

OCT 29 2026

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§ IN THE DISTRICT COURT OF
§ ~~County of~~
§ Melanie Graft
Clerk District Court, Hood County, Texas

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HOOD COUNTY, TEXAS

FINAL JUDGMENT

On September 14-16, 2026, this case was called for trial. Plaintiffs Debra Lozano, Toni Milson, Josephine May, and Jane Cantu (“Plaintiffs”) and Third-Party Defendants Jean May, Debra McGowen, Coleman Brockett, and Corey Moore (“Third-Party Defendants”) appeared in person and/or through their counsel Gary Werley. Defendant Sky-Harbour Homeowners Association, Inc. (“Defendant”) appeared in person and through its counsel Peter Bagley. All parties were properly notified of the trial setting. After a jury was impaneled and sworn, it heard the evidence and arguments of counsel. In response to the jury charge, the jury made findings that the Court received, filed and entered of record.

The jury found as follows:

In response to Question Number 1, the jury found that Sky Harbour did not waive its right to enforce the deed restrictions and collect assessments from Debra Lozano, Jane Cantu, and Josephine and Jean May. In response to Questions Number 2 to 5, the jury found that Debra

Lozano, Jean May, Gerald May, and/or Josephine May, Jane Cantu, and Toni Milson breached the Sky Harbour dedicatory instruments by failing to pay their regular assessments when due.

In response to Question No. 6, the jury awarded Sky Harbour attorneys' fees against Plaintiffs in the amount of \$24,809.47 for collecting assessment dues through trial and contingent attorneys' fees as follows: \$20,000.00 for an appeal to the Court of Appeals, \$10,000.00 for the petition for review stage in the Texas Supreme Court, \$5,000.00 for merits briefing stage in the Texas Supreme Court, and \$5,000.00 for oral arguments in the Texas Supreme Court.

In response to Question No. 7, the jury awarded Sky Harbour attorneys' fees against Plaintiffs and Third-Party Defendants for pursuing declaratory judgment claims in the amount of \$74,957.43 through trial and contingent attorneys' fees as follows: \$20,000.00 for an appeal to the Court of Appeals, \$10,000.00 for the petition for review stage in the Texas Supreme Court, \$5,000.00 for merits briefing stage in the Texas Supreme Court, and \$5,000.00 for oral arguments in the Texas Supreme Court.

On November 12, 2025, the Court entered a summary judgment ruling that Plaintiffs take nothing on their cause of action for fraudulent lien against Defendants Sky Harbour and Peter Bagley and that Plaintiffs/Third-Party Defendants take nothing on their causes of action for declaratory judgment against Defendant Sky Harbour.

On November 12, 2025, the Court entered a summary judgment declaring that the Hood County, Texas real property records described below affecting Sections 8 and 11 of the Sky Harbour Subdivision were not lawfully approved under Sky Harbour's dedicatory instruments or approved pursuant to any statutory procedures or corporate procedures for non-profit corporations allowing for the amendment of restrictive covenants; that they are invalid, null and void, and of no effect; that the instruments did not cause the sections below to be removed from Sky Harbour; and

that the instruments did not operate to waive, forgive, or release any unpaid charges, fees, or dues owed by property owners to Sky Harbour:

Section	Date	Instrument No.	Filer
11	9/7/2023	2023-0011783	Corey Moore
3	9/25/2023	2023-0012541	Debra McGowen
9	9/25/2023	2023-0012543	Jeremy Parks
5	10/2/2023	2023-0012975	Robin Broome Griffin
7	10/25/2023	2023-0014141	Jennifer Munoz
8	10/25/2023	2023-0014142	Coleman Brockett
3,5,7,8,9,11	12/6/2023	2023-0015873	Debra McGowen
11	12/11/2023	2023-0016045	Debra McGowen
8	2/16/2024	2024-0001910	Coleman Brockett
All	7/15/2024	2024-0009112	Debra McGowen
All	12/4/2024	2024-0016195	Debra McGowen

On November 12, 2025, the Court entered an interlocutory summary judgment declaring that Sky Harbour deed restrictions require that any proposal submitted to property owners for consideration to amend them must be approved by a majority of the land area of the entire subdivision and not by separate sections independently from one another; and that the restrictions further require that such approval must be based on owners having a majority of the land area of the subdivision and not a majority of lots counted in the subdivision.

On August 11, 2026, the Court entered a Tex. R. Civ. P. 166g ruling that Tex. Prop. Code § 209.0041 does not change the amendment paragraph of the Sky Harbour deed restrictions requiring amendments of the restrictions to be approved by owners of legal title to more than half of the land area in the Sky Harbour subdivision.

IT IS THEREFORE ORDERED that the foregoing summary judgment rulings and Rule 166g ruling are incorporated into this Final Judgment.

IT IS FURTHER ORDERED that Defendant Sky Harbour shall recover judgment for

attorneys' fees of \$24,809.47, jointly and severally, from Debra Lozano, individually and as successor in interest to Ruben Veliz; Toni Milson; Jane Cantu; and Jean May and Josephine May, individually and as successors in interest to Gerald May deceased.

IT IS FURTHER ORDERED that Defendant Sky Harbour shall recover additional attorneys' fees in the sum of \$74,957.43, jointly and severally, from Debra Lozano, individually and as successor in interest to Ruben Veliz; Toni Milson; Jane Cantu; and Jean May and Josephine May, individually and as successors in interest to Gerald May deceased; Debra McGowen; Coleman Brockett, and Corey Moore.

IT IS FURTHER ORDERED that Defendant Sky Harbour shall have an Order of Sale, pursuant to the lien created under its restrictive covenants, to sell the following property in a sale conducted by a sheriff or constable in the manner of an execution sale in satisfaction of this judgment against Debra Lozano:

3005 Libra Drive, Granbury, Hood County, Texas and more particularly described as LOTS 178 AND 179, SKY HARBOUR, SECTION ELEVEN, A SUBDIVISION IN HOOD COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED ON PAGE 31 OF INSTRUMENT RECORDED IN VOLUME 184, PAGE 19, DEED RECORDS, HOOD COUNTY, TEXAS.

IT IS FURTHER ORDERED that Defendant Sky Harbour shall have an Order of Sale, pursuant to the lien created under its restrictive covenants, to sell the following property in a sale conducted by a sheriff or constable in the manner of an execution sale in satisfaction of this judgment against Toni Milson:

818 Jupiter Court, Granbury, Hood County, Texas and more particularly described as LOT 32, BLOCK 10, SKY HARBOUR, SECTION EIGHT. A SUBDIVISION IN HOOD COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED ON PAGE 428A OF INSTRUMENT RECORDED IN VOLUME 177, PAGE 416, DEED RECORDS, HOOD COUNTY, TEXAS.

IT IS FURTHER ORDERED that Defendant Sky Harbour shall have an Order of Sale,

pursuant to the lien created under its restrictive covenants, to sell the following property in a sale conducted by a sheriff or constable in the manner of an execution sale in satisfaction of this judgment against Jean May, Gerald May, and Josephine May:

3134 and 3135 Sagittarius Lane, Granbury, Hood County, Texas and more particularly described as LOTS 7 & 8 SKY HARBOUR, SECTION ELEVEN, A SUBDIVISION IN HOOD COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED ON PAGE 31 OF INSTRUMENT RECORDED IN VOLUME 184, PAGE 19, DEED RECORDS, HOOD COUNTY, TEXAS.

IT IS FURTHER ORDERED that Defendant Sky Harbour shall have an Order of Sale, pursuant to the lien created under its restrictive covenants, to sell the following property in a sale conducted by a sheriff or constable in the manner of an execution sale in satisfaction of this judgment against Jane Cantu:

315 Capricorn Drive, Granbury, Hood County, Texas and more particularly described as LOTS 133 & 134, SKY HARBOUR SECTION ELEVEN, A SUBDIVISION IN HOOD COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED ON PAGE 31 OF INSTRUMENT RECORDED IN VOLUME 184, PAGE 19, DEED RECORDS, HOOD COUNTY, TEXAS.

IT IS FURTHER ORDERED that Defendant Sky Harbour shall recover additional attorneys' fees conditioned on any (1) appeal to the court of appeals (\$20,000.00); (2) filing of petition for review in the Texas Supreme Court (\$10,000.00); (3) merits briefing in the Texas Supreme Court (\$5,000.00); and (4) oral arguments in the Texas Supreme Court (\$5,000.00).

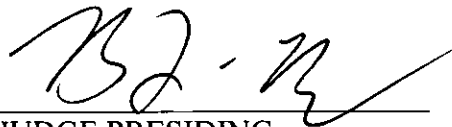
IT IS FURTHER ORDERED that Defendant Sky Harbour shall recover all costs of court and all post-judgment interest at the rate of 6.75 percent per year on the judgement until paid in full.

IT IS FURTHER ORDERED that Defendant Sky Harbour shall have judgment and execution against any or all Plaintiffs which may remain, as applicable to them separately, after applying proceeds from the sale of the property or properties above.

IT IS FURTHER ORDERED that Defendant Sky Harbour shall have all writs of execution and other process issued necessary to enforce this judgment.

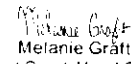
IT IS FURTHER ORDERED that all other relief requested by any party to this suit is hereby denied.

SIGNED: 10/29/26


JUDGE PRESIDING

FILED

OCT 29 2026


Melanie Gratt
Clerk District Court, Hood County, Texas