final Plat

Attachment 1: ETJ Map



Aria Subdivision

Horizon City's City Limits

Horizon City's 1-mile ETJ

Socorro's 5-mile ETJ

Attachment 2: Aerial Map



Attachment 3- Applications

TOWN OF HORIZON CITY
14999 Darrington Road
Horizon City, Texas 79928
Phone 915-852-1046 Fax 915-852-1005

MAJOR SUBDIVISION PRELIMINARY APPLICATION

SUBDIVISION PROPOSED NAME: ARIA SUBDIVISION SUBMITTAL DATE: 5/27/2021 mp

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.) A PORTION OF E 1/2 OF THE SW 1/4 OF THE S 1/4 OF THE SW 1/4 OF SECTION 39, BLOCK 78, TOWNSHIP 3, T&P RR CO SURVEY
2. PROPERTY LAND USES:

	ACRES	SITES		ACRES	SITES
SINGLE-FAMILY	4.9429	2	OFFICE		
DUPLEX			STREET & ALLEY		
APARTMENT			PONDING & DRAINAGE		
MOBILE HOME			INSTITUTIONAL		
P.U.D.			OTHER		
PARK (Min 1 acre)					
SCHOOL					2
COMMERCIAL			TOTAL NO. SITES		
INDUSTRIAL			TOTAL (GROSS) ACREAGE	4.9429	

3. WHAT IS THE EXISTING ZONING OF THE PROPERTY DESCRIBED ABOVE? _____ PROPOSED ZONING _____
4. WILL THE RESIDENTIAL SITES, AS PROPOSED, PERMIT DEVELOPMENT IN FULL COMPLIANCE WITH ALL ZONING REQUIREMENTS OF THE EXISTING RESIDENTIAL ZONE(S)? YES ☑ NO ☐
5. WHAT TYPE OF UTILITY EASEMENTS ARE PROPOSED? UNDERGROUND ☐ OVERHEAD ☐ COMBINATION ☑
6. WHAT TYPE OF DRAINAGE IS PROPOSED? (IF APPLICABLE LIST MORE THAN ONE) ON-SITE PONDING
7. IF SINGLE-FAMILY OR DUPLEX DEVELOPMENT IS PROPOSED: AVERAGE FLOOR AREA OF HOUSES _____
8. ARE SPECIAL IMPROVEMENTS PROPOSED IN CONNECTION WITH THE DEVELOPMENT? YES ☐ NO ☒
9. IS A MODIFICATION OF ANY PORTION OF THE SUBDIVISION ORDINANCE PROPOSED? YES ☐ NO ☒
   IF ANSWER IS "YES", PLEASE EXPLAIN THE NATURE OF THE MODIFICATION _____
10. WHAT TYPE OF LANDSCAPING IS PROPOSED? PARKWAY ☐ MEDIANS ☐ OTHER ☐ N/A
11. REMARKS AND/OR EXPLANATION OF SPECIAL CIRCUMSTANCES: _____
12. WILL PLAT BE RECORDED PRIOR TO SUBDIVISION IMPROVEMENTS BEING COMPLETED & APPROVED? ☑ YES ☐ NO ☑ N/A INITIALS EA
    IF YES, submit REQUIRED GUARANTEE (SECTION 4.10.3 & 8.1.7, Municode Chapter 10) **OR** Improvement Cost Estimates & Construction Agreement
13. WILL ANY RESTRICTIONS AND COVENANTS BE RECORDED WITH PLAT? YES ☐ NO ☒ INITIALS EA IF YES, PLEASE SUBMIT COPY.
14. OWNER OF RECORD MARTIN MONROY (NAME & ADDRESS) (EMAIL) 915-603-1390 (PHONE)
15. SURVEYOR DEVELOPER CAD CONSULTING CO (NAME & ADDRESS) (EMAIL) 915-633-6422 (PHONE)
16. ENGINEER MS ENGINEERING (NAME & ADDRESS) (EMAIL) 915-443-9644 (PHONE)
17. APPLICANT CAD CONSULTING CO. (NAME & ADDRESS) (EMAIL) 915-633-6422 (PHONE)
18. REP/POINT OF CONTACT CAD CONSULTING CO. (NAME & ADDRESS) (EMAIL) 915-633-6422 (PHONE)

NOTE:
Applicant is responsible for all expenses incurred by the City in connection with the Preliminary Plat approval request, including but not limited to attorney's fees, engineering fees and publication. Charges exceeding deposit will be invoiced separately. Initials EA

Applicant Signature _____ EMAIL CADCONSULTING1@AOL.COM

APPLICATION MUST BE COMPLETE & VALIDATED PRIOR TO SUBDIVISION PROCESSING
Acceptance of fee does not grant acceptance of application.
Non Refundable Deposit $500.00 | Application Fee: $100

TOWN OF HORIZON CITY
14999 Darrington Road
Horizon City, Texas 79928
Phone 915-852-1046 Fax 915-852-1005

MAJOR SUBDIVISION FINAL PLAT APPLICATION

SUBDIVISION PROPOSED NAME: ANA SUBDIVISION SUBMITTAL DATE: 9/27/2021 MP

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.)
A PORTION OF THE E 1/2 OF THE SW 1/4 OF THE NW 1/4 OF THE SW 1/4 OF SECTION 39, BLOCK 78, TOWNSHIP 3, TEXAS & PACIFIC RR. CO. SURVEY

2. PROPERTY LAND USES:

	ACRES	SITES		ACRES	SITES
SINGLE-FAMILY	4.9429	2	OFFICE		
DUPLEX			STREET & ALLEY		
APARTMENT			PONDING & DRAINAGE		
MOBILE HOME			INSTITUTIONAL		
P.U.D.			OTHER		
PARK (Min 1 Acre)					
SCHOOL					
COMMERCIAL			TOTAL NO. SITES		2
INDUSTRIAL			TOTAL (GROSS) ACREAGE	4.9429	

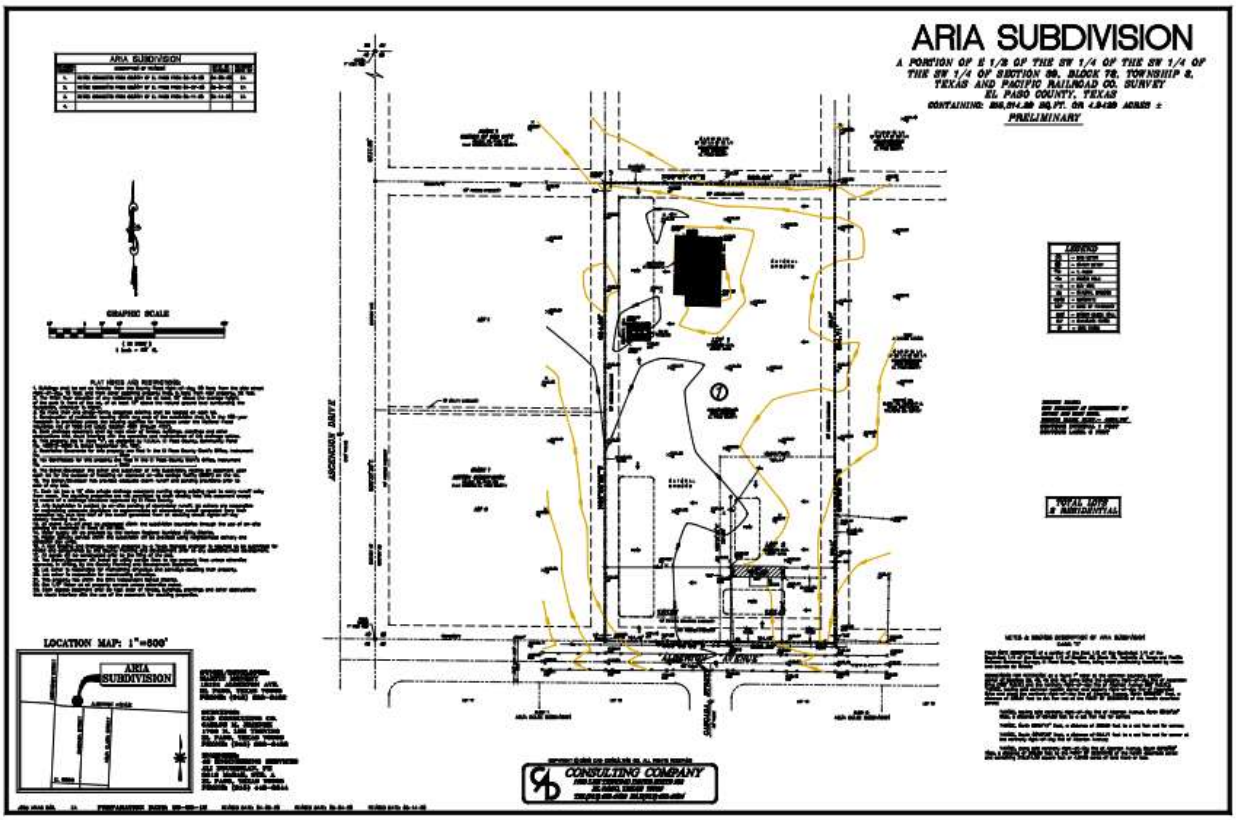
3. WHAT IS THE EXISTING ZONING OF THE PROPERTY DESCRIBED ABOVE? N/A PROPOSED ZONING
4. WILL THE RESIDENTIAL SITES, AS PROPOSED, PERMIT DEVELOPMENT IN FULL COMPLIANCE WITH ALL ZONING REQUIREMENTS OF THE EXISTING RESIDENTIAL ZONE(S)? YES ☑ NO ☐
5. WHAT TYPE OF UTILITY EASEMENTS ARE PROPOSED? UNDERGROUND ☐ OVERHEAD ☐ COMBINATION ☑
6. WHAT TYPE OF DRAINAGE IS PROPOSED? (IF APPLICABLE LIST MORE THAN ONE) ON SITE PONDING
7. IF SINGLE-FAMILY OR DUPLEX DEVELOPMENT IS PROPOSED: AVERAGE FLOOR AREA OF HOUSES NOT KNOWN
8. ARE SPECIAL IMPROVEMENTS PROPOSED IN CONNECTION WITH THE DEVELOPMENT? YES ☐ NO ☒
9. IS A MODIFICATION OF ANY PORTION OF THE SUBDIVISION ORDINANCE PROPOSED? YES ☐ NO ☒
IF "YES", PLEASE LIST SECTION & EXPLAIN THE NATURE OF THE MODIFICATION
10. WHAT TYPE OF LANDSCAPING IS PROPOSED? PARKWAY ☐ MEDIANS ☐ OTHER ☐ NONE
11. REMARKS AND/OR EXPLANATION OF SPECIAL CIRCUMSTANCES:
12. WILL PLAT BE RECORDED PRIOR TO SUBDIVISION IMPROVEMENTS BEING COMPLETED & APPROVED? ☒ YES ☐ NO ☐ N/A INITIALS BM
IF YES, submit REQUIRED GUARANTEE (SECTION 4.10.3 & 8.1.7, Municode Chapter 10) **OR** Improvement Cost Estimates & Construction Agreement
13. WILL ANY RESTRICTIONS AND COVENANTS BE RECORDED WITH PLAT? YES ☐ NO ☒ INITIALS BM IF YES, PLEASE SUBMIT COPY.
14. OWNER OF RECORD MARTIN MONROY (NAME & ADDRESS) (EMAIL) 915-603-1570 (PHONE)
15. DEVELOPER (NAME & ADDRESS) (EMAIL) (PHONE)
16. ENGINEER 4S ENGINEERING Ali Bazrafkan (NAME & ADDRESS) (EMAIL) 915-443-9644 (PHONE)
17. APPLICANT (NAME & ADDRESS) (EMAIL) (PHONE)
18. REP/POINT OF CONTACT CAD CONSULTING CO. CADCONSULTING1@AOL.COM 915-633-6422 (NAME & ADDRESS) (EMAIL) (PHONE)

NOTE: *Applicant is responsible for all expenses incurred by the City in connection with the Final plat approval request, including but not limited to attorney's fees, engineering fees and publication. Charges exceeding deposit will be invoiced separately.* Initials RHK

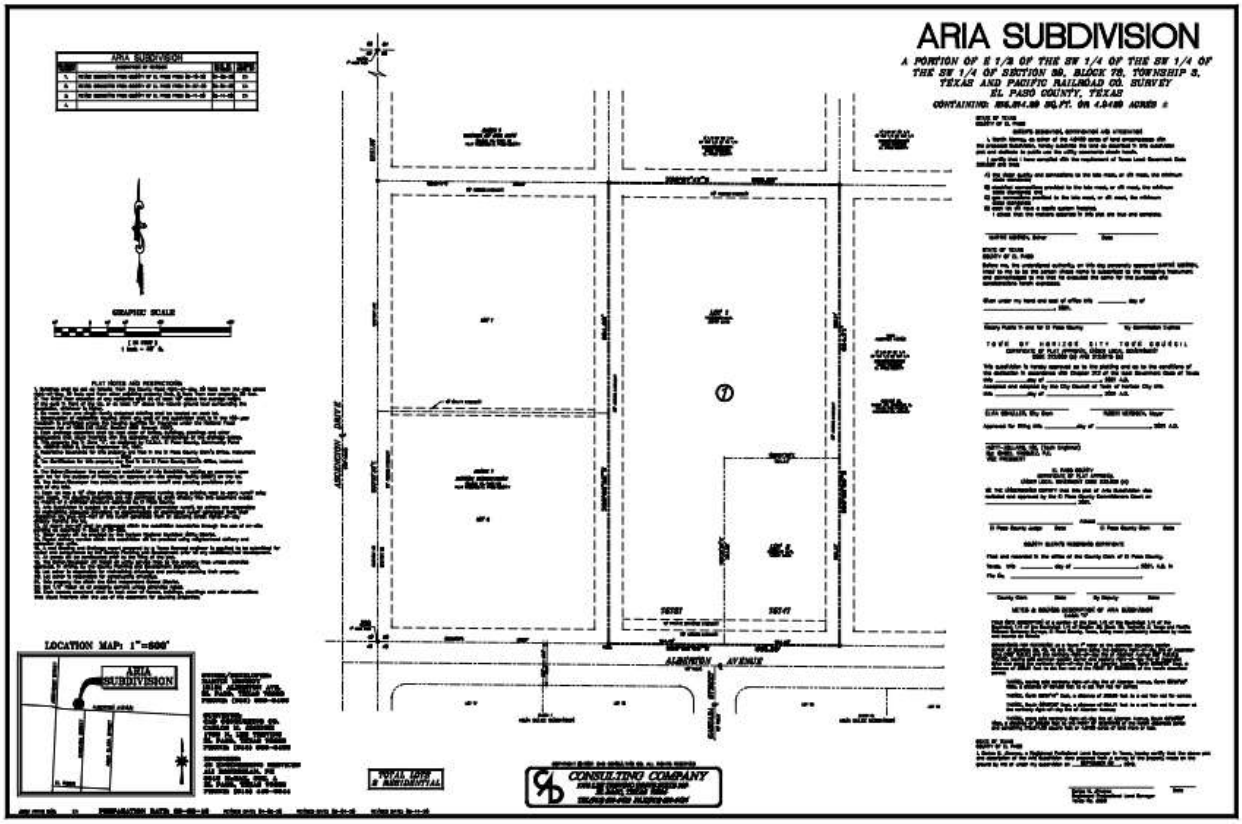
Applicant Signature EMAIL rbeckymonray@yahoo.com

APPLICATION MUST BE COMPLETE & VALIDATED PRIOR TO SUBDIVISION PROCESSING
Acceptance of fee does not grant acceptance of application.
Non Refundable Deposit $500.00 | Application Fee: $150

Attachment 4 – Preliminary Plat



Attachment 5 – Final Plat



ARIA SUBDIVISION

A PORTION OF E 1/2 OF THE SW 1/4 OF THE SW 1/4 OF THE SW 1/4 OF SECTION 39, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILROAD CO. SURVEY
EL PASO COUNTY, TEXAS
CONTAINING: 215,314.29 SQ.FT. OR 4.9429 ACRES ±
PRELIMINARY

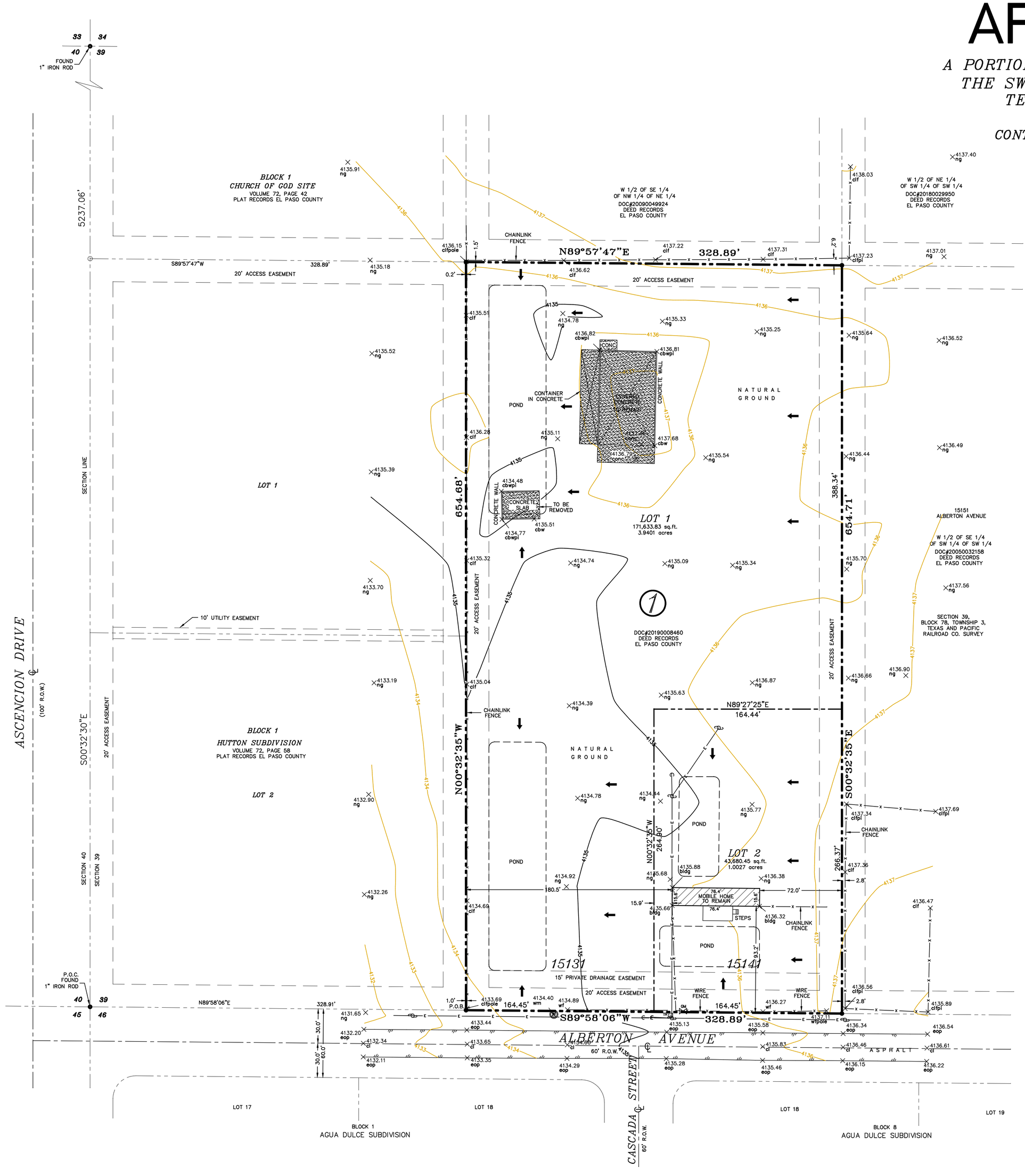
ARIA SUBDIVISION			
REVISION NUMBER	DESCRIPTION OF REVISION	DATE OF REVISION	REVISION DONE BY
1.	REVISE COMMENTS FROM COUNTY OF EL PASO FROM 03-10-20	04-06-20	EA
2.	REVISE COMMENTS FROM COUNTY OF EL PASO FROM 04-27-20	05-04-20	EA
3.	REVISE COMMENTS FROM COUNTY OF EL PASO FROM 05-11-20	05-14-20	EA
4.			



GRAPHIC SCALE

50' 0 25' 50' 100' 200'

(IN FEET)
1 inch = 50' ft.



LEGEND	
GM	= GAS METER
W	= WATER METER
TR	= T. RISER
PP	= POWER POLE
GW	= GUY WIRE
NG	= NATURAL GROUND
CONC	= CONCRETE
EOP	= EDGE OF PAVEMENT
CBW	= CINDER BLOCK WALL
CLF	= CHAINLINK FENCE
WF	= WIRE FENCE

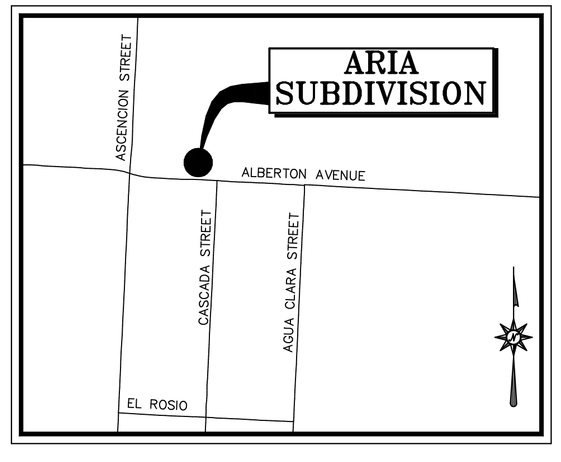
BENCH MARK:
CITY MONUMENT AT INTERSECTION OF RIPTON AND DUST DEVIL.
BENCH MARK ELEV.= 4024.78'
CONTOUR INTERVAL 1 FOOT
CONTOUR LABEL 5 FEET

TOTAL LOTS
2 RESIDENTIAL

PLAT NOTES AND RESTRICTIONS:

1. Buildings shall be set as follows: from the County Road right-of-way, 20 feet; from the side street right-of-way, 10 feet; and from other adjoining property lines, 5 feet; from rear property, 25 feet.
2. The finish floor elevation of any residence shall be at least 18" above the average height of the curb in front of the lot, or at least 12" above the natural ground level surrounding the foundation, whichever is higher.
3. No more than one single-family detached dwelling shall be located on each lot.
4. Construction of residential housing within any area of the subdivision that is in the 100-year floodplain is prohibited unless the housing qualifies for insurance under the National Flood Insurance Act of 1968 (42 U.S.C. Section 4001 through 4127).
5. Each drainage easement shall be kept clear of fences, buildings, plantings and other obstructions that would interfere with the operation and maintenance of the drainage swales.
6. This property lies in Zone "X", as designed by F.E.M.A. El Paso County, Community Panel No. 480212-0250 B, Dated September 04, 1991.
7. Restrictive Covenants for this property are filed in the El Paso County Clerk's Office, Instrument No. _____, Date _____
8. Tax Certificates for this property are filed in the El Paso County Clerk's Office, Instrument No. _____, Date _____
9. The Owner/Developer the owner and subdivider of Aria Subdivision, retains an easement upon each lot for the purpose of installing an approved on-site sewage facility (OSSF) on the lot.
10. The Owner/Developer has provided adequate storm runoff and ponding provisions prior to sale of any lots.
11. Each lot has a 15' wide private drainage easement running along existing road to carry runoff away from roads. The abutting properties are not permitted to drain directly into this easement except by means of a drainage structure approved by El Paso County.
12. Aria Subdivision is subject to on-site ponding of stormwater runoff, lot owners are responsible for maintaining adequate provisions to accommodate all stormwater runoff generated from their respective lot, plus one-half of the runoff generated from all abutting street rights-of-way directly fronting the lot.
13. All storm run-off shall be addressed within the subdivision boundaries through the use of on-site ponding as described in Case ID 20-055.
14. Water supply will be provided by the Horizon Regional Municipal Utility District.
15. Postal delivery service within the subdivision will be provided using neighborhood delivery and collection box units.
16. A new Grading and Drainage report prepared by a Texas licensed engineer is required to be submitted for review and concurrence by the County Planning and Development prior to any additional/new development.
17. All ponds will be constructed prior to the filing of the plat.
18. The Owner/Developer will install all utility service lines to the property lines unless otherwise approved, in writing, by the County Planning and Development Department.
19. Lot owner is responsible for maintaining driveways and parkways abutting their property.
20. Lot owner is responsible for constructing driveways.
21. This property lies within the Clint Independent School District.
22. Set 1/2" Rebar at all property corners unless otherwise noted.
23. Each access easement shall be kept clear of fences, buildings, plantings and other obstructions that would interfere with the use of the easement for abutting properties.

LOCATION MAP: 1"=600'



OWNER/DEVELOPER:
MARTIN MONROY
15131 ALBERTON AVE.
EL PASO, TEXAS 79928
PHONE: (915) 633-6422

SURVEYOR:
CAD CONSULTING CO.
CARLOS M. JIMENEZ
1790 N. LEE TREVINO
EL PASO, TEXAS 79936
PHONE: (915) 633-6422

ENGINEER:
4S ENGINEERING SERVICES
ALI BOURESLAN. PE
3616 McRAE, STE. A
EL PASO, TEXAS 79925
PHONE: (915) 443-9644

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CONSULTING COMPANY
1790 LEE TREVINO DRIVE SUITE 503
EL PASO, TEXAS 79936
TEL(915) 633-6422 FAX(915) 633-6424

METES & BOUNDS DESCRIPTION OF ARIA SUBDIVISION
Exhibit "A"

FIELD NOTE DESCRIPTION of a portion of the East 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 39, Block 78, Township 3, Texas and Pacific Railroad Company Surveys, El Paso County, Texas, being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a found 1" rebar at the common boundary section corner of Sections 39, 40, 45 and 46, same being the easterly right-of-way line of Ascencion Drive (100' R.O.W.) and the northerly right-of-way line of Alberton Avenue (60' R.O.W.); THENCE, leaving said common section corner and easterly right-of-way line of Ascencion Drive and along the northerly right-of-way line of Alberton Avenue, North 89°58'06" East, a distance of 328.91 feet to set iron rod at the POINT OF BEGINNING of the herein described parcel;

THENCE, leaving said northerly right-of-way line of Alberton Avenue, North 00°32'35" West, a distance of 654.68 feet to a set iron rod for corner;

THENCE, North 89°57'47" East, a distance of 328.89 feet to a set iron rod for corner;

THENCE, South 00°32'35" East, a distance of 654.71 feet to a set iron rod for corner at the northerly right-of-way line of Alberton Avenue;

THENCE, along said northerly right-of-way line of Alberton Avenue, South 89°58'06" West, a distance of 328.89 feet to the POINT OF BEGINNING of the herein described parcel and containing 215,314.29 square feet or 4.9429 acres of land more or less.

JOB# ARIAS SUB. EA **PREPARATION DATE: 09-25-19** REVISED DATE: 04-06-20 REVISED DATE: 05-04-20 REVISED DATE: 05-14-20

ARIA SUBDIVISION

A PORTION OF E 1/2 OF THE SW 1/4 OF THE SW 1/4 OF THE SW 1/4 OF SECTION 39, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILROAD CO. SURVEY EL PASO COUNTY, TEXAS

CONTAINING: 215,314.29 SQ.FT. OR 4.9429 ACRES ±

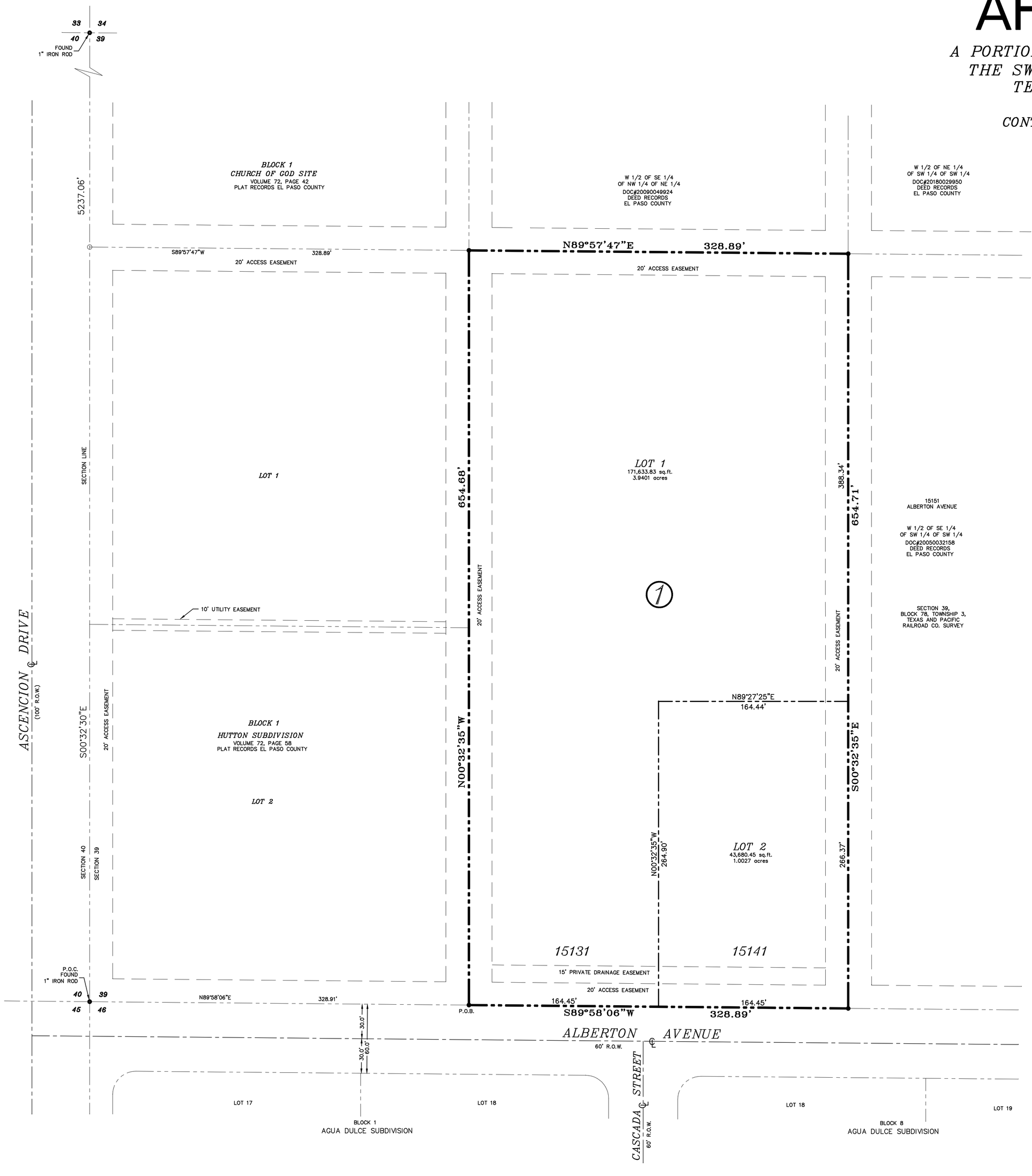
ARIA SUBDIVISION			
REVISION NUMBER	DESCRIPTION OF REVISION	DATE OF REVISION	REVISION DONE BY
1.	REVISE COMMENTS FROM COUNTY OF EL PASO FROM 03-10-20	04-06-20	EA
2.	REVISE COMMENTS FROM COUNTY OF EL PASO FROM 04-27-20	05-04-20	EA
3.	REVISE COMMENTS FROM COUNTY OF EL PASO FROM 05-11-20	05-14-20	EA
4.			



GRAPHIC SCALE

50' 0 25' 50' 100' 200'

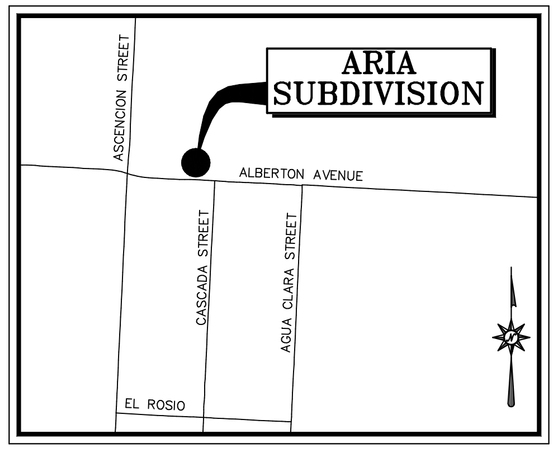
(IN FEET)
1 inch = 50' ft.



PLAT NOTES AND RESTRICTIONS:

1. Buildings shall be set as follows: from the County Road right-of-way, 20 feet; from the side street right-of-way, 10 feet; and from other adjoining property lines, 5 feet; from rear property, 25 feet.
2. The finish floor elevation of any residence shall be at least 18" above the average height of the curb in front of the lot, or at least 12" above the natural ground level surrounding the foundation, whichever is higher.
3. No more than one single-family detached dwelling shall be located on each lot.
4. Construction of residential housing within any area of the subdivision that is in the 100-year floodplain is prohibited unless the housing qualifies for insurance under the National Flood Insurance Act of 1968 (42 U.S.C. Section 4001 through 4127).
5. Each drainage easement shall be kept clear of fences, buildings, plantings and other obstructions that would interfere with the operation and maintenance of the drainage swales.
6. This property lies in Zone "X", as designed by F.E.M.A. El Paso County, Community Panel No. 480212-0250 B, Dated September 04, 1991.
7. Restrictive Covenants for this property are filed in the El Paso County Clerk's Office, Instrument No. _____, Date _____
8. Tax Certificates for this property are filed in the El Paso County Clerk's Office, Instrument No. _____, Date _____
9. The Owner/Developer the owner and subdivider of Aria Subdivision, retains an easement upon each lot for the purpose of installing an approved on-site sewage facility (OSSF) on the lot.
10. The Owner/Developer has provided adequate storm runoff and ponding provisions prior to sale of any lots.
11. Each lot has a 15' wide private drainage easement running along existing road to carry runoff away from roads. The abutting properties are not permitted to drain directly into this easement except by means of a drainage structure approved by El Paso County.
12. Aria Subdivision is subject to on-site ponding of stormwater runoff, lot owners are responsible for maintaining adequate provisions to accommodate all stormwater runoff generated from their respective lot, plus one-half of the runoff generated from all abutting street rights-of-way directly fronting the lot.
13. All storm run-off shall be addressed within the subdivision boundaries through the use of on-site ponding as described in Case ID 20-055.
14. Water supply will be provided by the Horizon Regional Municipal Utility District.
15. Postal delivery service within the subdivision will be provided using neighborhood delivery and collection box units.
16. A new Grading and Drainage report prepared by a Texas licensed engineer is required to be submitted for review and concurrence by the County Planning and Development prior to any additional/new development.
17. All ponds will be constructed prior to the filing of the plat.
18. The Owner/Developer will install all utility service lines to the property lines unless otherwise approved, in writing, by the County Planning and Development Department.
19. Lot owner is responsible for maintaining driveways and parkways abutting their property.
20. Lot owner is responsible for constructing driveways.
21. This property lies within the Clint Independent School District.
22. Set 1/2" Rebar at all property corners unless otherwise noted.
23. Each access easement shall be kept clear of fences, buildings, plantings and other obstructions that would interfere with the use of the easement for abutting properties.

LOCATION MAP: 1"=600'



OWNER/DEVELOPER:
MARTIN MONROY
15131 ALBERTON AVE.
EL PASO, TEXAS 79928
PHONE: (915) 633-6422

SURVEYOR:
CAD CONSULTING CO.
CARLOS M. JIMENEZ
1790 N. LEE TREVINO
EL PASO, TEXAS 79936
PHONE: (915) 633-6422

ENGINEER:
4S ENGINEERING SERVICES
ALI BOURESLAN. PE
3616 McRAE, STE. A
EL PASO, TEXAS 79925
PHONE: (915) 443-9644

TOTAL LOTS 2 RESIDENTIAL

STATE OF TEXAS
COUNTY OF EL PASO

OWNER'S DEDICATION, CERTIFICATION AND ATTESTATION

I, Martin Monroy, as owner of the 4.9429 acres of land emcompasses with the proposed Subdivision, hereby subdivide the land as described in this subdivision plat and dedicate to public use the utility easements shown herein.

I certify that I have complied with the requirement of Texas Local Goverment Code 232.032 and that:

A) the water quality and connections to the lots meet, or will meet, the minimum state standards;
B) electrical connections provided to the lots meet, or will meet, the minimum state standards; and
C) gas connections provided to the lots meet, or will meet, the minimum state standards;
D) each lot will have a septic system installed.

I attest that the matters asserted in this plat are true and complete.

_____ _____
MARTIN MONROY, Owner Date

STATE OF TEXAS
COUNTY OF EL PASO

Before me, the undersigned authority, on this day personally appeared MARTIN MONROY, know to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations herein expressed.

Given under my hand and seal of office this _____ day of _____, 2021.

_____ _____
Notary Public in and for El Paso County My Commission Expires

TOWN OF HORIZON CITY TOWN COUNCIL
CERTIFICATE OF PLAT APPROVAL UNDER LOCAL GOVERNMENT CODE 212.009 (c) AND 212.0115 (b)

This subdivision is hereby approved as to the platting and as to the conditions of the dedication in accordance with Chapter 212 of the local Goverment Code of Texas this _____day of _____, 2021 A.D.
Accepted and adopted by the City Council of Town of Horizon City this this _____day of _____, 2021 A.D.

_____ _____
ELVIA SCHULLER, City Clerk RUBEN MENDOZA, Mayor

Approved for filling this _____day of _____ 2021 A.D.

_____
HUITT-ZOLLARS, INC. (Town Enginner)
By: ISABEL VASQUEZ, P.E.
VICE PRESIDENT

EL PASO COUNTY
CERTIFICATE OF PLAT APPROVAL
UNDER LOCAL GOVERMENT CODE 232.028 (A)

WE THE UNDERSIGNED CERTIFY that this plat of Aria Subdivision was reviewed and approved by the El Paso County Commisioners Court on _____ 2021.

_____ Attest: _____
El Paso County Judge Date El Paso County Clerk Date

COUNTY CLERK'S RECORDING CERTIFICATE

Filed and recorded in the office of the County Clerk of El Paso County, Texas, this _____ day of _____, 2021, A.D. in File No. _____.

_____ _____
County Clerk Date By Deputy Date

METES & BOUNDS DESCRIPTION OF ARIA SUBDIVISION
Exhibit "A"

FIELD NOTE DESCRIPTION of a portion of the East 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 39, Block 78, Township 3, Texas and Pacific Railroad Company Surveys, El Paso County, Texas, being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a found 1" rebar at the common boundary section corner of Sections 39, 40, 45 and 46, same being the easterly right-of-way line of Ascencion Drive (100' R.O.W.) and the northerly right-of-way line of Alberton Avenue (60' R.O.W.); THENCE, leaving said common section corner and easterly right-of-way line of Ascencion Drive and along the northerly right-of-way line of Alberton Avenue, North 89°58'06" East, a distance of 328.91 feet to set iron rod at the POINT OF BEGINNING of the herein described parcel;

THENCE, leaving said northerly right-of-way line of Alberton Avenue, North 00°32'35" West, a distance of 654.68 feet to a set iron rod for corner;

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THENCE, along said northerly right-of-way line of Alberton Avenue, South 89°58'06" West, a distance of 328.89 feet to the POINT OF BEGINNING of the herein described parcel and containing 215,314.29 square feet or 4.9429 acres of land more or less.

STATE OF TEXAS
COUNTY OF EL PASO

I, Carlos M. Jimenez, a Registered Profesional Land Surveyor in Texas, hereby certify that the above plat and description of the Aria Subdivision were prepared from a survey of the property made on the ground by me or under my supervision on SEPTEMBER 02, 2019.

_____ _____
Carlos M. Jimenez Date
Registered Professional Land Surveyor
Texas No. 3950

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CONSULTING COMPANY
1790 LEE TREVINO DRIVE SUITE 309
EL PASO, TEXAS 79936
TEL(915) 633-6422 FAX(915) 633-6424

JOB# ARIAS SUB. EA **PREPARATION DATE: 09-25-19** REVISED DATE: 04-06-20 REVISED DATE: 05-04-20 REVISED DATE: 05-14-20

TOWN OF HORIZON CITY
MEMORANDUM

Date: July 8, 2021

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, Planning Director

SUBJECT: On a final plat subdivision application (#SUB002478-2021) for Rancho Desierto Bello Unit 13 Phase 2, legally described as a portion of Leigh Clark Survey No. 297, Town of Horizon City, El Paso County, Texas. Application submitted by TRE & Associates, LLC.

On June 21, 2021, the Planning and Zoning Commission voted unanimously to recommended approval of the final plat application for the Rancho Desierto Bello Unit 13 Phase 2 subdivision with the condition that the staff comments be addressed prior to City Council action.

The applicant has addressed all of the staff comments and staff recommends approval of the final plat.

Attached is the staff report that was presented to the Planning and Zoning Commission and the final plat.

14999 Darrington Rd. Horizon City, Texas 79928 (915) 852-1046 Fax (915) 852-1005

TOWN OF HORIZON CITY
Planning and Zoning Staff Report

Case #: SUB002478-2021 – Rancho Desierto Bello Unit 13 Phase 2
Application Type: Final Plat
P&Z Hearing Date: June 21, 2021
Staff Contact: Emily Offer
915-852-1046 ext.407; eoffer@horizoncity.org

Legal Description: A portion of Leigh Clark Survey No. 297,
Town of Horizon City,
El Paso County,
Texas
Acreage: Approximately 17.563 ± acres
Property Owner: SDC Development, LTD
Applicant: TRE & Associates, LLC
Nearest Park: Golden Eagle Park
Nearest School: Ricardo Estrada Junior High School

SURROUNDING PROPERTIES:

	Zoning	Land Use
N	R-9 (Residential)	Single Family Residential
E	R-9 (Residential)	Vacant
S	R-9 (Residential)	Vacant
W	R-9 (Residential)	Ricardo Estrada Junior High School

LAND USE AND ZONING:

	Existing	Proposed
Land Use	Vacant	Residential and Commercial
Zoning	R-9 (Residential) and R-2 (Residential)	R-9 (Residential) and R-2 (Residential)

Application Description:
The applicant is also requesting to subdivide approximately 17.563 acres. The proposed subdivision includes 83 lots for single-family residential development, the smallest lot measuring approximately 6,215 square feet and the largest lot measuring approximately 13,120 square feet in size.

In accordance with Section 2.8.1 of the Subdivision Ordinance, the developer will be utilizing the parkland fee credit established with Unit 13 Phase 1 to cover the required $4,800.00 ($400 per residential unit) in parkland fees. This unit will also utilize the parkland credit approved by City Council, leaving the developer with a remaining credit of 2.522 acres for any future units (after Unit 15) within the development.

Staff Recommendation:
Although the Comprehensive plan designates this area for Parks and Open Space, the developer is developing the area in accordance with the current zoning requirements, and they are dedicating a 5.022 acre park to serve the series of Rancho Desierto Bello

developments. Staff recommends ***APPROVAL*** of the final plat with the condition that all staff comments shall be addressed prior to City Council action.

Planning Division Comments:

1. The street suffix "Court" is reserved for cul-de-sacs only. Mescal Bean Court needs a new suffix, such as "Drive" or "Road".

Public Works Director Comments:

1. Blocks 53 lots 45-48, and lot 91-92 provide address numbers (for address review purpose).
2. Address review/approval by the El Paso County 9-1-1 District is required
3. Add a note stating sidewalk to be constructed by developer in areas fronting the three drainage and/or HRMUD easements.
4. Provide a copy of the restrictions and covenants to be recorded, if any.

Town Engineer Comments:

The Town Engineer does not have any comments on the RDB Unit 13 Phase 2 plat.

El Paso 9-1-1 District Comments:

The 911 District has no adverse comments regarding this plat.

School District Comments:

The Socorro Independent School District has reviewed Rancho Desierto Bello Unit Thirteen Phase Two and it is beyond our jurisdiction.

Clint Independent School District did not provide comments.

TxDOT Comments:

TxDOT has no comments since proposed unit is not abutting TxDOT right of way.

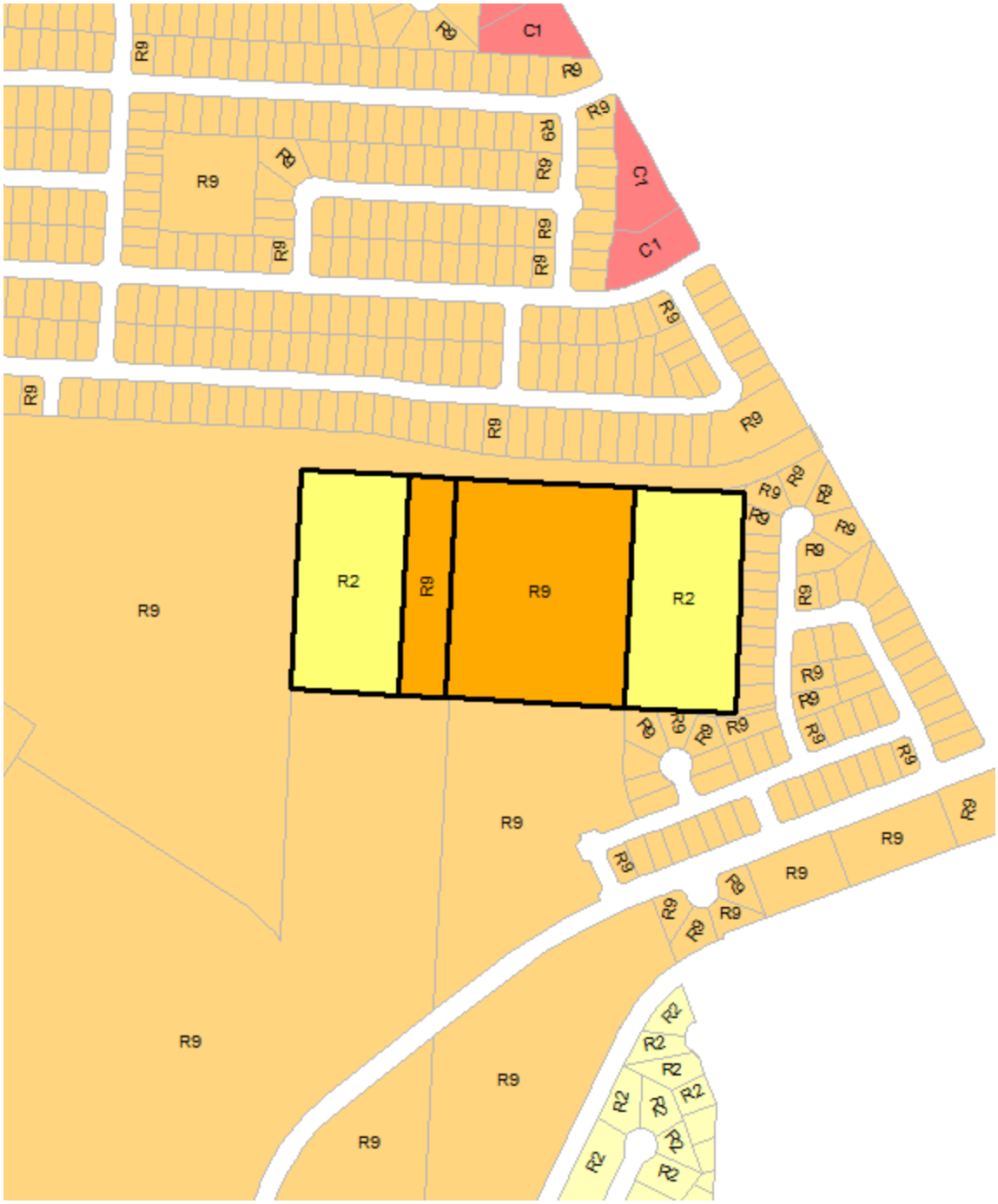
El Paso Central Appraisal District Comments:

The EPCAD approves this development.

Attachments:

1 – Zoning Map
2 – Aerial
3 – Applications
4 – Plat

Attachment 1: Zoning Map



Attachment 2: Aerial Map



Attachment 3- Application

TOWN OF HORIZON CITY
14999 Darrington Road
Horizon City, Texas 79928
Phone 915-852-1046 Fax 915-852-1005

MAJOR SUBDIVISION FINAL PLAT APPLICATION

SUBDIVISION PROPOSED NAME: Rancho Desierto Bello Unit 13 Phase II SUBMITTAL DATE: 5/26/2021

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.)
A PORTION OF LEIGH CLARK SURVEY No. 297, TOWN OF HORIZON CITY, EL PASO, COUNTY, TEXAS , CONTAING 17.563 ACRES +/-

2. PROPERTY LAND USES:

	ACRES	SITES		ACRES	SITES
SINGLE-FAMILY	14.843	83	OFFICE		
DUPLEX			STREET & ALLEY	2.72	
APARTMENT			PONDING & DRAINAGE		
MOBILE HOME			INSTITUTIONAL		
P.U.D.			OTHER		
PARK (Min 1 Acre)					
SCHOOL					
COMMERCIAL			TOTAL NO. SITES		83
INDUSTRIAL			TOTAL (GROSS) ACREAGE	17.563	

3. WHAT IS THE EXISTING ZONING OF THE PROPERTY DESCRIBED ABOVE? R-9, R-2 PROPOSED ZONING N/A

4. WILL THE RESIDENTIAL SITES, AS PROPOSED, PERMIT DEVELOPMENT IN FULL COMPLIANCE WITH ALL ZONING REQUIREMENTS OF THE EXISTING RESIDENTIAL ZONE(S)? YES ☑ NO ☐

5. WHAT TYPE OF UTILITY EASEMENTS ARE PROPOSED? UNDERGROUND ☐ OVERHEAD ☐ COMBINATION ☑

6. WHAT TYPE OF DRAINAGE IS PROPOSED? (IF APPLICABLE LIST MORE THAN ONE) Underground storm sewer system to Retention Pond

7. IF SINGLE-FAMILY OR DUPLEX DEVELOPMENT IS PROPOSED: AVERAGE FLOOR AREA OF HOUSES N/A

8. ARE SPECIAL IMPROVEMENTS PROPOSED IN CONNECTION WITH THE DEVELOPMENT? YES ☐ NO ☑

9. IS A MODIFICATION OF ANY PORTION OF THE SUBDIVISION ORDINANCE PROPOSED? YES ☐ NO ☑
IF "YES", PLEASE LIST SECTION & EXPLAIN THE NATURE OF THE MODIFICATION

10. WHAT TYPE OF LANDSCAPING IS PROPOSED? PARKWAY ☐ MEDIANS ☐ OTHER ☐ N/A

11. REMARKS AND/OR EXPLANATION OF SPECIAL CIRCUMSTANCES:

12. WILL PLAT BE RECORDED PRIOR TO SUBDIVISION IMPROVEMENTS BEING COMPLETED & APPROVED? ☐YES ☑NO ☐ N/A INITIALS L.I.
IF YES, submit REQUIRED GUARANTEE (SECTION 4.10.3 & 8.1.7, Municode Chapter 10) **OR** Improvement Cost Estimates & Construction Agreement

13. WILL ANY RESTRICTIONS AND COVENANTS BE RECORDED WITH PLAT? YES ☐ NO ☑ INITIALS _____ IF YES, PLEASE SUBMIT COPY.

	(NAME & ADDRESS)	(EMAIL)	(PHONE)
14. OWNER OF RECORD	SDC Development, LTD	jduran@desertviewhomes.com	(915) 591-5319
15. DEVELOPER	SDC Development, LTD	jduran@desertviewhomes.com	(915) 591-5319
16. ENGINEER	TRE & Associates, LLC	llbaven@tr-eng.com	(915) 850-9093
17. APPLICANT	TRE & Associates, LLC	llbaven@tr-eng.com	(915) 850-9093
18. REP/POINT OF CONTACT	TRE & Associates, LLC	llbaven@tr-eng.com	(915) 850-9093

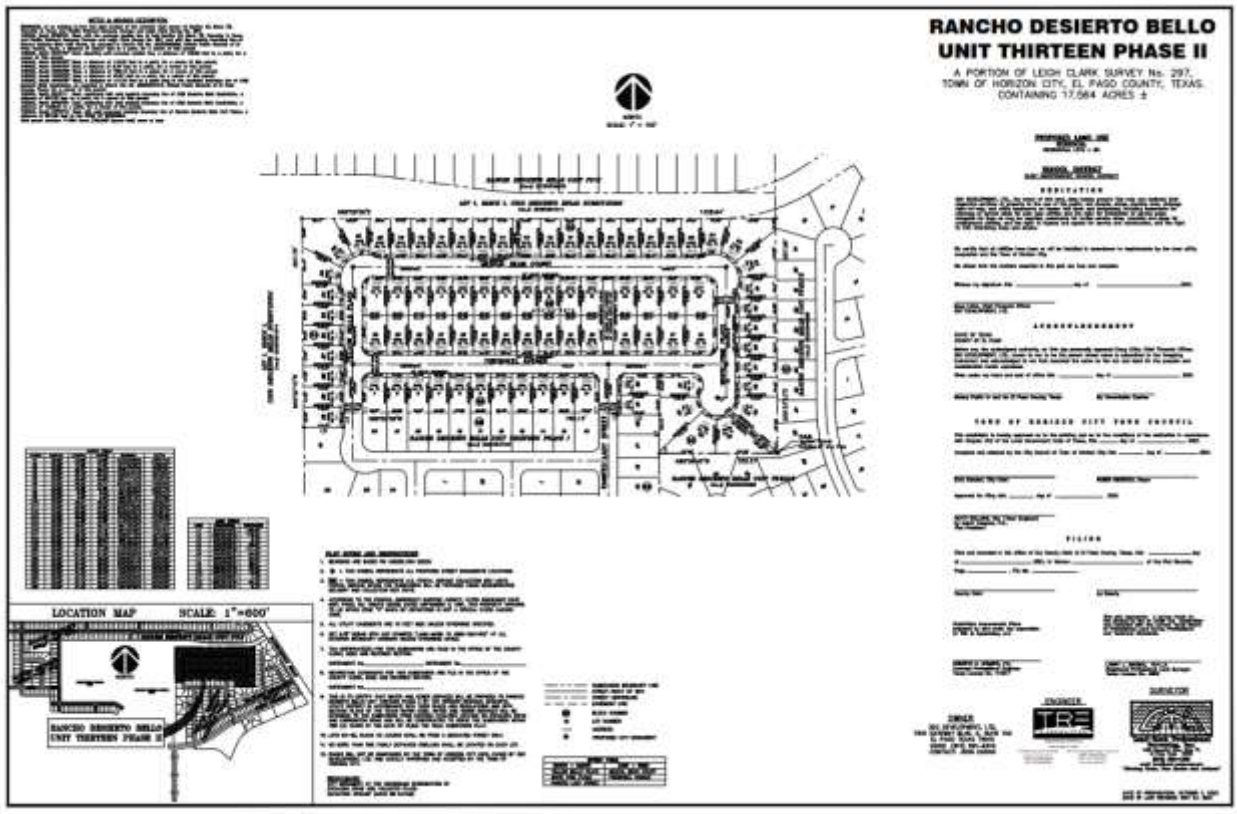
NOTE: *Applicant is responsible for all expenses incurred by the City in connection with the Final plat approval request, including but not limited to attorney's fees, engineering fees and publication. Charges exceeding deposit will be invoiced separately.* Initials L.I.

Applicant Signature _____ EMAIL llbaven@tr-eng.com

APPLICATION MUST BE COMPLETE & VALIDATED PRIOR TO SUBDIVISION PROCESSING

Acceptance of fee does not grant acceptance of application.
Non Refundable Deposit $500.00 | Application Fee: $150

Attachment 4 – Plat



RANCHO DESIERTO BELLO UNIT THIRTEEN PHASE II

A PORTION OF LEIGH CLARK SURVEY No. 297, TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS. CONTAINING 17.564 ACRES ±

METES & BOUNDS DESCRIPTION

BEGINNING, at an existing 2-inch iron pipe located at the common west corner of Section 43, Block 78, Township 3, Texas and Pacific Railroad Company Surveys and Leigh Clark Survey No. 297;
THENCE, North 89°59'40" West, with the common section line of said Section 43, Block 78, Township 3, Texas and Pacific Railroad Company Surveys and Leigh Clark Survey No. 297, and with the westerly boundary line of Rancho Desierto Bello Unit Twelve, as recorded in Clerk's File No. 20200040588, Official Public Records of El Paso County, Texas, a distance of 332.21 feet to a point, for a corner of this parcel;
THENCE, North 00°24'40" East, departing said common section line, a distance of 108.90 feet to a point, for a corner of this parcel;
THENCE, North 89°59'58" West, a distance of 118.22 feet to a point, for a corner of this parcel;
THENCE, North 00°00'00" East, a distance of 5.75 feet to a point, for a corner of this parcel;
THENCE, South 89°59'58" West, a distance of 768.13 feet to a point, for a corner of this parcel;
THENCE, South 00°00'00" East, a distance of 40.97 feet to a point, for a corner of this parcel;
THENCE, South 90°00'00" West, a distance of 111.75 feet to a point lying in the southerly boundary line of CISD Desierto Bello Subdivision, as recorded in Clerk's File No. 20090061514, Official Public Records of El Paso County, Texas, for a corner of this parcel;
THENCE, North 00°32'11" West, continuing with said easterly boundary line of CISD Desierto Bello Subdivision, a distance of 657.78 feet to a point, for a corner of this parcel;
THENCE, North 89°59'58" East, continuing with said easterly boundary line of CISD Desierto Bello Subdivision, a distance of 1328.64 to a point, for a corner of this parcel;
THENCE, South 00°33'12" East, with said proposed westerly boundary line of Rancho Desierto Bello Unit Twelve, a distance of 657.96 feet to the POINT OF BEGINNING.
Said parcel contains 17.564 Acres (765,066 Square feet) more or less.

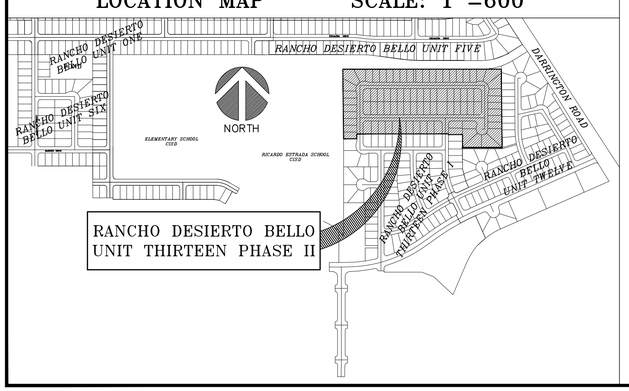
NORTH
SCALE: 1" = 100'



CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	30.00'	12.98'	12.88'	N12°23'38"W	24°47'16"
C2	70.00'	17.28'	17.23'	S17°43'00"E	14°08'32"
C3	70.00'	46.27'	45.43'	S08°17'27"W	37°52.21"
C4	70.00'	43.10'	42.42'	S44°51'51"W	35°16'27"
C5	70.00'	45.66'	44.85'	S81°11'12"W	37°22'15"
C6	70.00'	18.22'	18.17'	N72°40'13"W	14°54'54"
C7	30.00'	12.98'	12.88'	S77°36'24"E	24°47'16"
C8	30.00'	8.38'	8.35'	N81°59'53"E	16°00'10"
C9	30.00'	4.60'	4.60'	N69°36'15"E	8°47'06"
C10	70.00'	49.41'	48.39'	S80°26'01"W	40°26'37"
C11	70.00'	43.56'	42.86'	N56°31'08"W	35°39'06"
C12	70.00'	43.56'	42.86'	N20°52'00"W	35°39'10"
C13	70.00'	34.00'	33.66'	N10°52'24"E	27°49'38"
C14	30.00'	12.98'	12.88'	S12°23'36"W	24°47'15"
C15	50.00'	36.97'	36.13'	N21°10'54"E	42°21'53"
C16	50.00'	15.23'	15.18'	N51°05'36"E	17°27'27"
C17	50.00'	28.15'	27.78'	N75°57'10"E	32°15'39"
C18	50.00'	39.52'	38.50'	S65°16'27"E	45°17'08"
C19	50.00'	40.19'	39.12'	S19°36'05"E	46°03'36"
C20	50.00'	21.75'	21.58'	S15°53'24"W	24°55'23"
C21	30.00'	61.97'	51.52'	N30°49'26"W	118°21'03"
C22	20.00'	31.42'	28.28'	S45°00'01"W	90°00'02"
C23	20.00'	31.42'	28.28'	N45°00'01"W	90°00'02"
C24	20.00'	31.42'	28.28'	S44°59'59"W	89°59'58"
C25	20.00'	31.42'	28.28'	S45°00'01"E	90°00'02"
C26	30.00'	47.12'	42.43'	S44°59'59"W	89°59'58"
C27	30.00'	47.12'	42.43'	N45°00'02"W	90°00'00"
C28	20.00'	31.42'	28.28'	N44°59'58"E	90°00'00"

LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	N00°24'40"E	108.90'
L2	N89°59'58"W	118.22'
L3	N00°00'00"E	5.75'
L4	S00°00'00"E	40.97'
L5	S90°00'00"W	111.75'
L6	S00°00'02"E	94.00'
L7	N89°59'58"E	24.00'
L8	S00°00'00"E	29.51'
L9	S89°59'58"W	30.08'
L10	N00°00'02"W	10.98'
L11	S00°26'08"E	1.78'
L12	N89°59'40"W	20.32'
L13	N00°24'40"E	5.73'

LOCATION MAP SCALE: 1"=600'



PLAT NOTES AND RESTRICTIONS

1. BEARINGS ARE BASED ON UNDERLYING DEEDS.
2. ◉ = THIS SYMBOL REPRESENTS ALL PROPOSED STREET MONUMENTS LOCATIONS.
3. USPS = THIS SYMBOL REPRESENTS U.S. POSTAL SERVICE COLLECTION BOX UNITS. POSTAL SERVICE WITHIN THE SUBDIVISION WILL BE PROVIDED USING NEIGHBORHOOD DELIVERY AND COLLECTION BOX UNITS.
4. ACCORDING TO THE FEDERAL EMERGENCY MAPPING AGENCY, FLOOD INSURANCE RATE MAP, PANEL NO. 480212 0250B, DATED SEPTEMBER 4, 1991, THIS PROPERTY APPEARS TO LIE WITHIN ZONE "X" WHICH BY DEFINITIONS IS NOT A SPECIAL FLOOD HAZARD ZONE.
5. ALL UTILITY EASEMENTS ARE 10 FEET WIDE UNLESS OTHERWISE SPECIFIED.
6. SET 5/8" REBAR WITH CAP STAMPED "LAND-MARK TX 4869 NM11402" AT ALL EXTERIOR BOUNDARY CORNERS UNLESS OTHERWISE NOTED.
7. TAX CERTIFICATE(S) FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORDS SECTION.
   INSTRUMENT No._____ INSTRUMENT No._____
8. RESTRICTIVE COVENANTS FOR THIS SUBDIVISION ARE FILE IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORDS SECTION.
   INSTRUMENT No._____
9. THIS IS TO CERTIFY THAT WATER AND SEWER SERVICES WILL BE PROVIDED TO RANCHO DESIERTO BELLO UNIT THIRTEEN PHASE II BY THE HORIZON REGIONAL MUNICIPAL UTILITY DISTRICT IN ACCORDANCE WITH THEIR RULES AND REGULATIONS AND WITH SECTION 16.343 OF THE TEXAS WATER CODE. WATER AND SEWER SERVICES WILL BE EXTENDED TO THE SUBDIVISION FROM EXISTING FACILITIES LOCATED ON ESCALERA DRIVE AND DARRINGTON ROAD AND WILL BE CONSTRUCTED TO SERVE THE SUBDIVISION WITHIN TWO (2) YEARS OF THE DATE OF FILING THE FINAL SUBDIVISION PLAT.
10. LOTS 63-82, BLOCK 53 ACCESS SHALL BE FROM A DEDICATED STREET ONLY.
11. NO MORE THAN ONE FAMILY DETACHED DWELLING SHALL BE LOCATED ON EACH LOT.
12. ROADS WILL NOT BE MAINTAINED BY THE TOWN OF HORIZON CITY UNTIL PAVED BY SDC DEVELOPMENT, LTD. AND LEGALLY APPROVED AND ACCEPTED BY THE TOWN OF HORIZON CITY.

BENCHMARK
CITY MONUMENT AT THE CENTERLINE INTERSECTION OF ESCALERA DRIVE AND VALLECITO PLACE.
ELEVATION 4016.99' (NAVD 88 DATUM)

SUBDIVISION BOUNDARY LINE
STREET RIGHT OF WAY
STREET CENTERLINE
EASEMENT LINE
(56) BLOCK NUMBER
12 LOT NUMBER
14309 ADDRESS
◉ PROPOSED CITY MONUMENT

STREET TABLE	
NORTH – SOUTH	EAST – WEST
YELLOW BELLS PLACE	MESCAL BEAN AVENUE
WHITE PINE PLACE	FIREWHEEL AVENUE
PAINTED LADY STREET	

PROPOSED LAND USE
RESIDENTIAL
RESIDENTIAL LOTS = 83

SCHOOL DISTRICT
CLINT INDEPENDENT SCHOOL DISTRICT

D E D I C A T I O N

SDC DEVELOPMENT, LTD., the owner of this land, does hereby present this map and dedicate their respective portions of property to the use of the public, the streets, drives, ponding area, drainage right-of-way, and utility easements as hereon laid down and designated, including easements for overhang of service wires for pole type utilities and the right for installation of service poles alongside lot lines as may be required, easements for buried service wires, conduits and pipes for underground utilities, and the right to ingress and egress for service and construction, and the right to trim interfering trees and shrubs.

We certify that all utilities have been or will be installed in accordance to requirements by the local utility companies and the Town of Horizon City.

We attest that the matters asserted in this plat are true and complete

Witness my signature this _____ day of _____ 2021.

_____
Doug Little, Chief Financial Officer
SDC DEVELOPMENT, LTD.

A C K N O W L E D G E M E N T

STATE OF TEXAS
COUNTY OF EL PASO

Before me, the undersigned authority, on this day personally appeared Doug Little, Chief Financial Officer, SDC DEVELOPMENT, LTD., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that executed the same as the act and deed for the purpose and consideration herein expressed.

Given under my hand and seal of office this _____ day of _____ 2021.

_____ _____
Notary Public in and for El Paso County, Texas My Commission Expires

T O W N O F H O R I Z O N C I T Y T O W N C O U N C I L

This subdivision is hereby approved as to the platting and as to the conditions of the dedication in accordance with Chapter 212 of the Local Government Code of Texas, this _____ day of _____ 2021.

Accepted and adopted by the City Council of Town of Horizon City this _____ day of _____ 2021.

_____ _____
Elvia Schuller, City Clerk RUBEN MENDOZA, Mayor

Approved for filing this _____ day of _____ 2021.

_____
HUITT-ZOLLARS, INC. (Town Engineer)
by Isabel Vasquez, P.E.,
Vice President

F I L I N G

Filed and recorded in the office of the County Clerk of El Paso County, Texas, this _____ day of _____ 2021, in Volume _____ of the Plat Records, Page _____, File No. _____.

_____ _____
County Clerk by Deputy

Subdivision Improvement Plans prepared by and under the supervision of TRE & Associates, LLC

_____
ROBERTO S. ROMERO, P.E.
Licensed Professional Engineer
Texas License No. 114517

This plat represents a survey made on the ground by me or under my supervision and complies with the current Texas Board of Professional Land Survey Professional and Technical Standards.

_____
LARRY L. DREWES, R.P.L.S.
Registered Professional Land Surveyor
Texas License No. 4869

OWNER
SDC DEVELOPMENT, LTD.
7910 GATEWAY BLVD. E, SUITE 102
EL PASO TEXAS 79915
VOICE: (915) 591-6319
CONTACT: JOHN DURAN

ENGINEER
TRE & ASSOCIATES
Engineering Solutions
TBPE FIRM No. 13987
110 Mesa Park Drive, Suite 200
El Paso, Texas 79912
Office: (915) 852-9093
Fax: (915) 629-8506
6101 W. Courtyard Dr. Bldg. 1, Suite 100
Austin, Texas 78730
Office: (512) 358-4049
Fax: (512) 366-5374

SURVEYOR
Land-Mark Professional Surveying, Inc.
1420 Bassemer Drive, Suite 'A'
El Paso, Texas 79935
(915) 598-1300
email: Larry@Land-marksurvey.com
"Serving Texas, New Mexico and Arizona"

DATE OF PREPARATION: OCTOBER 7, 2020
DATE OF LAST REVISION: JULY 6, 2021

TOWN OF HORIZON CITY
MEMORANDUM

Date: July 8, 2021

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, Planning Director

SUBJECT: On a specific use permit application (#SUP002475-2021), for property located at 12504 Weaver Road, Horizon City, Texas, 79928, legally described as Lots, 1, 2, 3, portion of 14, Block 3, Horizon Industrial Park Unit One. The request is to allow the facility to maintain its existing level of operation while transferring ownership. Application submitted by Air Systems Components, Inc.

On June 21, 2021, the Planning and Zoning Commission voted unanimously to recommend that the City Council approve a Specific Use Permit to allow for the current manufacturing operation to remain at the subject address. The M-1 zone that the property currently maintains allows for manufacturing operations that include 25 or fewer employees. The property is currently transitioning to new ownership and the request is to allow the operation to continue as its current level within the existing footprint.

Attached is the staff report that was presented to the Planning and Zoning Commission.

TOWN OF HORIZON CITY
Planning and Zoning Staff Report

Case #: SUP002475-2021
Application Type: Specific Use Permit (SUP)
P&Z Hearing Date: June 21, 2021
Staff Contact: Emily Offer
915-852-1046 ext.407; eoffer@horizoncity.org

Address/Location: 12504 Weaver Road, Horizon City, TX. 79928
Legal Description: Lots 1, 2, 3, portion of 14
Block 3
Horizon Industrial Park Unit One
Acreage: Approximately 13.9277 ± acres
Existing Use: Light Industrial
Existing Zoning: M-1 (Light Industrial)
Request: Specific Use Permit to allow the facility to maintain its existing level of operation while transferring ownership.
Owner: Air System Components, Inc.
Applicant: Air System Components, Inc.

SURROUNDING PROPERTIES:

	Zoning	Land Use
N	M-1 (Light Industrial)	Munoz Trucking Inc and other Industrial uses
E	M-1 (Light Industrial)	CISD and Power Sports Academy
S	M-1 (Light Industrial)	Vacant and LGA Express
W	R-2 (Residential)	Vacant

LAND USE AND ZONING:

	Existing	Proposed
Land Use	M-1 (Light Industrial)	M-1 (Light Industrial)
Zoning	M-1 (Light Industrial)	M-1 (Light Industrial)

Application Description:
The applicant is requesting a Specific Use Permit to maintain its existing level of operation once the property is sold. The intention is to lease the property back to the current owner. The property was constructed in 1972, prior to the incorporation of the Town of Horizon City; therefore, the property is legal non-conforming. A transfer of ownership, however, would result in the loss of this property's existing legal non-conforming status. The property currently hosts 95-115 employees; the Town of Horizon City's M-1 (light industrial) zone permits a manufacturing operation with a maximum of 25 employees.

ASC uses and intends to continue using this property to manufacture component parts for heating, ventilation, air conditioning units, linear diffusers, registers, and grills. These components are also painted, packaged, stored, and shipped from the facility on this property.

Section 603.4- Prohibited Uses of Chapter 14 in the Zoning Ordinance (Exhibit A of Chapter 14 Zoning) in the Municipal Code prohibits all uses other than permitted uses and permitted accessory uses unless presented to and approved by the City Council as a Specific Use Permit (SUP).

Notice:
In accordance with Section 211.007 of the Texas Local Government Code, notices of the June 21, 2021 public hearing were sent to those property owners within 200 feet of the subject property on June 7, 2021. Any responses received by staff, will be presented to the Commission and Planning and Zoning Commission meeting.

Staff Recommendation:
Staff recommends **APPROVAL** of the request for a *Specific Use Permit* for the facility's ability to maintain its existing level of operation.

Shaping the Horizon: 2030 – Future Land Use Map Designation:
The Future Land Use Map designates this area as M-1 (light industrial.) This land use classification includes all light manufacturing, processing, storage, and professional research and development activities.

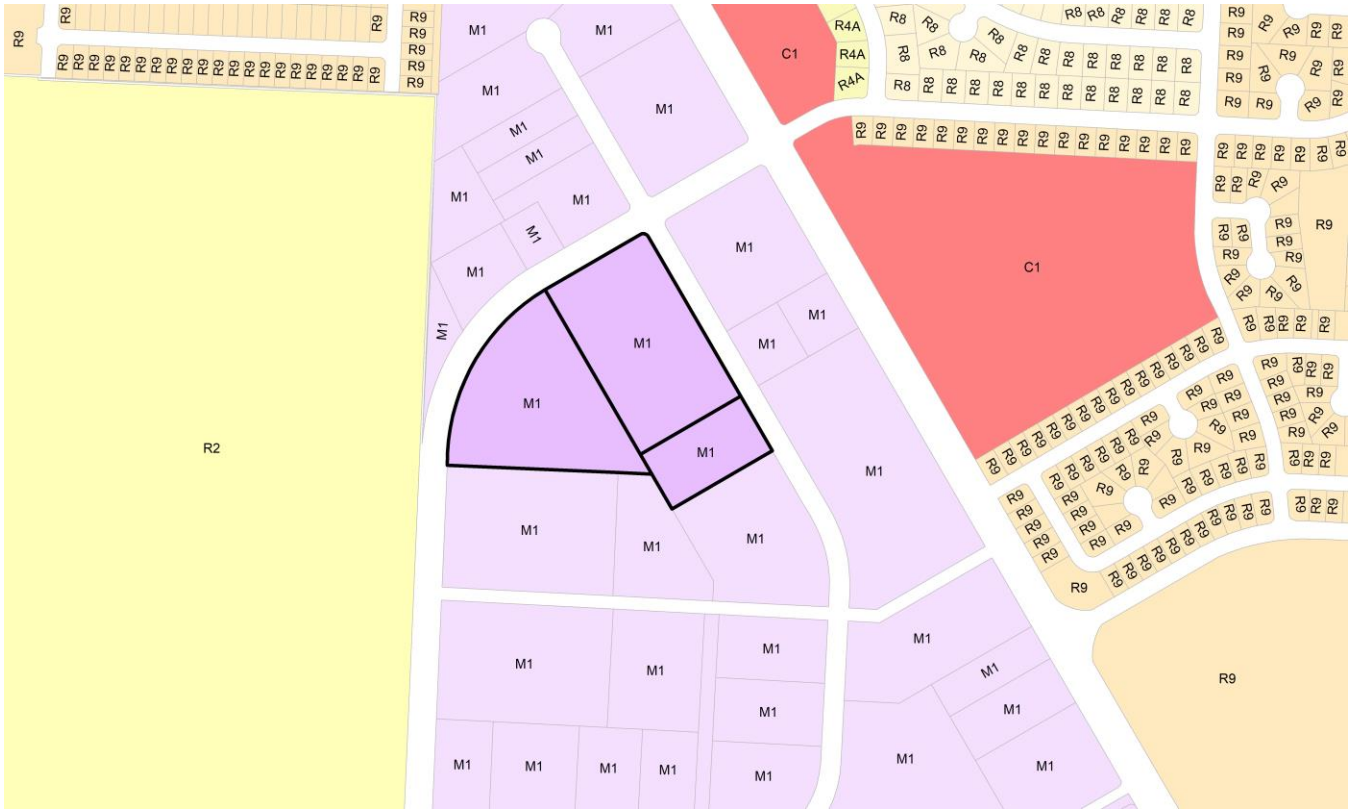
Options available to the Planning and Zoning Commission:
The Planning and Zoning Commission may consider the following options and additional requirements that it identifies when reviewing this specific use permit application:

1. Recommend approval of the request for Specific Use Permit in a M-1 (Light Industrial) Zoning District as stated.
2. Recommend approval of the request for Specific Use Permit in a M-1 (Light Industrial) Zoning District as stated, including any restrictions or modifications to bring the Specific Use Permit into conformance with the Zoning Regulations in the Municipal Code and the Shaping Our Horizon: 2030 A Comprehensive and Strategic Plan.
3. Recommend denial of the Applicant's request for Specific Use Permit finding that it is not in conformance with the Zoning Regulations in the Municipal Code and/or the Shaping Our Horizon: 2030 A Comprehensive and Strategic Plan

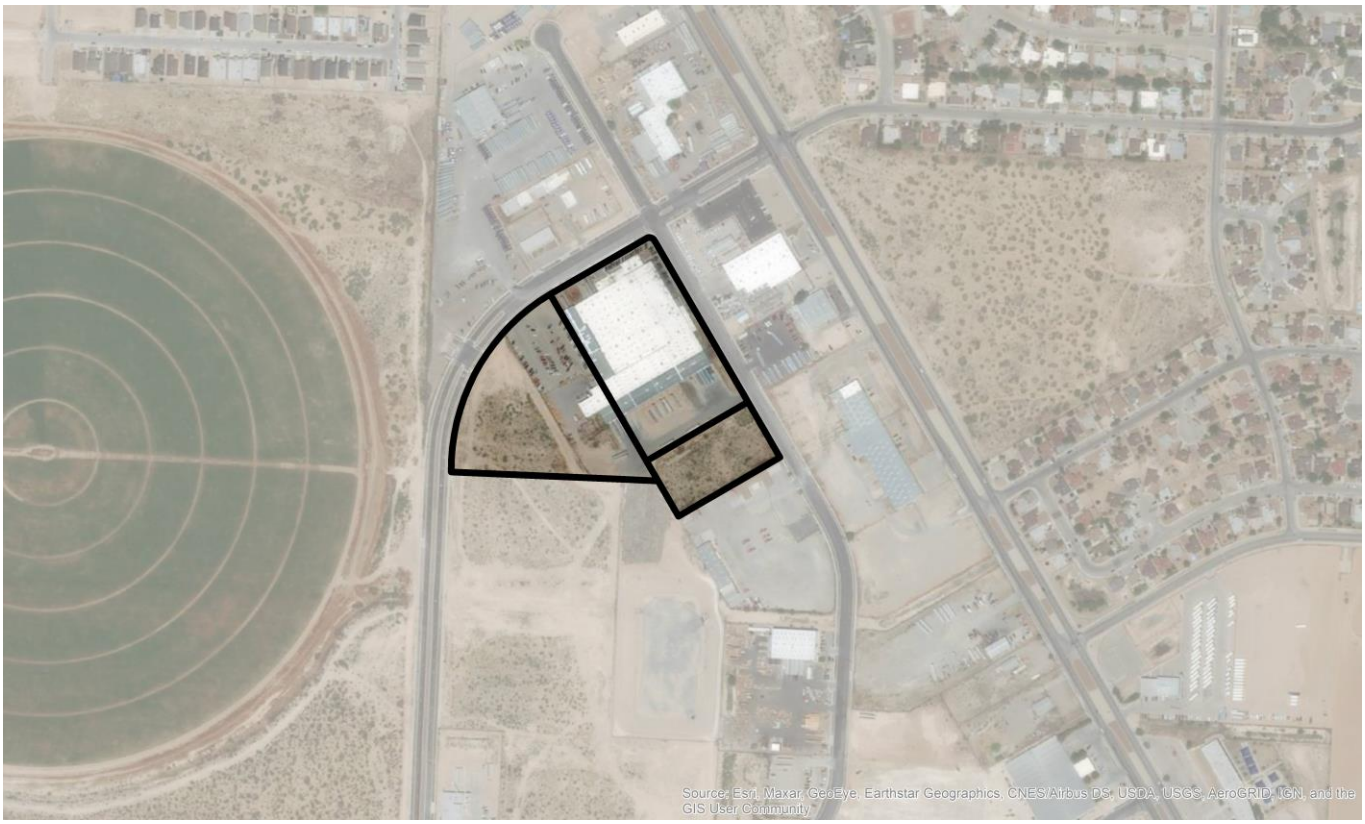
Attachments:

1 - Zoning Map
2 - Aerial Map
3 - Application
3 - Letter from Applicant
4 - Survey

Attachment 1: Zoning Map



Attachment 2: Aerial Map



Attachment 3- Application

DocuSign Envelope ID: 8A25B26E-4B2E-4076-8D22-594DFEC4853B

TOWN OF HORIZON CITY
14999 Darrington Road
Horizon City, Texas 79928
Phone 915-852-1046 Fax 915-852-1005

SPECIFIC USE PERMIT APPLICATION

1. **Property Owner of Record**: Air System Components, Inc.
c/o Johnson Controls, Inc., Enterprise Property Group, X-80, 5757 N. Green Bay Avenue, Milwaukee, WI 53209
(ADDRESS) (ZIP) (PHONE) (EMAIL)

2. **Applicant** Air System Components, Inc. Is applicant also the Owner? ☑Yes ☐No
Contact Person Thad E. Steffen, Director EPG Is applicant also the Contractor? ☐Yes ☐No
c/o Johnson Controls, Inc., Enterprise Property Group, X-80, 5757 N. Green Bay Avenue, Milwaukee, WI 53209 (414) 524-5613 Thad.E.Steffen@jci.com
(ADDRESS) (ZIP) (PHONE) (EMAIL)

3. **Contractor**
(ADDRESS) (ZIP) (PHONE) (EMAIL)

4. **Site Address/Location** 12504 Weaver Road, Horizon City, Texas 79928
Legal Description: 1, 2, 3, 4, portion of 14 (Lot) 3 (Block) Horizon Industrial Park Unit One - See attached Addendum No. 4 (Subdivision Name)
If the legal description of the complete tracts or if plat is not available, the ***required*** Metes & Bounds Description with a survey map is attached? ☑Yes ☐ No

5. Briefly explain why you request a Specific Use Permit? See enclosed letter.

6. **Land's Presents Use:** Light manufacturing, assembly, packaging and distribution Zone M-1
Land Vacant ☐ Lot size _____ Structure ☐ Structure's size 160,747 Last known date the structure was occupied? 05/14/2021
Land's Proposed Use: Light manufacturing, assembly, packaging and distribution of products. Proposed Zone Use M-1
Will you be making any improvements to the existing lot or structure? ☑Yes ☐ No This request includes *Site Improvements* for approval? ☐ Yes ☑ No

Schedule appointment with Building Official

Building Official Findings & Pre Licensing Consultation for Non-Conforming Use & Site Improvements

7. **Non-Conforming use of a lot, uses, land & structures, uses of structures, premises & characteristics of use** or **site improvements**, necessitates that the applicant and/or contractor consult with the Town's Building Official on the proposed project & Business to discuss any requirements for this request.

A field inspection on (date) _____ determined the lot is: ☐ Not Applicable ☐ Legal Non-Conforming ☐ Non-Conforming **and Requires the following:** _____

Building Official Signature ***Date***

NOTICE: *Applicant is responsible for all expenses incurred by the City in connection with the Specific Use Permit Application request, including but not limited to attorney's fees, engineering fees and Publication Fees. Additional charges will be invoiced separately and shall be paid to the Town prior to City Council action.* *Applicant's Signature* DocuSigned by: Thad E. Steffen

8. **Signatures:** DocuSigned by: Thad E. Steffen
(OWNER'S SIGNATURE) Air System Components, Inc.
Air System Components, Inc., by Thad E. Steffen
(OWNER'S PRINTED NAME))

(APPLICANT'S SIGNATURE)
(APPLICANT'S PRINTED NAME)

FEES:

EL PASO TIMES PUBLISHING FEE	APPROXIMATELY $280
ENGINEER FEES	$60 PER EACH ½ HOUR

Application & Submittals Due Date: _____
P&Z Scheduled Mtg. Date: _____
City Council Scheduled Date: _____
Application Received By: _____
Date Application Rec'd: _____

Please see reverse side for list of items required at time of submitting SUP application.

Revised 04May2020

Attachment 4 – Letter from Applicant

DocuSign Envelope ID: BA2EE66C-4B48-4D84-B66D-0C324D10A044

May 25, 2021

Town of Horizon City
Planning and Zoning Commission
Attn: Michelle Padilla, AICP, CNU-A
14999 Darrington Road
Horizon City, Texas 79928

RE: Specific Use Permit – 12504 Weaver Road, Horizon City, Texas 79928, and which is more particularly described on Attachment A, attached hereto and hereby incorporated herein for all purposes (the "Property")

Dear Ms. Padilla,

Air System Components, Inc. ("ASC") is the current owner of the Property. ASC currently uses the Property to manufacture component parts for its Heating, Ventilation and Air Conditioning units, which includes linear diffusers, registers and grills. These component parts are also painted, packaged, stored and shipped from the facility located on the Property. The facility generally employees between 95-115 employees about 40 of which are engaged in the manufacturing of the component parts.

The Property was constructed in 1972 and has been used consistent with its current use since the time of its initial construction. The Property is currently zoned M-1. The use of the Property is currently designated as legal non-conforming because ASC and its affiliates conduct light manufacturing operations at the Property with more than 25 employees. Permitted uses of a M-1 Zone, include light manufacturing but with a limitation of 25 employees.

ASC is currently engaged in negotiations to sell the Property and lease it back from the new owner on a long-term basis. ASC expects to continue its business operations at the Property as they are currently conducted, and there should be no impact to the community, including no traffic impact, as a result of this transaction. Notwithstanding the lack of a change to the use or operation of the Property, Section 102.1 of Zoning Ordinance 0102 states that if there is a sale of the Property or a change in its leasing status, then the Property would ordinarily lose its legal non-conforming use status. This transaction would obviously involve both a change in ownership and a change in the leasing status of the Property since it is currently owner-occupied.

The effect of ASC being unable to continue its current light manufacturing operations at Property would undoubtedly lead to a reduction in labor force and may also create an insurmountable impediment to the continued viability of ASC's use of the Property. Those are circumstances that ASC, the potential buyer, and hopefully the Town of Horizon City would like to avoid.

DocuSign Envelope ID: BA2EE66C-4B48-4D84-B66D-0C324D10A044

In addition, while there is not presently any intention to expand the footprint of the building, ASC will need to perform significant repairs to the Property (due to its age) over the next ten years. Although not immediate, some of these repairs may exceed the 10% of replacement value threshold set forth in Section 1101.5 of Zoning Ordinance 0102 causing the Property to lose its legal non-conforming status. Obviously, the results of that conclusion would be equally devastating for ASC's Horizon City operations.

Pursuant to Section 1101.6 of Zoning Ordinance 0102, any use which is permitted as a special exception or a variance from the terms of this ordinance shall not be deemed a nonconforming use in such district, but shall without further action be considered a conforming use. Therefore, for the reasons set forth above, ASC is requesting the issuance of a Specific Use Permit so that it may continue its operations at the Property following the conclusion of its sale leaseback transaction and so that it may repair its facility to promote continued operations at the facility.

Should you have any questions, please do not hesitate to contact me. Thank you for your consideration of this request.

Air System Components, Inc.

By: DocuSigned by: Thad E. Steffen

Thad E. Steffen, Director, Enterprise Property Group, Americas

cc: Lauré Roy, Esq. Legal Director,
Global Procurement, IT & RE

61385661.1

{12187.1/JRHO/06824763.2}

ATTACHMENT A

PARCEL 1:
Lots 1, 2 and 3, Block 3, HORIZON INDUSTRIAL PARK UNIT ONE, an Addition to the Town of Horizon City, El Paso County, Texas, according to the plat thereof, filed in Volume 39, Page(s) 20, 20A and 20B, Plat Records, El Paso County, Texas.

PARCEL 2:
Lot 4, Block 3, HORIZON INDUSTRIAL PARK UNIT ONE, an Addition to the Town of Horizon City, El Paso County, Texas, according to the plat thereof, filed in Volume 39, Pages 20, 20A, and 20B, Plat Records, El Paso County, Texas.

PARCEL 3:
A parcel of land containing 6.000 acres more or less, being a portion of Lot 14, Block 3, HORIZON INDUSTRIAL PARK UNIT ONE, an Addition to the Town of Horizon City, El Paso County, Texas, according to the plat thereof, filed in Volume 39, Pages 20, 20A, and 20B, Plat Records, El Paso County, Texas; with said land being more particularly described by metes and bounds as follows: From a point, said point lying at the intersection of the centerlines of Weaver Road and Kenazo Drive; Thence, North 00° 30' 42" West along the centerline of Kenazo Drive a distance of 1,309.44 feet; Thence, North 89° 29' 18" East a distance of 45.00 feet to a point lying on the east right-of-way line of Kenazo Drive, said point also being the POINT OF BEGINNING;

Thence, North 00° 30' 42" West along the East right-of-way line of Kenazo Drive a distance of 42.75 feet;

Thence, continuing along said right-of-way line, 681.71 feet along the arc of a curve to the right, whose central angle is 56° 36' 23", whose radius is 690.02 feet, and whose chord bears North 27° 47' 30" East a distance of 654.33 feet to a point lying on the easterly lot line of said Lot 14;

Thence, continuing along said easterly lot line of said Lot 14, South 33° 04' 20" East a distance of 734.26 feet;

Thence, South 89° 29' 18" West, a distance of 705.42 feet to the POINT OF BEGINNING and containing in all 261,343,663 square feet, or 6.000 acres of land more or less.
Property Address:

Prior instrument reference: **Document No. 20110009759**

Attachment 4 – Survey

TITLE COMMITMENT EXCEPTION NOTES

1. The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception):
Volume 419, Page 2292; and in Volume 446, Page 898, amended in Volume 473, Page 1704, Real Property Records of El Paso County, Texas, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
(AFFECTS, BLANKET IN NATURE. SETBACK ITEMS PLOTTED AND SHOWN)

10. The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception:):

11. UTILITY EASEMENTS, INCLUDING EASEMENTS FOR THE OVERHANG OF SERVICE WIRES, CONDUITS AND PIPES FOR UNDERGROUND UTILITIES, AS DEDICATED ON THE PLAT, RECORDED IN VOLUME 39, PAGE 20, 20A AND 20B, PLAT RECORDS OF EL PASO COUNTY, TEXAS. (PARCELS 1 AND 2)

AN EASEMENT FIVE (5) FEET IN WIDTH ALONG THE NORTHERLY, WESTERLY AND SOUTHERLY PROPERTY LINE(S) FOR USE OF PUBLIC UTILITIES. (PARCELS 1 AND 2)

AN EASEMENT FIVE (5) FEET IN WIDTH ALONG THE SOUTHERLY PROPERTY LINE(S) FOR USE OF PUBLIC UTILITIES. (PARCEL 3)
(AFFECTS, PLOTTED AND SHOWN)

1. CLAIMS BY THE TIGUA INDIAN TRIBE OF THE YSLETA DEL SUR PUEBLO, AS EVIDENCED BY THAT CERTAIN AFFIDAVIT CONCERNING FILING OF NOTICE OF CLAIM TO THE YSLETA GRANT AND ABORIGINAL TITLE AREAS, EXECUTED BY JULIAN GRANILLO, GOVERNOR OF THE YSLETA DEL SUR PUEBLO INDIAN TRIBE, ALSO KNOWN AS THE TIGUA INDIAN COMMUNITY, DATED APRIL 12, 1993, FILED ON APRIL 16, 1993 IN VOLUME 2553, PAGE 1958, OF THE REAL PROPERTY RECORDS, EL PASO COUNTY, TEXAS. COMPANY INSURES THE INSURED AGAINST LOSS, IF ANY SUSTAINED BY THE INSURED UNDER THE TERMS OF THIS POLICY BY REASON OF A FINAL, NON-APPEALABLE JUDGMENT OF A COURT OF COMPETENT JURISDICTION THAT DIVESTS THE INSURED OF ITS INTEREST AS INSURED BECAUSE OF THIS RIGHT, CLAIM OR INTEREST. COMPANY AGREES TO PROVIDE DEFENSE TO THE INSURED IN ACCORDANCE WITH THE TERMS OF THIS POLICY IF SUIT IS BROUGHT AGAINST THE INSURED TO DIVEST THE INSURED OF ITS INTEREST AS INSURED BECAUSE OF THIS RIGHT, CLAIM OR INTEREST.
(AFFECTS, CONTAINS NO PLOTTABLE ITEMS)

7. ALL TERMS, CONDITIONS AND PROVISIONS EXPRESSLY NOTED AND SET OUT ON PLAT OF THIS SUBDIVISION, AS FILED IN VOLUME 39, PAGE 20, 20A AND 20B, PLAT PROPERTY RECORDS, EL PASO COUNTY, TEXAS.
(ALL PARCELS)
(AFFECTS, PLOTTED AND SHOWN)

8. EASEMENT TO EL PASO ELECTRIC COMPANY IN VOLUME 1542, PAGE 595, REAL PROPERTY RECORDS, EL PASO COUNTY, TEXAS. (PARCEL 1)
(AFFECTS, EXISTING POWER LINE REFERENCED IN EXHIBIT WAS NOT OBSERVED AT THE TIME OF THE ALTA SURVEY)

9. EASEMENT TO EL PASO ELECTRIC COMPANY IN VOLUME 4311, PAGE 241, REAL PROPERTY RECORDS, EL PASO COUNTY, TEXAS. (PARCEL 1)
(AFFECTS, UNABLE TO DETERMINE LOCATION)

RECORD LEGAL DESCRIPTION

LEGAL DESCRIPTION OF LAND:

PARCEL 1:

LOTS 1, 2 AND 3, BLOCK 3, HORIZON INDUSTRIAL PARK UNIT ONE REPLAT, AN ADDITION TO THE TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF, FILED IN VOLUME 39, PAGE(S) 20, 20A AND 20B, PLAT RECORDS, EL PASO COUNTY, TEXAS.

PARCEL 2:
LOT 4, BLOCK 3, HORIZON INDUSTRIAL PARK UNIT ONE, AN ADDITION TO THE TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF, FILED IN VOLUME 39, PAGES 20, 20A, AND 20B, PLAT RECORDS, EL PASO COUNTY, TEXAS.

PARCEL 3:

A PARCEL OF LAND CONTAINING 6.000 ACRES MORE OR LESS, BEING A PORTION OF LOT 14, BLOCK 3, HORIZON INDUSTRIAL PARK UNIT ONE, AN ADDITION TO THE TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF, FILED IN VOLUME 39, PAGES 20, 20A, AND 20B, PLAT RECORDS, EL PASO COUNTY, TEXAS; WITH SAID LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

FROM A POINT, SAID POINT LYING AT THE INTERSECTION OF THE CENTERLINES OF WEAVER ROAD AND KENAZO DRIVE;

THENCE, NORTH 00° 30' 42" WEST ALONG THE CENTERLINE OF KENAZO DRIVE A DISTANCE OF 1,309.44 FEET;

THENCE, NORTH 89° 29' 18" EAST A DISTANCE OF 45.00 FEET TO A POINT LYING ON THE EAST RIGHT-OF-WAY LINE OF KENAZO DRIVE, SAID POINT ALSO BEING THE POINT OF BEGINNING;
THENCE, NORTH 00° 30' 42" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF KENAZO DRIVE A DISTANCE OF 42.75 FEET;

THENCE, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, 681.71 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, WHOSE CENTRAL ANGLE IS 56° 36' 23", WHOSE RADIUS IS 690.02 FEET, AND WHOSE CHORD BEARS NORTH 27° 47' 30" EAST A DISTANCE OF 654.33 FEET TO A POINT LYING ON THE EASTERLY LOT LINE OF SAID LOT 14;

THENCE, CONTINUING ALONG SAID EASTERLY LOT LINE OF SAID LOT 14, SOUTH 33° 04' 20" EAST A DISTANCE OF 734.26 FEET;

THENCE, SOUTH 89° 29' 18" WEST, A DISTANCE OF 705.42 FEET TO THE POINT OF BEGINNING AND CONTAINING IN ALL 261,343 SQUARE FEET, OR 6.000 ACRES OF LAND MORE OR LESS.

NOTE: THE COMPANY IS PROHIBITED FROM INSURING THE AREA OR QUANTITY OF THE LAND DESCRIBED HEREIN. ANY STATEMENT IN THE ABOVE LEGAL DESCRIPTION OF THE AREA OR QUANTITY OF LAND IS NOT A REPRESENTATION THAT SUCH AREA OR QUANTITY IS CORRECT, BUT IS MADE ONLY FOR INFORMATIONAL AND/OR IDENTIFICATION PURPOSES AND DOES NOT OVERRIDE ITEM 2 OF SCHEDULE B HEREOF.

AS-SURVEYED LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF EL PASO, STATE OF TEXAS

BEING ALL OF LOTS 1,2 AND 3, IN BLOCK 3, HORIZON INDUSTRIAL PARK UNIT ONE. AN ADDITION TO THE TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 39 AT PAGE 20, 20A AND 20B, PLAT RECORDS, EL PASO COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN 3" DIAMETER BRASS DISC; SAID DISC BEING LOCATED AT THE INTERSECTING CENTERLINES OF KENAZO DRIVE AND WEAVER ROAD; THENCE, SOUTH 30 DEGREES 03 MINUTES 12 SECONDS EAST A DISTANCE OF 65.00 FEET TO A POINT

THENCE, SOUTH 59 DEGREES 56 MINUTES 48 SECONDS WEST A DISTANCE OF 35.00 FEET TO A POINT, SAID POING BEING ON THE WESTERN RIGHT OF WAY OF WEAVER ROAD AND BEING THE POINT OF BEGINNING

THENCE ALONG SAID WESTERN RIGHT OF WAY SOUTH 30 DEGREES 03 MINUTES 34 SECONDS EAST A DISTANCE OF 635.60 TO A POINT

THENCE SOUTH 30 DEGREES 08 MINUTES 25 SECONDS A DISTANCE OF 218.06 FEET TO A 1/2" IRON REBAR FOUND. SAID REBAR BEING THE WESTERN CORNER OF LOT 4, BLOCK 3, ACCORDING TO THE MAP RECORDED IN VOLUME 39 AT PAGE 20, 20A AND 20B, PLAT RECORDS, EL PASO COUNTY

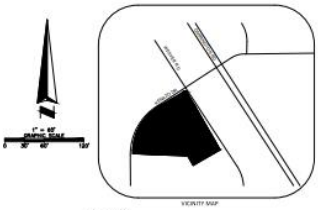
THENCE LEAVING SAID RIGHT OF WAY SOUTH 59 DEGREES 56 MINUTES 39 SECONDS WEST, PASSING A 1/2" REBAR FOUND AT 365.06 FEET A TOTAL DISTANCE OF 400.18 FEET TO A POINT

THENCE NORTH 30 DEGREES 03 MINUTES 34 SECONDS WEST PASSING A 5/8" REBAR FOUND AT 136.07 FEET A TOTAL DISTANCE OF 873.33 TO A POINT IN THE SOUTHERN RIGHT OF WAY OF KENAZO DRIVE

THENCE ALONG SAID RIGHT OF WAY FOR THE NEXT TWO CALLS, 10.03 FEET WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 690.02 FEET WHOSE CHORD BEARS NORTH 59 DEGREES 32 MINUTES 16 SECONDS EAST A DISTANCE OF 10.03

THENCE NORTH 59 DEGREES 56 MINUTES 26 SECONDS EAST A DISTANCE OF 369.97 TO A POINT

THENCE 31.42 FEET WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET WHOSE CHORD BEARS SOUTH 75 DEGREES 03 MINUTES 34 SECONDS EAST A DISTANCE OF 28.28 FEET TO THE POINT OF BEGINNING AND CONTAINING 262,154 SQ FT OR 6.018 ACRES



VICINITY MAP

LAND AREA
PARCEL 1: 282154 SQ. FT. ±, 6.018 ACRES ±
PARCEL 2: 87192 SQ. FT. ±, 2.002 ACRES ±
PARCEL 3: 261343 SQ. FT. ±, 6.000 ACRES ±
TOTAL AREA: 610688 SQ. FT. ±, 14.019 ACRES ±

LIST OF POSSIBLE ENCROACHMENTS

⚠ BUILDING APPEARS TO ENTIRELY CROSS THE UTILITY EASEMENT

ZONING INFORMATION

(ZONING REPORT TO BE PROVIDED BY BUREAU VERITAS)

ZONING DATA

ZONING ITEM	REQUIRED	PROVIDED/REQUIREMENTS
ZONING DISTRICT	M-1 LIGHT INDUSTRIAL	IN ADDITION TO SAID REQUIREMENTS THERE SHALL BE A MINIMUM OF 350 SQUARE FEET OF LOT AREA PER EMPLOYEE AT PEAK SHIFTS.
PERMITTED USE	INDUSTRIAL	
MINIMUM LOT AREA (SQ FT.)	20,000 SQ. FT.	PER SCALE OF SURVEY THERE IS APPROXIMATELY 15,000 SQUARE FEET OF PARCEL(S) AREA.
MAX BUILDING COVERAGE	N/A	
MAX BUILDING HEIGHT	45'	
BUILDING SETBACKS		CONTACT JULIE LYBRAND
FRONT	30'	PHONE/EMAIL 806-731-0800 EXT. 8620 JULIE.LYBRAND@PMLTD.COM
SIDE	15' STREET SIDE 25'	
REAR	10'	
NOTES		REPORT DATE 12/06/2021 PROJECT SITE # 149417.219000-001.220

GENERAL SURVEY NOTES:

1. THIS SURVEY WAS MADE IN ACCORDANCE WITH LAWS AND/OR MINIMUM STANDARDS OF THE STATE OF TEXAS.
2. THE BASIS OF BEARING FOR THIS SURVEY IS GRID NORTH PER TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83-2011, AS MEASURED ALONG THE EAST LINE OF THE SUBJECT PROPERTY WHICH BEARS N 30°04'12" W" PER GPS COORDINATE OBSERVATIONS.
LATITUDE: 31°40'23.6644"
LONGITUDE: -106°13'51.5136"
CONVERGENCE ANGLE: -03°01'13.6726"
3. THE PROPERTY DESCRIBED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT GF NO. 4210005989 WITH AN EFFECTIVE DATE OF MARCH 08, 2021, 8:00 A.M.
4. SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 48021J0250B, WITH A DATE OF IDENTIFICATION OF 09/04/1991, FOR COMMUNITY NO. 480212 (250), IN EL PASO COUNTY, STATE OF TEXAS, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED.
5. THE PROPERTY HAS DIRECT ACCESS TO KENAZO DRIVE AND WEAVER ROAD, BOTH BEING DEDICATED PUBLIC STREETS OR HIGHWAYS.
6. THE TOTAL NUMBER OF STRIPED PARKING SPACES ON THE SUBJECT PROPERTY IS 160, INCLUDING 2 DESIGNATED HANDICAP SPACES.
7. THERE IS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
8. THERE ARE NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES, ACCORDING TO. THERE IS NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
9. THERE IS NO OBSERVED EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
10. UTILITY NOTE: OBSERVED EVIDENCE OF UTILITIES HAS BEEN SHOWN PURSUANT TO SECTION 5 PARAGRAPH E (IV) OF THE ALTA/NSPS MINIMUM STANDARD DETAIL REQUIREMENTS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
11. THE BUILDING HEIGHT, SHOWN HEREON, WAS MEASURED BETWEEN THE HIGHEST POINT OF THE BUILDING AND THE FINISHED FLOOR ELEVATION IN THE APPROXIMATE LOCATION AS DEPICTED ON THE DRAWING.
12. THE NEAREST INTERSECTION OF STREETS IS KENAZO DRIVE AND WEAVER ROAD, WHICH ABUTS THE NW CORNER OF THE SUBJECT PROPERTY.
13. THE DISTANCES SHOWN HEREON ARE UNITS OF GROUND MEASUREMENT.
14. LEGAL DESCRIPTION FORMS A MATHEMATICALLY CLOSED FIGURE WITH NO GAPS, GORES OR OVERLAPS.

SURVEYOR'S CERTIFICATION

TO HA EL PASO HOLDINGS LLC AND ANY MORTGAGEE (TOGETHER WITH ITS SUCCESSORS AND ASSIGNS) MAKING A LOAN TO HA EL PASO HOLDINGS LLC; CHICAGO TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6A, 6B, 7A, 7B1, 7C, 8, 9, 10, 11A, 13, 14, 16, 17, AND 19 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON: 06/05/2021
DATE OF PLAT OR MAP: 04/08/2021
DATE OF REVISION:

BRADLEY G. WILLS
LAND SURVEYOR #5499
STATE OF TEXAS
TEXAS FIRM REGISTRATION NO: 10194375

REVISIONS

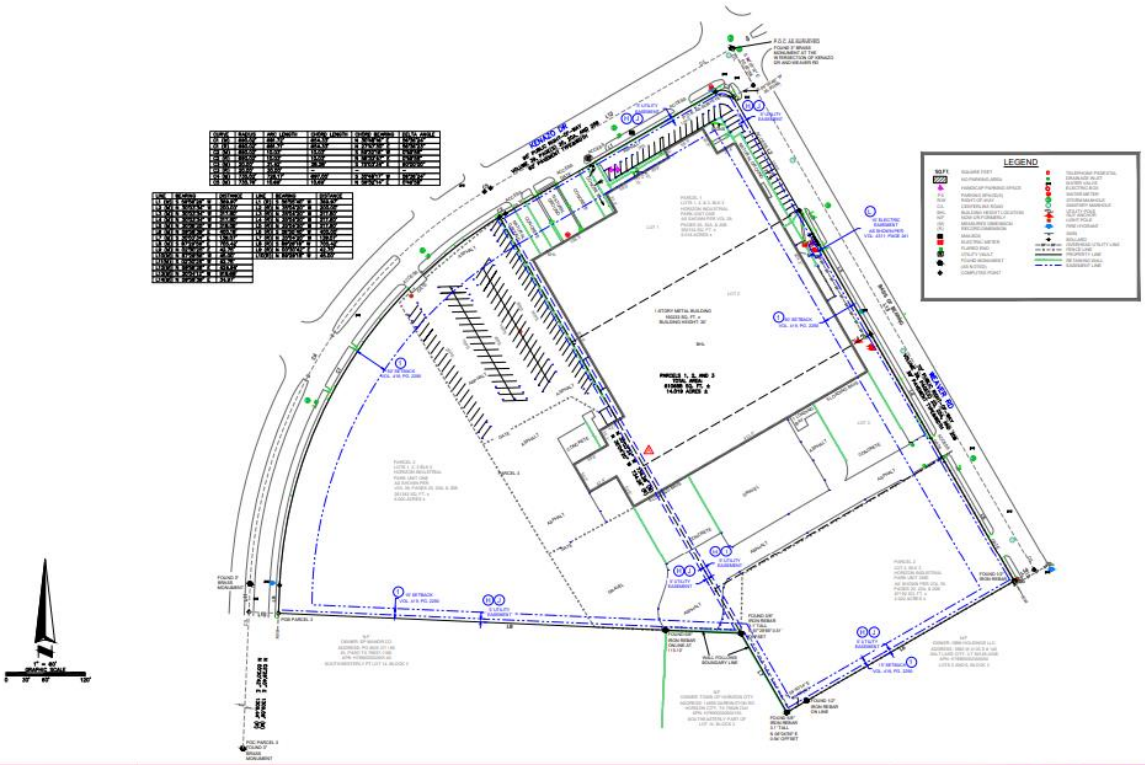
NO.	Description of Revisions	DATE
1	COMMENTS	6/8/2021

ALTA /NSPS LAND TITLE SURVEY

ASC PORTFOLIO-HORIZON CITY, TX
149417.219000-001.220
12504 WEAVER ROAD
HORIZON CITY, EL PASO COUNTY, TEXAS

RESPONSIBLE SURVEYOR CONTACT INFORMATION
Blew & Associates, P.A.
3825 North Shiloh Drive
Fayetteville, Arkansas, 72703
479-443-4506
Survey@Blewinc.com
SHEET 1 OF 2
Blew Job No: 21-0916
Drawn By: EST Approved by: BGW

Survey Coordinated by:
Bureau Veritas
510 E. Memorial Road, Suite A-1
Oklahoma City, OK 73114
800-411-2010
ALTA@bvna.com
www.bvna.com



REVISIONS		
NO.	Description of Revisions	DATE

ALTA /NSPS LAND TITLE SURVEY

ASC PORTFOLIO-HORIZON CITY, TX
149417.21R000-001.220
12504 WEAVER ROAD
HORIZON CITY, EL PASO COUNTY, TEXAS

RESPONSIBLE SURVEYOR CONTACT INFORMATION
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3825 North Shiloh Drive
Fayetteville, Arkansas, 72703
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SHEET 2 OF 2
Blew Job No: 21-1916
Drawn By: EST Approved by: BEW

Survey Coordinated by:
Bureau Veritas
510 E. Memorial Road, Suite A-1
Oklahoma City, OK 73114
800.411.2010
ALTA@bvna.com
www.bvna.com

ELIZABETH LUNA
PLANNING SPECIALIST/BOARD SEC'Y
(915) 852-1046 EXT. 404
eluna@horizoncity.org

Date: June 30, 2021

To: Honorable Mayor- Ruben Mendoza
Michelle Padilla, Planning Director

From: Liz Luna, Planning Specialist/Board Secretary

RE: Appointments/Reappointments for Boards and Commissioners

The 2021 terms for appointed officers will expire on August 31, 2021. Commissioners newly appointed or reappointed will begin the next term on September 1, 2021 through August 31, 2023. Current members with expiring terms will be asked to apply for reappointment consideration at the August 2021 City Council meeting. The chart below lists the appointments that will expire.

PLACE	ALDERMAN/COUNCIL	TERM ENDS (Staggered)	P&Z COMMISSION MEMBERS	TERM ENDS (Reg Even/Alt Odd)	BOA COMMISSION MEMBERS
	Mayor, Ruben Mendoza		*Appointments: Chosen by place of corresponding Council Person*	*Appointments: No Place Selection. 5 Reg & 4 Alternate*	
"A"	Mayor	2022	Cecily Armstrong	2022	Jorge Ojeda (Chair)
"B"	Mayor	2021	Crispin Melendez	2022	David Lopez
1	Walter Miller	2022	VACANT	2022	Wilfredo Lopez
2	Scott Quiroz	2021	Jennifer Flores	2022	Cruz Alvarez
3	Charlie Ortega	2022	Charles Berry	2022	Michael McElroy
4	Andy Renteria	2021	VACANT		
5	Johnny "Doc" Duran	2022	Kelly Duran		
6	Rafael (Ralph) Padilla Jr.	2021	Roberto Avila		
7	Samantha Corral	2022	Matthew Gardea		
(A) Alt.				2021	VACANT
(A) Alt.				2021	Jesus Ramos
(A) Alt.				2021	VACANT
(A) Alt.				2021	John Laemlein

Revised June 30, 2021

Application & Process:

Current & newly interested individuals desiring to serve on the *Board & Commissions* shall submit an application found on the City's website linked below.

- ☞ Website address:
  https://www.horizoncity.org/wp-content/uploads/Board-Commission-Application-1.pdf

- ☞ Email, mail or drop off the completed application to Liz Luna (eluna@horizoncity.org)

EMERGENCY ORDINANCE NO. 12

CONTINUING THE DECLARATION OF EMERGENCY AND RE-ENACTING THE EMERGENCY ORDINANCE INSTITUTING EMERGENCY MEASURES DUE TO A PUBLIC HEALTH EMERGENCY; SEVERABILITY CLAUSE; PENALTY AS PROVIDED HEREIN

WHEREAS, on March 13, 2020, the Governor of the State of Texas declared state of disaster and the President of the United States of America declared a national emergency in relation to COVID-19; and

WHEREAS, Chapter 418 of the Government Code governs Emergency Management at state and local levels, and Chapters 121 and 122 of the Texas Health and Safety Code, establishes the powers and authority of local regulation of public health; and

WHEREAS, by order issued on March 13, 2020 the County Judge of the County of El Paso has declared a county state of disaster for El Paso County, Texas; and

WHEREAS, by proclamation issued on March 16, 2020, the Mayor declared a local state of disaster for the Town of Horizon City resulting from a public health emergency; and

WHEREAS, on March 19, 2020, April 14, 2020, May 12, 2020, June 9, 2020, July 14, 2020, August 11, 2020, and October 13, 2020, the City Council of the Town of Horizon City renewed, extended and continued the Mayor's declaration of disaster for thirty days, in accordance with Section 418.108 of the Texas Government Code; and

WHEREAS, on March 19, 2020, the City Council adopted an Emergency Order instituting Emergency Measures due to a Public Health Emergency and extended such ordinance by Emergency Ordinance No. 2 on April 14, 2020, Emergency Ordinance No. 3 on May 12, 2020, Emergency Ordinance No. 4 on June 9, 2020, Emergency Ordinance No. 5 on July 14, 2020, Emergency Ordinance No. 6 on August 11, 2020; Emergency Ordinance No. 7 on October 13, 2020; Emergency Ordinance No. 8 on November 10, 2020; Emergency Ordinance No. 9 on January 12,2021; Emergency Ordinance No.10 on February 9, 2021; and

WHEREAS, the Texas Governor continues his emergency declaration, and continues to issue emergency orders to address those certain services to be reopened on such reopening date stated in each order, and to provide guidance for each category of reopened services and urge people and governmental entities to take actions necessary to reopen the economy while slowing the spread of COVID-19;

WHEREAS, on May 5, 2021, Governor Abbott renewed the COVID-19 Disaster Declaration for all counties in Texas; and

WHEREAS, on May 20, 2021, Dr. John Hellerstedt, Commissioner of Public Health issued a new declaration of a Public Health Disaster, stating that "the novel coronavirus continues to present an immediate threat, poses a high risk of death to a large number of people and creates a substantial risk of public exposure because of the disease's method of transmission and evidence that there is community spread in Texas"; and

WHEREAS, the number of COVID-19 cases in Horizon City and in the adjacent El Paso County areas have begun to decrease, the same is not true in Ciudad Juarez and in April 2021 the Mexican government instituted shut downs in an effort to contain a three-fold increase in COVID-19 cases;

WHEREAS, in recognition of the geographic proximity to the population in Ciudad Juarez that is not yet widely vaccinated, the El Paso County Judge issued Order No. 17 on May 21, 2021in an attempt to continue to reduce the infection rate;

WHEREAS, the Town of Horizon City is a home rule municipality and under City Charter Section 3.17 allows for the City Council to adopt an emergency ordinance to meet a public emergency affecting, life, health, property or the public peace; and

WHEREAS, the state of disaster requires that certain emergency measures be taken pursuant to the Executive Order of the Governor Relating to Emergency Management; therefore, the declaration of disaster continued on March 19, 2020 and extended on April 14, 2020, May 12, 2020 and June 9, 2020, and the regulations adopted by Emergency Ordinance of the City Council on March 19, 2020 as amended by Emergency Ordinance No. 2 on April 14, 2020, Emergency Order No. 3 on May 12, 2020, Emergency Order No. 4 on June 9, 2020, Emergency Ordinance No. 5 on July 14, 2020, Emergency Ordinance No. 6 on August 11, 2020, and Emergency Ordinance No. 7 on October 13, 2020 shall be continued and shall remain in effect until the state of disaster is terminated.

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

1. The state of disaster proclaimed for the Town of Horizon City by the Mayor on March 16, 2020 and extended by Resolution of the Council on March 19, 2020, April 14, 2020, May 12, 2020, June 9, 2020, July 14, 2020, August 11, 2020; October 13, 2020, November 10, 2020, January 12, 2021 and February 9, 2021, is hereby continued for thirty (30) days unless reenacted by the City Council or until terminated by the City Council.

2. The rules and regulations adopted by the City Council by Emergency Ordinance on March 19, 2020 as amended by Emergency Ordinance No. 2 on April 14, 2020, Emergency Order No. 3 on May 12, 2020, Emergency Ordinance No. 4 on June 9, 2020, Emergency Ordinance No. 5 on July 14, 2020, Emergency Ordinance No. 6 on August 11, 2020, Emergency Ordinance No. 7 on October 13, 2020 Emergency Ordinance No. 8 on November 10, 2020; Emergency Ordinance No. 9 on January 12,2021; Emergency Ordinance No.10 on February 9, 2021; shall continue to be in full force and effect for thirty (30) days or until such emergency is terminated.

3. With regard to Section 5, MOVEMENT OF PEOPLE AND OCCUPANCY OF PREMISES of the March 19 Emergency Ordinance, the City Council acknowledges that under Texas Government Code Section 418.108(h), the County Judge has the authority to issue orders regarding Movement of People within any incorporated or unincorporated area of the County. The provisions of this Section 5, Movement of People and Occupancy of Premises shall be modified or superseded by any Order of the County Judge during the term of this Ordinance with

regard to the judge's authority under Section 418108(h), and the terms and conditions of such order shall be hereby incorporated into this Ordinance by reference.

In the event of any conflict between the order of the County Judge and the Town Mayor, the order of the County Judge shall prevail, pursuant to Section 418.108(h)(2) of the Texas Government Code.

4. ENFORCEMENT

Pursuant to Texas Government Code Section 418.173(b), it is an offense for an individual to violate a condition or restriction of any Order issued by the Governor of the State of Texas, the El Paso County Judge or any Ordinance adopted by the City Council of the Town of Horizon City and during a public health crisis/disaster. Said offense shall be a Class C Misdemeanor punishable by fine not to exceed $500. No civil or criminal penalty shall be issued for failure to wear a face covering.

Any peace officer is hereby authorized to enforce the provisions of this Ordinance in accordance with the authority granted under Chapter 418 of the Texas Government Code. To the extent allowed by law, this ordinance may be enforced by any code enforcement officers or other similar designation, in the same manner that the municipal codes and ordinances are enforced.

5. EMERGENCY

This emergency ordinance shall take effect immediately upon its adoption and publication and it is accordingly so ordained. This ordinance shall remain in effect for 30 days, unless re-enacted in accordance with City Charter section 3.17 or until the state of disaster is terminated, whichever is sooner.

6. SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, sentences, paragraphs and sections of this ordinance ace severable. If any part of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remaining phrases, sentences, paragraphs and sections.

PASSED AND ADOPTED, this __ day of July, 2021.

TOWN OF HORIZON CITY, TEXAS

_____

Ruben Mendoza
Mayor

ATTEST:

Elvia Schuller
City Clerk

Approved as to Legal Form:

Sylvia Borunda Firth
Assistant City Attorney

RESOLUTION TO SUSPEND
EL PASO ELECTRIC COMPANY'S PROPOSED RATE INCREASE

RECITALS

WHEREAS, El Paso Electric Company ("EPE") is an electric utility which distributes electric power pursuant to a franchise within the city limits of the Town of Horizon City ("City"); and

WHEREAS, EPE submitted its Statement of Intent to the City to initiate a rate change proceeding, and on June 1, 2021, filed its *El Paso Electric Company's Petition and Statement of Intent to Change Rates*, Docket No. 52195 before the Public Utility Commission of Texas; and

WHEREAS, pursuant to applicable law, the City maintains original jurisdiction over EPE rates charged within the city limits of the City and the application specifies that the rate change within the City's jurisdiction should be effective on July 6, 2021; and

WHEREAS, the City Council has determined that additional time and information is needed for it to study the proposed rate changes and tariffs and the reasons therefore;

WHEREAS, pursuant to the Public Utility Regulatory Act, Texas Utilities Code Section 36.108, the City, as regulatory authority, has the right to suspend the proposed rate change subject to the City's jurisdiction for a period of 90 days after the proposed date the change would otherwise be effective; and

WHEREAS, the City Council has determined that it is in the best interest of its citizens and ratepayers to suspend the proposed rate change.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the Town of Horizon City, Texas, that:

1. The foregoing recitals are hereby adopted as facts and are incorporated fully herein.

2. The rate increase identified in the *El Paso Electric Company's Petition and Statement of Intent to Change Rates*, Docket No. 52195 be and is hereby suspended for 90 days after the effective date of July 6, 2021 for the rate increase subject to the City's jurisdiction as specified in the filing.

3. The Mayor or his designee shall so notify EPE of the suspension by having a copy of this resolution delivered or mailed to EPE.

4. This resolution shall be effective immediately upon passage and adoption.

PASSED AND ADOPTED this, the _____ day of _____, 2021, by a vote of _____ *(ayes)* to _____ *(nays)* to _____ *(abstentions)* of the City Council of the Town of Horizon City, Texas.

TOWN OF HORIZON CITY

By: _____
Ruben Mendoza, Mayor

ATTEST:

By: _____
Elvia Schuller, City Clerk

APPROVED AS TO FORM:

_____
Bertha A. Ontiveros, Asst. City Attorney