

HB1564

From Front Page

that advice and it became problematic not just for HCIA property owners but for owners of property in HB1001 zones throughout the state. Properties with a lien take a lot of time to untangle legally before they can be combined with other property for sale. Some other issues include things like unclear titles (willed property where the new owner is not registered) or simply cases where people have abandoned the property.

This September HB1564 will go into effect as law. This bill removes many of the legal obstacles for counties to consolidate tracts of land where there are problems like tax or dues liens, unclear titles, and unoccupied or abandonment issues. The bill still requires due diligence from the county to find the rightful owner,

to resolve liens or other legal issues and provide an escrow account for property when no legal owner can be located.

HCIA's General Manager gave testimony for the bill before it was passed. It should help the pace of development and reward property owners that want to sell. It should also increase the value of property as development pushes east.

The text of HB1564 can be found on HCIA's website.

If you are behind on your HCIA dues you can contact us at 1-800-729-4242 to make payment arrangements. If you owe taxes you should contact the County of El Paso Tax Office and make arrangements with them to clear the property from tax liens.

Excerpts from HB1564

- *Relates to the appointment of a receivership for and disposition of certain platted lots that are abandoned, unoccupied, and undeveloped in certain counties.*
- *In the decades beginning with and following the 1960s, purchasers from all over the United States and elsewhere were lured by misrepresentations into buying lots in remote areas of the state with promises of future development.*
- *It is necessary to establish a system by which the lots may be aggregated and re-platted in order to be able to return them to the market, provide for streets, water, sanitation, electricity, and other infrastructure, and ensure that any future economic value that may be returned to the lots inures to the benefit of any owners and lienholders who can be located.*
- *Before a county may make an administrative determination that a platted lot is abandoned, unoccupied, and undeveloped, the county must:*
 - (1) *hold a public hearing on the matter; and*
 - (2) *make reasonable efforts to notify each owner and lienholder of the lot of the time and place of the hearing as provided by Section 232.154.*

**Second Horizon area fire station completed**

El Paso County Emergency Services District #1 (EPCESD#1) completed its second fire station last summer. The station has housing quarters for 12 men and 3 women (separate), a kitchen, weight training room, living room and offices. The firefighting equipment includes one pumper, one heavy rescue, a heavy-duty pickup/brush truck and a rapid response pickup truck. EPCESD#1 Station 2, along with EPCESD#1 Station 1, cover 148 square miles of developed and undeveloped property. There are currently (approximate figures) 57,000 people living within the District, 20,000 of those in the Town of Horizon City proper. HCIA members' property fall within the service area for both EPCESD #1 stations.

**New bill, HB1564, may aid in future land consolidation for development**

Since the early 1960s, and before, land in what was then a speculative desert in east El Paso County was bought and sold at will without constraint right up to 1995. In the early 60s the Horizon Corporation was formed and began marketing tracts of land by the lot and by the acre out of a now bygone office in what is now the Town of Horizon City.

In 1968 the Horizon Communities Improvement Association (HCIA) was formed to represent property owners and enforce the covenants that came with the purchase of the property.

Horizon Corporation marketed the area as a retirement community. Their master plan included a membership in a golf course – promoted by Lee Treviño – and a lake. The golf course is now a public course simply called Horizon Golf Course and has a nice clubhouse with restaurant. The problematic lake never fulfilled its potential and is now a privately owned concern.

Around 1972 with sales dwindling and shaky finances, Horizon Corporation folded up shop and got out of town. This left property owners with little to no recourse over any Horizon Corporation sales of property.

HCIA was left to put Horizon Corporation's land records back in order, manage property dues and sponsor events that would bring attention to all of the available desert property – the majority of which had no electric, gas or water service.

But in 1995 all the transaction of property – that was once freely bought and sold – became locked up by HB1001 (see center pages). This law effectively made the majority of property owners' land of no value and prevented them from selling their property. The tax roll value for most lots and parcels fell to \$0. Properties



Developers are marching east along Eastlake Blvd. The new development is easy to spot because of the grown trees marking old from new. This stretch of building is just east of the Darrington Rd. and Eastlake Blvd. intersection.

that did have basic services maintained value. HCIA's new focus became making the property valuable again.

After years of wrangling with the State of Texas over the impact of HB1001, a new plan – the Lot Assembly Program – was instituted by HCIA in 2007. HCIA began to consolidate property owners' lots into tract acreage that could be legally sold to legitimate developers.

In 2010 two important events happened for HCIA property owners. The first was the implementation of the Tenure Program. This allowed property owners to extend the covenants on their property so HCIA could represent their interests. The covenants covered 85,000 lots over some 150 square miles belonging to 27,000 owners. At that time HCIA was the only official group taking a close interest in maintaining standards

for the land. 17-18,000 landowners chose to extend their covenants.

The second 2010 event was the first successful Lot Assembly Program transaction. HCIA members in Horizon View Estates, Unit 25 were able to consolidate their property into a viable saleable, parcel of land for development. The deal closed in February of 2010 and the developer broke ground in 2012.

In 2012 a letter was sent to all HCIA members advising them to, among other things, keep their dues up to date and their property lien free. This was key to being able to participate in the Lot Assembly Program – a program that was able to assemble approximately 5,200 lots in 2019.

Not every property owner heeded

See Back Page



Why HB1001?

Sparks

It's hard to put an exact date on the origins of Sparks but one longtime El Paso County politico puts it circa 1960. Chente Quintanilla – now a retired state representative – worked for a school district in the 60s and part of his job was to get Sparks children across I-10 to schools in Socorro. Sparks had no zoning, in fact, no real county oversight of any kind.

Sparks sits on large sand dunes with some spectacular views of the surrounding area. Nestled just east

See Next Page

One spot, three photos

Top photo, facing east: The paved road ends here. Dirt roads continue to the left and forward to homes. The homes are a mix of mobile homes and traditional homes in various states of completion.

Middle photo, facing west: Just turning 180 degrees from the first photo you can see the road is paved. Again, the housing is mixed. The mountains in the background are the Sierra de Juarez in Mexico.

Bottom photo, facing south: This lot, with a great view overlooking Sparks has become a dumping ground.



Speedway opens on Horizon Blvd.

The busy intersection at Horizon Blvd. and Darrington Rd. is now fully developed with the construction of a Speedway Gas and convenience store. The other three corners are taken by a McDonalds, a Walmart Supercenter (with multiple restaurants fronting Horizon Blvd.) and the Town of Horizon City Town Hall.

Sparks

From Front Page

of I-10 and north of Horizon Blvd., the community began without the basic infrastructure resources of electricity, gas, water and wastewater. By 2000 there were 2,974 people, 718 households, and 654 families residing in the 1.3 square miles that comprise Sparks. While HB1001 slowed growth, the numbers have grown. Some homes and properties in Sparks, to this day, still lack some or all service connections.

In Sparks, in 2000, around 34.1% of families and 38.0% of the population were below the poverty line, including 42.3% of those under age 18 and 60.2% of those age 65 or over.

This was exactly the type of development HB1001 (1995) was aimed at. HB1001 “[Gave] affected counties enforcement authority to regulate subdivisions [located within 50 miles of the US-Mexico border] in economically distressed areas by imposing platting requirements and service requirements on persons selling property. Imposes civil and criminal penalties for failure to comply with the requirements.”

That 50-mile component of the bill means that not just HCIA property

owners, but all owners of undeveloped property in El Paso County are subject to HB1001.

While any new construction in Sparks is subject to county codes, older projects are grandfathered. Some homesteads have been a work in progress for decades, some abandoned unfinished. That makes the property difficult to do anything with. If there are no connections, it cannot be sold.

Even if a property has service connections but is dilapidated, it is hard to sell. Driving through Sparks you can



find very nice homes amidst mobile homes and often incomplete or ongoing builds. Some yards are neat, gated but sit next to unkempt property, trashy lots and even a scrap car yard.

Sparks is not alone. There are pockets of development throughout El Paso County that are similar of makeup. A couple of them lie within or near HCIA property owners' land. While they can continue to build and grow, they must now meet El Paso County codes.

Sparks and the people that built and live there are not responsible for HB1001. The sum of the hundreds of small communities along the border without proper services were the impetus for HB1001. The aim was to make sure people had adequate housing with basic services while stopping unscrupulous developers or land sellers from creating more of the same.

For 14 years HCIA has been consolidating property owners' lots into tract acreage that could be legally sold to legitimate developers. This satisfied the requirements of HB1001 and enabled our members to cash out of property – sometimes held for generations – which they could not sell on their own. For now, with the passage of HB1564, HCIA is holding off further property consolidation to evaluate what happens next.