



## Resolution No. 26-02

### INTEGRATION OF BELMONT PARK SUMP AREA INTO NYRA GROUND LEASE

**WHEREAS**, in 2008, the New York State Legislature (i) amended the New York Racing, Pari-Mutuel Wagering and Breeding Law to establish the Franchise Oversight Board (the “FOB”) to represent the interests of the People of the State of New York as owner of the Aqueduct Racetrack, Belmont Park, and Saratoga Race Course (the “Franchised Racetracks”) and (ii) conferred upon The New York Racing Association, Inc. (“NYRA”) the right and responsibility to, among other things, operate all functions at the Franchised Racetracks; and

**WHEREAS**, the Village of Floral Park (the “Village”) in the Town of Hempstead, Nassau County and The New York Racing Association Inc., predecessor to NYRA, entered into a lease dated July 18, 1989, whereby the Village took a parcel of land located in the Northeast corner of Belmont Park (the “Sump Area”), for the purposes of operating and maintaining a surface water seepage (sump) area, intended to assist in alleviating storm water flooding problems that occur in the Village; and

**WHEREAS**, pursuant to a ground lease agreement (the “Ground Lease”) between The People of the State of New York, acting by and through the FOB, and NYRA, dated September 12, 2008, NYRA leases Belmont Park for a term running until December 31, 2033, unless the Ground Lease is sooner terminated in accordance with the terms thereof; and

**WHEREAS**, pursuant to Resolution 15-01, the FOB approved the use by the Village of other certain lands at Belmont Park for the installation and maintenance of a recharge basin and other drainage areas and the appurtenances thereof (the “Recharge Basin”), and NYRA received written notice to cease utilization of such land under the Ground Lease; and

**WHEREAS**, The People of the State of New York, acting by and through the FOB granted an easement (the “Easement”) to the Village to install and maintain the Recharge Basin, for a term of fifty years from January 1, 2025, unless the Easement is sooner terminated in accordance with the terms thereof; and

**WHEREAS**, the Easement requires the Village to provide written notice to the FOB when the Recharge Basin is operating, and at such time shall relinquish all right, title and interest in the Sump Area; and

**WHEREAS**, NYRA desires to retain the Sump Area for its own use; and

**WHEREAS**, Racing, Pari-Mutuel Wagering and Breeding Law §206 (1) authorizes the FOB to approve alternative uses of the Franchised Racetracks currently used for purposes unrelated to racing; and

**WHEREAS**, the FOB finds that returning the Sump Area to NYRA for its use is beneficial for the health and safety of patrons of Belmont Park and the residents of the Village and is consistent with NYRA's operations at Belmont Park; and

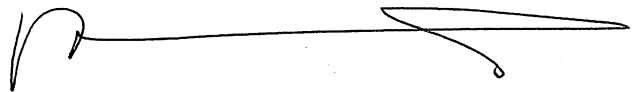
**WHEREAS**, the FOB in consideration of the good and valuable consideration provided by NYRA, agrees that when the Village provides written notice to the FOB that the Recharge Basin is operating, and relinquishes all right, title and interest in the Sump Area to the FOB, the FOB shall provide written notice to NYRA that the Sump Area shall be considered to be part of the lands let to NYRA pursuant to the Ground Lease; and

**BE IT FURTHER RESOLVED**, that the FOB hereby approves the process discussed herein and hereby authorized Robert Williams, Chair of the FOB, to execute any documents necessary to carry out this resolution.

**VOTE:**

Adopted by the affirmative vote of a majority of the members at a duly constituted meeting of the Board conducted on January 16, 2026.

<u>Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Victor E. Franco, Jr.	x			
Christopher T. Higgins	x			
Robert Smith	x			
Robert Williams	x			



Robert Williams  
Chairman