

NO. 20-6359-16

AERO VALLEY PROPERTY OWNERS ASSOCIATION	§	IN THE DISTRICT COURT
Plaintiff,	§	
	§	
V.	§	16TH JUDICIAL DISTRICT
	§	
CHARLES GLEN HYDE, CANDACE HYDE, DREAMSHIPS, INC. AND TEXAS AIR CLASSICS, INC.	§	
Defendants.	§	OF DENTON COUNTY, TEXAS

ORDER FOR ISSUANCE OF TEMPORARY INJUNCTION

On November 9, 2020, the Court heard Plaintiff's Application for Temporary Injunction in this cause. Plaintiff, Aero Valley Property Owners Association appeared by and through its president, Mitchell Whatley and counsel of record, Donna Hernandez. Defendant Charles Glen Hyde appeared in person individually and as the representative of Dreamships, Inc. and Texas Air Classics, Inc. and by and through counsel, Byron Henry.

The Court finds that-

1. Defendants have and intend to continue interfering with Plaintiff's management of the Aero Valley Airport by preventing contractors from providing necessary services to common areas and such denial jeopardizes the integrity of the runway and other common areas which may fail before trial may be had in this matter;
2. unless this restraint is ordered immediately, Plaintiff will suffer irreparable injury because no other legal remedy can be obtained and effected before the injury occurs;
3. there is a likelihood that Plaintiff will prevail in this cause;
4. if Defendants' threatened conduct as described above is not enjoined during the pendency of this suit, Plaintiff will be injured because:

- a. damage to the new runway is imminent due to current drainage issues and unless repairs and maintenance are performed, the runway is likely to fail;
 - b. the POA's ability to collect assessments for the repairs and maintenance and to service the debt on the runway are in jeopardy as a result of Defendants' interference.
5. Plaintiff has exercised due diligence in prosecuting the underlying claim in this cause;
6. Plaintiff's injury will outweigh any injury to Defendants that may occur on issuance of this injunction;
7. the injunction will not disserve the public interest;
8. Defendants' intended conduct as described above will change the status quo, which should be maintained in the public interest; and
9. Plaintiff's bond in the amount of \$ 1,000.00 will fully protect Defendants' rights during the pendency of this action.

It is therefore ORDERED that a temporary injunction issue, operative until judgment is entered in this cause, enjoining Glen Hyde, Candace Hyde, Dreamships, Inc. and Texas Air Classics, Inc. from:


- a. Interfering with the POA's management of the airport;
- b. Interfering with the property owners' and their contractors' repairs and/or improvements of their respective properties including their access to common airport properties and areas governed by property owners' easement rights;
- c. Interfering with any property owner's attempts to market or sell their respective property, **by entering on another's property during any time such property is being shown to potential buyers by the property owner, or a broker;**

- d. Interfering with the POA's collection of fees from its members;
- e. Representing to any person or entity, including the FAA, that any Defendant has the authority to manage the airport; and
- f. Collecting or attempting to collect fees from property owners and/or airport users under his purported License Agreement.

Before the issuance of the injunction, Plaintiff must post bond in the amount of \$1,000.00, payable to Defendants, conditioned and approved as required by law.

The case is set for final trial on April 5-6, 2021 at 9:00 in the 16th District Court of Denton County, Texas Docket call March 26, 2021 at 8:30.

SIGNED on Signed on this day 12/7/2020 8:40 PM at _____ .M.



JUDGE PRESIDING

APPROVED AS TO FORM:

By: /s/ Donna R. Hernandez

Donna R. Hernandez

Attorney for Plaintiff Aero Valley Property Owners Association

State Bar No.: 03638600

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