

NOTICE OF PUBLIC HEARING FOR PROPOSED OFF-TRACK WAGERING FACILITY IN THE COUNTY OF SOMERSET, HILLSBOROUGH TOWNSHIP

TAKE NOTICE that the State of New Jersey, Department of Law and Public Safety, Division of New Jersey Racing Commission ("Racing Commission"), will be conducting a public hearing on July 22, 2015 (Wednesday), at 7:00 p.m. The hearing will be held in the County of Somerset, at the following location in Hillsborough Township: Hillsborough High School, (Auditorium), 466 Raider Boulevard, Hillsborough, New Jersey 08844.

The purpose of this hearing will be for the Racing Commission to consider the application of the NEW JERSEY SPORTS & EXPOSITION AUTHORITY for the issuance to it of an off-track wagering license. At the hearing, subject to a determination that the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC. is qualified to hold an off-track wagering license, the Racing Commission will also consider the respective applications of the NEW JERSEY SPORTS & EXPOSITION AUTHORITY and the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC. requesting the assignment or transfer to the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC. of any off-track wagering license issued to the NEW JERSEY SPORTS & EXPOSITION AUTHORITY. In the event the NEW JERSEY SPORTS & EXPOSITION AUTHORITY is issued an off-track wagering license by the Racing Commission, which is then permitted by the Racing Commission to be assigned or transferred to the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC., NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC. will be authorized to establish and operate an off-track wagering facility, to be known as "Favorites at Hillsborough Township," at the following premises in Hillsborough Township: 150 Route 206, Hillsborough, New Jersey 08844.

In the event the Racing Commission approves the transfer or assignment of said license from the NEW JERSEY SPORTS & EXPOSITION AUTHORITY to the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC., the Racing Commission shall further consider the application of the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC. for approval for its entering into a contract or agreement authorizing DARBY DEVELOPMENT, L.L.C. to conduct or operate (that is, to design, develop, construct, finance and operate) the off-track wagering facility for it (that is, for the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC.) and to act as its agent in all off-track wagering matters approved by the Racing Commission.

Any off-track wagering license issued pursuant to these applications shall be valid for a period of one year, and the license shall be subject to renewal thereafter in accordance with N.J.A.C. 13:74-2.3 and any other applicable law.

The Racing Commission shall make a final determination on the described applications no later than 60 days following the closing of the record on the public hearing. The Racing Commission shall submit its final determination to the Attorney General for review and approval, and the decision of the Attorney General shall be deemed a final decision.

The above-described applications of the NEW JERSEY SPORTS & EXPOSITION AUTHORITY and the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC., which will be the subject of the public hearing, shall be listed upon the agenda as follows:

- 1) Consider the application of the NEW JERSEY SPORTS & EXPOSITION AUTHORITY, made pursuant to the "Off-Track and Account Wagering Act" (N.J.S.A. 5:5-127 et seq.) and the rules of the New Jersey Racing Commission (Chapter 74 of Title 13 of the New Jersey Administrative Code), for the issuance to the NEW JERSEY SPORTS & EXPOSITION AUTHORITY of an off-track wagering license, which off-track wagering facility is to be located at the following premises within Hillsborough Township: 150 Route 206, Hillsborough, New Jersey 08844.
- 2) In connection with the related application of the NEW JERSEY SPORTS & EXPOSITION AUTHORITY and the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC., referenced in agenda item 3 below, consider whether NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC. is qualified to hold an off-track wagering license.
- 3) Subject to a determination that the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC. is qualified to hold an off-track wagering license, consider the applications of the NEW JERSEY SPORTS & EXPOSITION AUTHORITY and the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC., made pursuant to the "Off-Track and Account Wagering Act" (N.J.S.A. 5:5-127 et seq.) and the rules of the New Jersey Racing Commission (Chapter 74 of Title 13 of the New Jersey Administrative Code), for the assignment or transfer to the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC. of any off-track wagering license issued to the NEW JERSEY SPORTS & EXPOSITION AUTHORITY, pursuant to agenda item 1 above, to establish and operate an off-track wagering facility at the following premises within Hillsborough Township: 150 Route 206, Hillsborough, New Jersey 08844.

- 4) Subject to a determination to approve the transfer or assignment of said off-track wagering license from the NEW JERSEY SPORTS & EXPOSITION AUTHORITY to the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC. in connection with the further application of the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC. as set forth in agenda item 5 below, consider whether DARBY DEVELOPMENT, L.L.C. is qualified, pursuant to N.J.A.C. 13:74-4.2(a), (b) and (c), to perform the functions subject of a contract or agreement authorizing it to conduct or operate (that is, to design, develop, construct, finance and operate) the Hillsborough Township off-track wagering facility for the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC. and to act as the agent of the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC. in all off-track wagering matters approved by the Racing Commission.

- 5) Subject to a determination to approve the transfer or assignment of said off-track wagering license from the NEW JERSEY SPORTS & EXPOSITION AUTHORITY to the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC. and further subject to a determination that DARBY DEVELOPMENT, L.L.C. is determined qualified pursuant to agenda item 4 above, consider the additional application of the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC. for approval for its entering into a contract or agreement authorizing DARBY DEVELOPMENT, L.L.C. to conduct or operate (that is, to design, develop, construct, finance and operate) the Hillsborough Township off-track wagering facility for the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC. and to act as the agent of the NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC. in all off-track wagering matters approved by the Racing Commission.

At the public hearing, interested parties and members of the public will have the opportunity to provide public comment to the Racing Commission. In addition to appearing at the hearing, interested parties and members of the public may provide written comments to the Racing Commission, which may be sent: by regular mail to - New Jersey Racing Commission, P.O. Box 088, Trenton, New Jersey 08625-0088; by overnight mail to - New Jersey Racing Commission, 140 East Front Street - 8TH Floor, Trenton, New Jersey 08625-0088; by email to NJRCWebinfo@lps.state.nj.us; or by facsimile to (609) 599-1785. Written comments may be filed with the Racing Commission, so long as they are received on or before July 29, 2015. No written comments will be accepted after July 29, 2015