



CASINO AT OCEAN DOWNS

Smoking Area Construction – Submission for Approval

I. Introduction

The Casino at Ocean Downs is respectfully requesting permission to construct a smoking area to include slot machines. The proposed space for this smoking area is comprised of a portion of the existing casino floor, the current Mutuel Teller line and proximate space exterior to the building on the pavers facing the racetrack. The exterior area will be bordered by an eight foot fence along the perimeter. The current outdoor smoking area, without slot machines, will be converted to a new Mutuel Teller line as part of this project.

II. Construction Considerations

The construction of this area will require 62 games to be removed from the casino floor for the duration of the construction. The games are proposed to be stored in a trailer on the paver area that borders the racetrack. The trailer will be locked and sealed in the presence of the onsite Lottery Agent and monitored by surveillance throughout the construction. This plan has been discussed with and agreed to by the affected machine vendors. While we do not yet have a precise construction timeline, our goal is to complete this project by Memorial Day. If we meet that goal, it would result in the games being offline for less than 10 weeks.

III. Drop Route

The new smoking area will contain 55 games. The proposed slot layout is attached as Exhibit 1. The proposed drop route is attached as Exhibit 2. All machines in this area will be a unique location designation or zone, "S". We will drop section "S" on alternate days along with current drop route sections "A", "D", and "E" on Sunday, Wednesday and Friday, and the first of each month. The drop team will place the open cart across the entrance doors. Section "S" will be cleared of customers on 24-hour gaming days prior to the drop team entering the area. The drop team will lay out all cold boxes. The drop team will then remove all hot boxes and place them in the cart and insert the cold boxes in each machine. All machines will be secured and customers will be allowed return to the section. Section "D" will then be dropped.

IV. Mutuel Teller Line Construction

The construction of the new Mutuel Teller line will be contained completely on the exterior of the building and will not disturb the casino floor.

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V. Security Concerns

The exterior doors that will remain in this area after construction is complete are currently typically alarmed and considered emergency exit doors only. This area is currently a mandatory Security post because there is a door to the existing smoking area that is open for customers to enter and exit and that traffic must be monitored. This monitoring will no longer be necessary under normal circumstances. We will utilize the posted Security Officer to patrol the smoking area and surrounding casino floor. Security access to this area will be through the door from the casino floor on the south end of the area. In the event of rain, snow or other negative weather events, the Security Officer will install fitted tarps to protect the slot machines as necessary. Security will monitor weather situations to determine if there is reason to evacuate customers from the area, such as heavy rain, lightening, hail or other potentially dangerous circumstances. In that event, customers will be evacuated, the doors to the area will be closed and Security will be posted at the door to ensure customers do not enter. When the threat has passed, the doors will be reopened and customers will be allowed to return to the area.

In the event a state of emergency is declared due to impending severe weather, plywood or steel slats will be used to construct a wall around the area and it will be closed and secured by Security. When the state of emergency is lifted, this wall will be deconstructed and removed entirely in accordance with State regulations.

VI. Surveillance

The layout of surveillance cameras is attached as Exhibit 3.

VII. Affidavit

A signed affidavit is attached attesting that the space meets all local and state requirements.

AFFIDAVIT

The undersigned, Bobbi Sample, Swear or Affirm:

1. I serve as Interim General Manager and have the legal right to represent Ocean Enterprise 589 LLC d/b/a Casino at Ocean Downs. I have personal knowledge of the facts herein, if called as a witness, could testify completely thereto.
2. I have personal knowledge of the facts set forth below.

I declare that, to the best of my knowledge and belief, the information herein is true, correct and complete.

Executed this 9th Day of March, 2017.

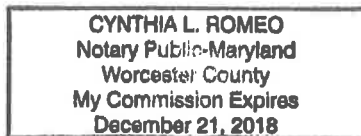
The proposed outdoor gaming area at the Casino at Ocean Downs and its use meet all applicable local and state requirements

By:



Bobbi Sample, Interim General Manager

STATE OF MARYLAND COUNTY OF Worcester I, the undersigned Notary Public, do hereby affirm that Bobbi Sample personally appeared before me on the 9th day of March, 2017 and signed the above Affidavit as free and voluntary act and deed.



Notary Public