

Instructions

1. The form accompanying these instructions shall be used by current horse racing permit holders eligible to move to new locations pursuant to House Bill 277. Approval of this application shall authorize relocation of the race track facility and shall also authorize re-location of existing permits to the extent authorized by Chapter 3769 and the rules promulgated for that Chapter.

Applicant must submit an original and five (5) copies of the completed *Application to Relocate a Race Track Facility*, attachments and supporting documentation.

2. Answer all questions completely. Racing Commission staff or the Racing Commissioners may request additional documents or information to assist in review of Applicant's proposed racing activity.
3. Attach separate sheets for answers that do not fit within the space provided. Any separate sheet should reference the question being answered by the question number and any sub-category.
4. The application must be submitted on 8 ½ by 11 inch paper. All documents must have page numbers. Attachments and supporting documentation should be tabbed and should include and index that identifies everything submitted by tab number, page number and title.
5. In any questions where "person" or "persons" appears, the term means the singular or plural form of any individual, partnership, association, corporation, Limited Liability Company, firm, trust or other business entity.
6. An Applicant is under a continuing duty to provide updates to this Application if circumstances change or if errors are discovered. This duty applies to all circumstances that result in the information in the Application being inaccurate or incomplete. Corrections and additions to the Application should be submitted immediately.
7. The *Application to Relocate a Race Track Facility* will not be considered until a complete packet is received. The complete packet must include:
- Completed original *Application to Relocate a Race Track Facility* and 5 copies of this document
 - Applicable relocation fee
 - Properly executed and notarized *Verification Statement*
 - Certified copy of the Articles of Incorporation, or current by-laws or other governing document if Applicant is unincorporated
 - Proof of registration/Certificate of Good Standing from the Ohio Secretary of State if Applicant is a foreign corporation
 - Applicant's current organizational chart for key management staff
 - Current audited financial statement**
 - Site plan details which should include:**
 - Aerial photograph of the race track site property taken within the past 60 days
 - What county, township, city, village, school district and other governmental units exist where the race track site is located
 - Location of nearest fire and police stations (give distance in miles)
 - Location of the nearest hospital (give the distance in miles)
 - Zoning designation for the race track site and whether any variance will be required
 - Any local zoning or special use permits that must be obtained for the race track site including the procedure to obtain those permits, likely conditions to be placed on the permits and estimated date permits will be obtained
 - Identify the government subdivision whose local building code(s) govern the race track site
 - The exact number of miles (to 0.10 mile fractions) from the race track site to the center of the business districts of nearby cities with the population of those cities identified per data from the most recent federal census

Ohio State Racing Commission Application to Relocate a Race Track Facility

- The exact number of miles (to 0.10 mile fractions) from the race track site to all currently licensed for thoroughbred or harness racing by the Ohio State Racing Commission
- The exact number of miles (to 0.10 mile fractions) from the race track site to all satellite facilities currently licensed by the Ohio State Racing Commission

Submit the completed *Application to Relocate a Race Track Facility*, and the required supporting documentation to:

Ohio State Racing Commission
Attention: Bill Crawford, Executive Director
77 South High Street, 18th Floor
Columbus, OH 43215

Note that an incomplete *Application* will cause delays in processing and where the failure to complete the form is ongoing, the *Application* may be rejected. Compliance with current rules of the Racing Commission as set forth in Administrative Code Chapter 3769 is required before approval is granted to move permits to a new location. The Racing Commission must approve the race track facility and its operation plan before racing begins at the location.

Application to Relocate a Race Track Facility



Ohio State Racing Commission
 77 S. High St. -- 18th Floor
 Columbus, Ohio 43215-6108

Section 1. Identification of the Applicant:

A. Legal Name:	
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B. Current location of the track:	
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C. If applicant is an individual, give name and legal residence of applicant; if a partnership, association or trust, give name, legal residence and amount of interest of each associate, trustee or partner, whether general, limited or silent, the names of cestui que trusts or persons financially interested or holding an interest in applicant is equal to or greater than 5%.

Name	Home Address	Interest	Pct.

D. Name, legal residence and title of all officers of applicant corporation.

Name	Home Address	Interest	Pct.

E. List names and addresses of all shareholders owning shares either of record or beneficially if the interest in applicant is equal to or greater than 5%. (Dummy holdings must be indicated in the list, and the real parties owning the equity therein must also be stated. Designate the holder of record and the beneficial holder separately, together with the shares owned by each.)

Holder of Record	Beneficial Holder	Address	Shares

Ohio State Racing Commission Application to Relocate a Race Track Facility

F. List bond/debenture/note holders. Include a statement showing provisions for amortization of bonds and notes:

Name	Address	Amount of bond, debenture or note	When due & amortization provisions

Section 2. Describe the proposed location for the new race track:

A. Street Address:	
City:	
County:	
Zip Code:	
Parcel Number(s):	

B. Legal description of the race track site property. (If the description is provided in an attachment, identify the attachment here.)	
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C. Does applicant own the property where the new race track will be located? If the answer is "No" provide a copy of the current lease agreement or all other documentation that gives Applicant the right to possession and use of the property.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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D. Will business at the new location operate within a temporary facility?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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E. How many square feet of space will be available for OSRC operations?	
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F. The following is an inventory of all property real and personal, owned or leased by said applicant, in any manner connected with the new race track location referred to herein:	
1. Legal description of real estate:	
2. Other common description of buildings, location and use thereof:	
3. State general real estate	a. Tax assessed b. Paid by last tax bill
4. State the assessed valuation of all real estate:	
5. State actual cost of all real estate and improvements	
6. State depreciation charged against improvements as shown by applicant's books:	

F. Personal Property:	1. Description, location and use thereof:	
	2. Taxes on personal property as shown by last tax bill:	
	3. Taxes on personal property paid:	
	4. Assessed valuation as fixed by taxing bodies:	
	5. State the cost of personal property & depreciation charged against same as shown on books of applicant:	

Ohio State Racing Commission Application to Relocate a Race Track Facility

Section 3. Description of Planned Business Activity:

A. Estimated date the new facility will open:	
B. Describe the nature of business that will be conducted on opening day:	
C. If live racing will not begin on opening day, projected date when live racing will begin:	
D. For each permit held by the Applicant, please list any necessary adjustments to live race days that are anticipated:	
E. If simulcasting will not begin on opening day, please provide the projected date when simulcasting will begin:	
F Please provide the following for the representative of the Applicant who should be contacted regarding this Application:	
1. Name:	
2. Title:	
3. Business or Firm:	
4. Relationship to Applicant:	
5. Street Address:	
6. City, State and Zip Code	
7. Business Phone Number(s):	
8. Business Fax Number(s):	

G. The following is a complete list of officials for the last race meeting conducted by the applicant, with the exact amount of salary and all other sums (such as bonuses but exclusive of dividends) paid to said officials for the year:

H. Applicant presents herewith an aerial composite photograph or detailed drawing of the land and buildings comprising the racing plant, marked "Exhibit A". Provide the following information:

1. Number of barns on premises:	
2. Number of horse stalls and type of construction:	
3. Number of tack rooms:	
4. Number of feed rooms:	
5. Number of usable stalls in receiving (ship in) barn:	
6. What arrangements are made for stalls for any overflow of horses from the receiving (ship in) barn?	
7. Describe in detail security measures applicant will put into effect to police the stable area, including the number of persons to be employed in the stable area and their duties:	
8. List personnel and equipment assigned to fire prevention and control in the stable area, and the frequency of fire drills involving employees and stable help during the requested racing meeting:	

Ohio State Racing Commission Application to Relocate a Race Track Facility

Verification Statement

State of Ohio :
: ss
County of _____ :

(“Applicant”)

Submits this application for a permit to conduct a horse race meeting pursuant to Ohio Revised Code Chapter 3769 and the rules promulgated for that Chapter.

The person signing this verification statement represents that he or she is authorized to sign this Application on behalf of the Applicant and has the ability to bind the Applicant as follows:

- If the Applicant is an individual, then this Application is being signed and verified under oath by that individual;
• If the Applicant is more than one person, or a partnership then the Application is being signed and verified under oath by one of the individuals or a member of the partnership;
• If the Applicant is an association, trust, or corporation, then the Application is being signed by its president or vice-president and attested by the secretary or assistant secretary under the seal of the association, trust, or corporation, if it has a seal, and is also being verified under oath by one of the officers signing the Application.

The signer verifies that all contents of this Application to Relocate a Race Track Facility, its attachment and supporting documentation are true and accurate and further acknowledges the continuing duty to provide updates to this Application if circumstances change or if errors are discovered.

Signed,

Name:
Title

Subscribed and sworn to before me on this _____ day of _____, 20_____.

Notary Public _____

My commission expires on _____

Waiver of Liability

Applicant is making application to relocate its current permits and race track facility. The undersigned represent(s) that I/we are authorized to execute this *Waiver of Liability* on behalf of Applicant and have the authority to bind Applicant by signing this document. Each person signing, on behalf of Applicant, hereby waives liability as to the State of Ohio, its subdivisions, instrumentalities and agents, for any damages resulting to the Applicant, its agents, officers, directors, or assigns as a result of or from any disclosure or publication in any manner, other than a willfully unlawful disclosure or publication, of any material or information acquired during the licensing process or during any inquiries, investigations or meeting or hearings related to the application process.

I/we am/are aware that false or misleading statements will be cause for rejection of this *Application to Relocate a Race Track Facility* or revocation of this *Application to Relocate a Race Track Facility*, and any existing horse racing permit(s) or license(s) I hold within the State of Ohio. False or misleading statements may also subject me to civil or criminal penalties under Ohio law.

Applicant's Name

BY:

Signature of Chief Executive Officer

Printed Name of Chief Executive Officer

Subscribed and sworn to before me on this _____ day of _____, 20____.

Notary Public

My commission expires on _____