

1620 HAWTHORNE, LTD.,
Plaintiff,

v.

MONTROSE MANAGEMENT
DISTRICT, ET AL.,
Defendants.

IN THE DISTRICT COURT

333RD JUDICIAL DISTRICT

OF HARRIS COUNTY, TEXAS

FINAL JUDGMENT

On May 23, 2016, the Court called this case to trial. Plaintiff, 1620 Hawthorne, Ltd., appeared through its attorney, Andy Taylor, and announced ready for trial. The Public Official Defendants, in their official capacities (named in the caption of this case and referred to here as "West Montrose Management District") appeared through their attorney, Barry Abrams. After receiving the Agreed Stipulation of Facts, the Exhibits, other written evidence, and arguments of counsel, the Court granted a Final Judgment in Plaintiff's favor on November 28, 2016, and signed Findings of Fact and Conclusions of Law that same day.

On December 30, 2016, the Court set aside the Final Judgment because the issue of attorney's fees remained to be adjudicated. The Court did not set aside the Findings of Fact and Conclusions of Law. In an order signed prior to the signing of this Final Judgment, the Court vacated the Findings of Fact and Conclusions of Law signed November 28, 2016. Also, in an order signed prior to the signing of this Final Judgment, the Court severed the attorney's fee issue into Cause No. 2012-20396-B.

Having considered the same Agreed Stipulation of Facts, the Exhibits, the other written evidence, the parties' competing motions for entry of judgment, responses, and any replies, the Court's file, and the arguments of counsel, the Court renders this judgment in favor of Plaintiff, 1620 Hawthorne, Ltd., as follows:

1. The 2011 Assessment Petition was not compliant with Texas law.
2. The West Montrose Management District invalidly assessed and then illegally collected \$6,589,092.70, based upon the 2011 Assessment Petition, which is void.
3. The assessments paid by the owners of real property within the geographical area known as West Montrose Management District were not voluntarily made, but were paid under duress.
4. West Montrose Management District is ordered to reimburse the invalidly assessed and unlawfully collected assessments to those who paid them.

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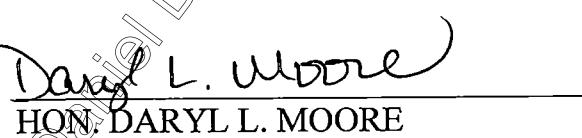
5. West Montrose Management District is enjoined from spending any of the assessments that have been collected but not yet spent, or from spending any assessments that West Montrose Management District receives after the date of the signing of this Final Judgment.

6. West Montrose Management District is further ordered to refrain from attempting to collect further assessments, or from issuing further assessments to the extent they derive, in part or in whole, from the purported legal authority of the 2011 Assessment Petition.

7. All costs of Court are taxed against Defendants.

In light of the Court's previous severance orders, the Court believes this judgment disposes of all parties and issues remaining in this cause number and that this judgment is a final, appealable judgment

SIGNED October 31, 2017.



HON. DARYL L. MOORE

Unofficial Copy Office of Chris Daniel District Clerk