

2023 MAY 11 AM 11:49

AERO VALLEY PROPERTY OWNERS
ASSOCIATION
Plaintiff,

IN THE DISTRICT COURT
DAVID TRANHAM
DISTRICT CLERK
BY Val DEPUTY

TERRY BARKER; KYLE BECKHAM;
SUZANNE BROOKS; CAPITAL
HOLDINGS 1000 LLC; TOMMIE D.
DICKENS; SCOTT DOORES; RAY
FOSTER; BLAKE GRAHAM;
WILLIAM GOEKEN; CURTIS
HAMME; ESTATE OF ROBERT D.
HARLESS; ZANE HARPER; JEBO
PROPERTIES LLC; MICHAEL LOVE;
SCOTT MILLER; THOMAS R. MEYER;
ROBERT REECE; N565K, LLC; N. TX.
LANDINGS, LLC; OASIS AVIATION,
LLC; JOHN R. PAXTON; GARY
PLATNER; STANLEY C. PRICE;
VAUGHN PROFFITT; CLINTON PYE;
JIMMY RAY; DOUG REEVES;
RANDY RICHMOND; CAREY F.
SHARP; RICHARD D. SMITH; JOHN
MARK TODD; SCOTT TOORNBURG;
LAUREN P. TROTTIER; TIM WADE;
WHATLEY AVIATION, LTD.
Intervenors-Plaintiffs

16TH JUDICIAL DISTRICT

CHARLES GLEN HYDE; CANDACE
HYDE; DREAMSHIPS, INC.; HYDE-
WAY, INC.; AND TEXAS AIR
CLASSICS, INC.
Defendants.

OF DENTON COUNTY, TEXAS

ORDER ON CROSS- MOTIONS FOR SUMMARY JUDGMENT

On September 16, 2022 came on to be heard by submission Plaintiff Aero Valley Property Owners Association’s Traditional Motion for Summary Judgment and Defendants’ Traditional and No Evidence Cross-Motion for Summary Judgment (collectively, the Cross-Motions”). Subsequently, the Court heard arguments on the Cross-Motions presented by counsel on November 22, 2022. The Court, having reviewed the Court’s file, the evidence presented by

Plaintiff and Defendants, the motions, the responses, the replies, and the arguments of counsel, makes the following rulings:

IT IS ORDERED that Defendants' No Evidence Motion for Summary Judgment is GRANTED and Plaintiff and Intervenors shall take nothing as result of their allegations of fraud, conspiracy, and alter ego.


IT IS FURTHER ORDERED that Plaintiff Aero Valley Property Owners Association's Traditional Motion for Summary Judgment is GRANTED, and therefore, the Court declares as follows:

1. The POA Board has the exclusive authority to govern, operate, and manage Aero Valley Airport.
2. The POA Board's authority extends to all runway access and use easement holders.
3. AVDCO's restrictions apply to all lots formerly owned by Edna Whyte.

IT IS FURTHER ORDERED that Defendants' objections to Plaintiff's summary judgment evidence are overruled.

IT IS FURTHER ORDERED that Defendant's Traditional Motion for Summary Judgment is DENIED.

SIGNED ON May 11, 2023.



JUDGE PRESIDING