

RESOLUTION 1994-24

A RESOLUTION CONCERNING THE
REQUEST OF BOOMTOWN BELLE II, L.P. TO
SUBSTANTIVELY AMEND PART I AND PART II
OF ITS INDIANA RIVERBOAT OWNER'S LICENSE
APPLICATION BY AMENDING THE PROPOSAL TO
REFLECT THE EXECUTION OF AN OPTION AGREEMENT

WHEREAS, the Indiana Gaming Commission ("the Commission") has the power and duty under IC 4-33-4-1 to fully and effectively execute IC 4-33 ("the Riverboat Gambling Law");

WHEREAS, the Commission has the power and duty to take any reasonable or appropriate action to enforce the Riverboat Gambling Law;

WHEREAS, an applicant for an owner's license is required under IC 4-33-5 and IC 4-33-6 to provide certain information to the Commission before the Commission may issue a license to that applicant;

WHEREAS, pursuant to IC 4-33-4-1(a)(4), the Commission has the power and duty to "investigate applicants and determine the eligibility of applicants for licenses";

WHEREAS, the Commission is required under IC 4-33-4-5 to adopt standards for the licensing of persons regulated under the Riverboat Gambling Law;

WHEREAS, pursuant to IC 4-33-4-17, the Commission is to "decide promptly and in reasonable order all license applications";

WHEREAS, pursuant to RESOLUTION 1993-16, the Commission adopted Part II of the Riverboat Owner's License Application;

WHEREAS, pursuant to RESOLUTION 1994-7, the Commission granted the Executive Director of the Commission the authority to amend Part II of the Riverboat Owner's License Application by March 23, 1994, and Part II of the application was so amended;

WHEREAS, pursuant to RESOLUTION 1994-5, the Commission adopted a policy governing amendments to Part II of the Riverboat Owner's License Application; and

WHEREAS, on August 16, 1994, Boomtown Belle II, L.P., submitted a proposed amendment to its Riverboat Owner's License Application and a letter explaining the proposed amendment for Commission consideration. The primary purpose of the substantive changes proposed by the amendment, as stated in the letter is as follows:

On May 16, 1994, subsequent to filing Parts I and II of our gaming Application to the State of Indiana Gaming Commission, Boomtown Landing, L.P., a partnership between affiliates Boomtown, Inc. and SES Gaming, entered into an Option Agreement to lease approximately 35 acres from the Lighthouse Point Yacht Club, Inc., F/K/A Anchor Land Development, Inc., at Lighthouse Point Yacht Club near Aurora in Dearborn County, Indiana. With the obtaining of the lease option, the partnership will have the ability to construct a temporary support facility and operate two temporary gaming vessels (Boomtown Belle II and SES Boat) approximately nine to twelve months prior to the completion of our proposed permanent site at Lawrenceburg/Aurora/Dearborn County, Indiana, where the proposed temporary site operations would be transferred. This accelerates the economic impacts of development and disbursement of revenues to the State of Indiana and the local jurisdictions.

In connection with the duty of the above-referenced Applicant to disclose changes in information provided in the Application, submitted herewith is our Supplement to Part II of our Application detailing additional disclosures related to the proposed temporary site.

NOW, THEREFORE, BE IT RESOLVED BY THE INDIANA GAMING COMMISSION, THAT THE FOLLOWING RESOLUTION IS ADOPTED:

SECTION 1. SCOPE.

This guideline applies to Boomtown Belle II, L.P.

SECTION 2. DEFINITIONS.

The definitions set forth in IC 4-33-2 and 68 IAC 1-1 (adopted by RESOLUTION 1993-14) apply to this resolution.

SECTION 3. ACTION ON THE REQUEST FOR AMENDMENT.

The requested amendment of Boomtown Belle II, L.P. which reflects the execution of the Option Agreement which is more fully set out in the amendments and letter submitted August 16, 1994, is hereby

Accepted

ACCEPTED or REJECTED

SECTION 4. EFFECTIVE DATE.

This RESOLUTION is effective immediately.

ADOPTED, THIS THE 31ST DAY OF AUGUST, 1994:

THE INDIANA GAMING COMMISSION:



Alan I. Klineman, Chair

ATTEST:



Gilmer Gene Hensley, Secretary