

CAUSE NO. 16-05997-16

NORTHWEST REGIONAL	§	IN THE DISTRICT COURT OF
AIRPORT PROPERTY OWNERS	§	
ASSOCIATION, INC.;	§	
	§	
Plaintiff,	§	
	§	
v.	§	
	§	DENTON COUNTY, TEXAS
CHARLES GLEN HYDE,	§	
Individually; NORTHWEST	§	
REGIONAL AIRPORT, INC.;	§	
TEXAS AIR CLASSICS, INC.;	§	
DREAMSHIPS, INC.; and HYDE-	§	
WAY, INC.;	§	
	§	16TH JUDICIAL DISTRICT
Defendants.	§	

FINAL JUDGMENT

ON THE FIRST DAY OF JUNE, 2017, the Court convened a hearing on the Parties’ cross motions for summary judgment. Plaintiff appeared by and through its attorney of record and announced “ready”. Defendants appeared by and through their attorney of record and requested a continuance which the Court denied. The Court then proceeded to hear argument and consider on respective motions and responses. After considering all arguments of all parties, the motions for summary judgment, responses, replies and sur-replies, the summary judgment evidence, the authorities presented, and the documents on file with the Court, the Court is of the opinion that the following judgment should issue; therefore,

IT IS ORDERED, ADJUDGED AND DECREED that final declaratory judgment is rendered on Plaintiff’s claims against Defendants, and the Court declares the following:

- 1) The “Integrated Deed Restrictions”, a copy of which are attached to this judgment (without signatures), validly amended the pre-existing deed restrictions at Northwest

Regional Airport listed in the Integrated Deed Restrictions;

- 2) None of the Defendants have any right to interfere with Plaintiff's control, maintenance, or improvements to the runway, taxiways, and ramp areas at Northwest Regional Airport;
- 3) The Integrated Deed Restrictions validly delegated property owners' authority to Plaintiff to maintain, repair, and provide for the upkeep of the runway, taxiways, and ramp areas at Northwest Regional Airport, and to assess and collect fees for that purpose according to the terms of the Integrated Deed Restrictions.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that CHARLES GLEN HYDE, NORTHWEST REGIONAL AIRPORT, INC, TEXAS AIR CLASSICS, INC., DREAMSHIPS, INC. AND HYDE-WAY, INC., jointly and severally, are hereby permanently enjoined from all of the following:

- 1) Representing, claiming, or publishing any false or misleading statement that Plaintiff was fraudulently or invalidly formed;
- 2) Representing, claiming, or publishing any false or misleading statement that the Integrated Deed Restrictions were fraudulently filed of record;
- 3) Representing, claiming, or publishing any false or misleading statement that the Integrated Deed Restrictions were fraudulently or invalidly amended;
- 4) Representing, claiming, or publishing any false or misleading statement that any Defendant or any person or entity associated with Defendants has authority to maintain, repair or provide for the upkeep of the runway, taxiways and ramp areas at Northwest Regional Airport or to assess and collect fees for that purpose;
- 5) Obstructing or interfering in any way with any property owner's use of the runways,

taxiways, ramp areas at NWRA; and

- 6) Obstructing or interfering in any way with Plaintiff's operation, maintenance and repair of the runways, taxiways, and ramp areas at Northwest Regional Airport.

IT IS FURTHER ORDERED that Plaintiff have judgment against Defendant CHARLES GLEN HYDE in the amount of TWO THOUSAND EIGHT HUNDRED THIRTY-TWO DOLLARS (\$2,832) plus prejudgment interest at the maximum lawful rate from April 1, 2017 to the date of this judgment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff have judgment against Defendant DREAMSHIPS, INC. in the amount of FOUR HUNDRED THWENTY-THREE DOLLARS (\$423) plus prejudgment interest at the maximum lawful rate from April 1, 2017 to the date of this judgment.

IT IS FURTHER ORDERED that Plaintiff have judgment against Defendant TEXAS AIR CLASSICS in the amount of TWO HUNDRED SEVENTY-NINE DOLLARS (\$279) plus prejudgment interest at five (5) percent from January 30, 2017 to the date of this judgment.

IT IS FURTHER ORDERED that Plaintiff have judgment against Defendants jointly and severally in the amount of FIFTY-ONE THOUSAND, THREE HUNDRED FORTY-EIGHT DOLLARS (\$51,348) in attorneys fees through the date of this judgment.

IT IS FURTHER ORDERED that all sums awarded in this judgment shall bear interest at the maximum lawful rate from the date of judgment until paid, compounded annually.

IT IS FURTHER ORDERED that in the event one or more Defendants initiates an unsuccessful appeal, Plaintiff have judgment against the Defendants filing the notice of appeal, jointly and severally, in the amount of FIFTEEN THOUSAND DOLLARS (\$15,000).

IT IS FURTHER ORDERED that if the Court of Appeals grants any party's request for

oral argument in an unsuccessful appeal initiated by one or more defendants, Plaintiff have judgment against those Defendants that initiated the unsuccessful appeal in the amount of SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500).

IT IS FURTHER ORDERED that if one or more Defendants initiates an unsuccessful petition for review before the Supreme Court of Texas, Plaintiff have judgment against the Defendants initiating the unsuccessful petition, jointly and severally, in the amount of TWENTY THOUSAND DOLLARS (\$20,000).

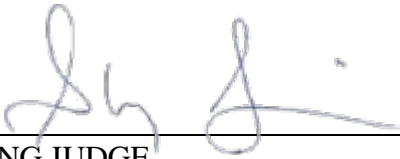
IT IS FURTHER ORDERED that if in an unsuccessful petition for review initiated by one or more defendants the Supreme Court of Texas grants any party's request for oral argument, Plaintiff have judgment against those Defendants initiating the unsuccessful petition for review in the amount of TEN THOUSAND DOLLARS (\$10,000).

IT IS FURTHER ORDERED that all sums awarded for attorneys' fees on appeal shall bear interest from the earlier of the date of final mandate until paid or the date ordered by the appellate court until paid.

IT IS FURTHER ORDERED that Defendants take nothing by way of any of their claims against Plaintiff.

This judgment is intended to be the final judgment in this case disposing of all issues between all parties. For that reason, all relief not specifically addressed in this judgment is DENIED.

SIGNED this 4th day of August, 2017.



PRESIDING JUDGE