

Nine Mile Ranch HOA — Race Track Enforcement Case Docket

Latest update: September 2, 2026

Document links will be added as files are posted to the HOA website.

Members can read and track the Board's enforcement actions by timeline below, regarding the unauthorized motor vehicle race track constructed on Lot 39, Division 4 (Crest Drive). The Board has filed suit in Okanogan County Superior Court. Court documents filed in this matter are public records and are posted to the HOA website for member review. Members with questions may contact the Board at bod@9mileranchhoa.org.

#	DATE	ITEM	DOCUMENT
1	Jan 23, 2026	Board issued initial Notice of Violation to lot owner for using HOA roads and easements in a recreational and abusive manner (road burnouts/vehicle misuse), as documented in YouTube videos. Fines of \$50.00 levied. Owner did not respond or request a hearing per the HOA Fine Policy.	Notice of Violation - January 23, 2026
2	Feb 4, 2026	Lot owner publicly announced intent to build a race track on his property via social media, in direct response to the HOA fine notice. Board noted this.	
3	Mar 7-9, 2026	Board held executive session to discuss the developing race track. Notice of Violation (dated March 7) sent to lot owner by first class mail, certified mail, and email, identifying CC&R violations and demanding compliance. Kirk Johnson signed a legal declaration confirming the letter was placed in the mail on March 9.	Notice of Violation - March 7, 2026
4	Mar 10, 2026	Board unanimously adopted the Off-Road Vehicular Use Rule. Rule mailed to lot owner March 11.	Off-Road Vehicular Use Rule
5	Mar 11, 2026	Okanogan County Office of Planning and Development issued a Notice of Violation and Cease and Desist Order to the lot owner for unpermitted development of a motorized vehicle track (OCC Chapter 17.10.070, Parcel 4028160005). Signed by Director Pete Palmer.	County Notice of Violation & C&D
6	Mar 14, 2026	Lot owner held first public race event in deliberate defiance of the HOA Notice of Violation, the county Notice of Violation, the county Cease and Desist Order, and the CCRs.	
7	Mar 16, 2026	Board voted unanimously to engage HOA legal counsel, Ken Miller & Associates, PLLC (Okanogan). Attorney issued a formal Cease and Desist letter to the lot owner.	Attorney C&D Letter
8	Mar 16, 2026	Notice of Violation and Fines issued to lot owner for documented CC&R violations including race track operation.	Notice of Violation and Fines - March 16, 2026
9	Mar 17, 2026	Complaint for Injunctive Relief filed in Okanogan County Superior Court (Case No. 26-2 0012724). Nine Mile Ranch HOA v. Charles McNeil and Blackstar Stability Revitalization Trust F1A. Seeks a court order prohibiting operation of the race track and award of all attorney fees and costs to the HOA.	Complaint for Injunctive Relief
10	Mar 19, 2026	Temporary Restraining Order signed by Okanogan County Superior Court judge at 3:26 PM. Orders the lot owner to immediately cease all construction, development, and racing activities on Lot 39. Hearing scheduled for March 26, 2026 at 9:00 AM, Okanogan County Superior Court.	Temporary Restraining Order
11	Mar 20, 2026	Okanogan County Planning Department physically posted a Cease and Desist notice on the fence gate at the race track entrance.	
12	Mar 21, 2026	Lot owner formally served with the Temporary Restraining Order and all court documents. Lot owner did not proceed with the planned race event. The March 21 race was stopped.	

13	Mar 26, 2026	Preliminary Injunction hearing — 9:00 AM, Okanogan County Superior Court. OUTCOME: Judge Burke declined to convert TRO to Preliminary Injunction. Ruled a formal PI motion is required. TRO extended for two weeks. McNeil declined to sign the extension order in open court. Next hearing set for April 9, 2026 at 9:00 AM.	
14	Mar 26, 2026	Extension of TRO and Notice of Hearing — signed by Judge Burke at 10:00 AM. TRO reissued with same language. Next hearing set for April 9, 2026.	Extension of TRO - March 26, 2026
15	Mar 26, 2026	Court Hearing Minutes — official clerk record of the March 26 preliminary injunction hearing. Judge Burke presiding. Includes timestamped record of all statements made by counsel, McNeil, and the court.	Court Hearing Minutes - March 26, 2026
16	Apr 9, 2026	Preliminary Injunction hearing — 9:00 AM, Okanogan County Superior Court. OUTCOME: PRELIMINARY INJUNCTION GRANTED by Judge Burke. McNeil appeared pro se and filed no written response. Blackstar (Zaretic) appeared and took no position. Court found all three Lenoff factors satisfied. McNeil enjoined from racetrack development and race events until trial.	
17	Apr 9, 2026	Preliminary Injunction Order -- signed by Judge Burke April 9, 2026 at 10:35 AM. Filed with Okanogan County Clerk Susan Speiker. Presented by Blake P. Chesledon, WSBA #62568. Court cited CC&Rs Article IX Sec. 9 and Sec. 15 (damage to natural vegetation, wildlife shelters, nesting areas, and noxious noise -- incompatible with Nine Mile Ranch as a nature refuge and conservancy). ORDER: 1. McNeil shall immediately cease construction and development of a racetrack at Lot 39, Division IV (Parcel 4028160005). 2. McNeil shall not permit any other person to construct or develop a racetrack at the Property. 3. McNeil shall not conduct any racing activities or other motor vehicle sports at the existing race track. 4. McNeil shall advise all persons arriving to participate in motor vehicle sports of this Court's Order. 5. Order remains in place until trial or further order of the Court.	Preliminary Injunction
18	Apr 11, 2026	Board held regular and executive session. Motion to levy fines to Division 4, Lot 39 per March 16, 2026 Notice of Violation passed unanimously. Motion for Summary Judgment confirmed as next legal step.	
19	Jun 22, 2026	Motion for Summary Judgment filed with Okanogan County Superior Court. Three supporting declarations filed simultaneously:	Motion for Summary Judgment
	Jun 22, 2026	Declaration of Karen Durell:	Declaration of Karen Durell
	Jun 22, 2026	Declaration of Kirk Johnson:	Declaration of Kirk Johnson
	Jun 22, 2026	Declaration of Terry Bachmann: All documents recorded, delivered, and posted to HOA website.	Declaration of Terry Bachmann
	Aug 12, 2026	Plaintiff's Fee Affidavit filed. Itemized attorney's fees and costs since case initiation (March 16, 2026): \$11,555.00 in fees, \$345.00 in costs. Total requested: \$11,900.00.	Plaintiff's Fee Affidavit

21	Aug 13-14, 2026	Order Granting Motion for Summary Judgment -- signed by Judge Burke August 13, 2026; filed with the Clerk August 14, 2026. Court found Charles McNeil had notice of the July 20, 2026 hearing but neither appeared nor responded. Motion for Summary Judgment GRANTED; separate orders to follow for relief contemplated therein.	Order Granting Motion for Summary Judgment
22	Aug 13-14, 2026	Monetary Judgment entered against Charles McNeil -- signed by Judge Burke August 13, 2026; filed August 14, 2026. Principal \$11,555.00 + Costs \$345.00 = TOTAL JUDGMENT \$11,900.00, accruing interest at 12% per annum. McNeil did not appear and was defaulted.	Monetary Judgment
24	Sep 2, 2026	Declaratory Judgment; Permanent Injunction; and Order for Monetary Judgment -- signed by Judge Burke September 2, 2026. Court declares the race track is not a permitted recreational use and the racing noise is a "noxious noise" under the CCRs. McNeil is permanently enjoined to remove all tires, restore the land to its natural state, and stop operating any race track or similar motor vehicle activity on the property. Confirms the HOA's monetary judgment for fines and attorney's fees. Blackstar dismissed as a party with prejudice.	Declaratory Judgement, Permanent Injunction, and Order for Monetary Judgement
25	Ongoing	Board will continue to post updates and publicly-available court documents as the case proceeds. The Court has entered a Permanent Injunction requiring McNeil to remove the race track tires and restore the land, in addition to the \$11,900.00 Monetary Judgment (plus 12% annual interest) entered August 13-14, 2026. Board to monitor McNeil's compliance with the remediation deadlines.	