

**RESOLUTION OF THE NEW YORK GAMING FACILITY LOCATION BOARD
TO SELECT AN APPLICANT FROM ZONE TWO, REGION FIVE
TO BE CONSIDERED FOR GAMING FACILITY LICENSURE
BY THE NEW YORK STATE GAMING COMMISSION**

WHEREAS, the New York legislature passed, in two consecutive legislatures in 2012 and 2013, concurrent resolutions to amend the State constitution to permit casino gaming; and

WHEREAS, the people of the State of New York voted to amend section 9 of Article I of the Constitution of the State of New York to permit casino gaming as authorized and prescribed by the legislature; and

WHEREAS, the legislature passed, and the governor approved, the Upstate New York Gaming Economic Development Act (“Act”) in 2013, authorizing and prescribing casino gaming in New York State upon appropriate amendment of the State constitution; and

WHEREAS, the Act authorized up to four destination casinos to boost upstate economic development, create thousands of well-paying jobs and provide added revenue to the State located in three defined regions of the State: Hudson Valley/Catskill area (Region One, Zone Two), Capital Region (Region Two, Zone Two), and Eastern Southern Tier (Region Five, Zone Two), with a second license to a qualified applicant to be awarded, if at all, in no more than a single region; and

WHEREAS, the New York State Gaming Commission (“Commission”) established the Gaming Facility Location Board (“Board”), as prescribed by Racing Pari-Mutuel Wagering and Breeding Law (“PML”) section 109-a, to select up to four Applicants, following a competitive Application process, to be considered for gaming facility licensure; and

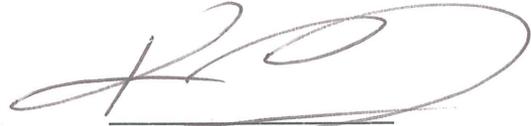
WHEREAS, on December 17, 2014, the Board selected three applicants to be considered for licensure by the Commission; and

WHEREAS, on March 23, 2015 the Board issued a second Request for Applications to develop and operate a gaming facility in New York State (“RFA”), limited to applicants from Zone Two, Region Five; and

WHEREAS, by July 6, 2015, the Board received one set of application materials (the “Application”) from an entity (“Applicant”) in response to the RFA; and

WHEREAS, on September 10, 2015, the Applicant made an informational introductory presentation of its Application to the Board; and

WHEREAS, at a public comment event convened on September 18, 2015 in Binghamton, the Board heard comments on the Application from 50 speakers; and



Kevin S. Law
Chair
Gaming Facility Location Board

New York, New York
October 14, 2015