

**[As considered and approved by Board without change]**

**RESOLUTION No. 09-03**

WHEREAS, the Franchise Oversight Board (“Oversight Board”) was established pursuant to Chapter 18 of the Laws of 2008 to review and make recommendations regarding the operation of The New York Racing Association, Inc. (“NYRA”); and

WHEREAS, the Oversight Board desires to exercise its authority with the diligence and responsibility commensurate with its duties, powers, and functions; and

WHEREAS, pursuant to the provisions of Racing, Pari-Mutuel Wagering and Breeding Law § 212, the Oversight Board is authorized to approve any alterations to the capital expense plan already approved by the State; and

WHEREAS, NYRA proposes to amend the approved capital expense plan to provide for the establishment of an upgraded simulcasting facility, known as the “Brooklyn Waterworks at Aqueduct Racetrack” for an estimated cost of \$2,700,000; and

WHEREAS, the Oversight Board has reviewed NYRA’s proposal to establish such simulcasting facility at the Aqueduct Racetrack; and

WHEREAS, the Oversight Board finds that such an upgrade to the existing simulcasting facility will maximize revenues for governments from pari-mutuel wagering at Aqueduct Racetrack;

THEREFORE, be it resolved that the Oversight Board hereby approves NYRA’s request to amend the capital expense plan to establish an expanded simulcasting facility, known as the “Brooklyn Waterworks at Aqueduct Racetrack.”

Adopted.

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Laura L. Anglin  
Chairperson,  
Franchise Oversight Board

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Date