

WEISS, WEISS & WEISS

Attorneys at Law

802 WALNUT STREET
P.O. BOX 838
LEBANON, PENNSYLVANIA 17042-0838

TELEPHONE (717) 273-1661
FACSIMILE (717) 273-0732

www.weisslawyers.com

SAMUEL G. WEISS, SR.
(1946-1988)

#2692
SAMUEL G. WEISS, JR.
PAMELA A. WEISS
M. JANNIFER WEISS
GREER H. ANDERSON

October 20, 2008

Paul Resch, Secretary
Pennsylvania Gaming Control Board
P.O. Box 69060
Harrisburg, PA 17106-9060

Kim Kaufman, Executive Director
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

RECEIVED
2008 OCT 23 PM 2:30
INDEPENDENT REGULATORY
REVIEW COMMISSION

**Re: Pennsylvania Gaming Control Board Final Form Rulemaking; Regulation #125-85;
ADDITIONAL COMMENTS OF EAST HANOVER TOWNSHIP, LEBANON
COUNTY**

Dear Secretary Resch and Ms. Kaufman:

Enclosed please find for filing an original and three copies of East Hanover Township's Additional Comments, in regard to the above-captioned proposed rulemaking. Please return one copy, time-stamped, to me in the self-addressed, postage-prepaid envelope I have included for that purpose. Please also advise whether there will be an opportunity for oral comment or argument at the November 6 meeting of the Independent Regulatory Review Commission, and the Township respectfully reserves the right to submit supplemental comments.

Naturally, if you have any questions, please don't hesitate to contact me.

Very truly yours,



SAMUEL G. WEISS, JR., ESQUIRE

SGW, JR/pl

Enclosure

cc: Harold James, Majority Chairperson, House Gaming Oversight Committee (w/enclosure)
Jane M. Earll, Majority Chairperson, Senate Community, Economic and Recreational
Development Committee (w/enclosure)
Thomas Donmoyer, Secretary, East Hanover Township (w/enclosure)
Adrienne C. Snelling, Esquire, Lebanon County Solicitor (w/enclosure)
PA Senator Mike Folmer (w/enclosure)
PA Representative Rose Marie Swanger (w/enclosure)
PA Representative Mauree A. Gingrich (w/enclosure)
Leslie A. Lewis Johnson, Chief Counsel, IRRC

#2692

RECEIVED

BEFORE THE
PENNSYLVANIA GAMING CONTROL BOARD

OCT 23 PM 2:38

Re: Pennsylvania Gaming Control Board : Final Form
Final Rulemaking Amending : Regulation #125-86
Chapter 401a :

INDEPENDENT REGULATORY
REVIEW COMMISSION

ADDITIONAL COMMENTS OF EAST HANOVER TOWNSHIP,
LEBANON COUNTY

TO THE HONORABLE PENNSYLVANIA GAMING CONTROL BOARD AND THE
HONORABLE PENNSYLVANIA INDEPENDENT REGULATORY REVIEW
COMMISSION:

In response to the Pennsylvania Gaming Control Board's ("Board") final form version of Regulation #125-86, adopted September 30, 2008, East Hanover Township, Lebanon County ("East Hanover Township") hereby reasserts its comments dated May 27, 2008 on the proposed rulemaking and submits the following additional comments on the final form rulemaking which seeks to redefine and narrow the statutory definition of "licensed facility".

I. STATUTORY BACKGROUND

East Hanover Township incorporates by reference the Statutory Background set forth in its May 27, 2008 comments.

II. ADDITIONAL COMMENTS

A. East Hanover Township strongly disagrees with the Board's final form version of the proposed new regulation 125-86. The Board's comments and response to the IRRC's July 2, 2008 comments on this issue are superficial and dismissive. The Board proposes nothing less than a wholesale redefinition of the defined statutory term "licensed facility". The Board is usurping the prerogative of the Legislature to suit its own and the gaming industry's purposes.

The Board has clearly overstepped its authority. The final form version is actually more objectionable than the initial proposed change. The Board is disingenuous to the point of dishonest when it states that it is “expanding” the definition of “licensed facility”. The Board’s definition would in fact greatly narrow and restrict the definition of licensed facility. As applied to the Category 1 licensed facility impacting East Hanover Township, the Licensee, Mountainview Thoroughbred Racing Association, leases 600 acres, 22 of which are located in Lebanon County. The said Licensee informed the Board that its licensed premises, co-located on the Mountainview Thoroughbred Racing Association thoroughbred racing facility licensed premises, consists of their entire 600 acres. (A copy of the lease amendment and transmittal letter are attached.) The Board’s redefinition would shrink that 600 acre licensed facility to the gaming floor and restricted areas square footage, a reduction factor of 600!

The Board’s redefinition would render meaningless the Legislature’s use of the phrase “land-based location” in the definition of licensed facility. In substance the Board would redefine the term licensed facility to state “the physical gaming floor square footage at which a licensed gaming entity is authorized to place and operate slot machines.” This is clearly not what the Legislature intended when it used the term “land-based location” in the definition of licensed facility and when it used the term “acreage” to determine the allocation of gaming revenues between municipalities in 4 Pa.C.S. §1403(c) (3) (x). It is a fundamental principal of statutory construction that the construction of a statute will be favored which renders every word operative rather than one which makes some words idle and negative. Under the express provisions of the Statutory Construction Act (1 Pa.C.S. §1921), every law must be construed, if possible, to effectuate all of its provisions. Under a separate provision (1 Pa.C.S. §1922), it is presumed that the Legislature intends an entire statute to be effective.

If the definition of licensed facility is to be redefined from the land-based location to the square footage of a structure, this is a change only the Legislature may make. The Board's general authority to regulate gaming does not empower it to redefine and narrow the definition of the facility it is charged with regulating.

B. The Board's comments and response do not address the IRRC's question as to whether the Board consulted with the Department of Revenue to determine what impact, if any, the regulation will have on the Department's operations. This is especially troubling since the Board now acknowledges that 22 acres of the slot machine licensee's leased premises, which licensee itself identifies as its licensed premises, is located in East Hanover Township. As such, East Hanover Township is currently entitled to a share (3.66%) of the gaming revenues which are being paid by the Pennsylvania Department of Revenue. It appears that the Board intends to usurp not only the powers and duties of the Legislature but also those of the Department of Revenue.

C. The Board's dismissive attitude towards the Legislature and the Department of Revenue is only exceeded by its treatment of East Hanover Township. In spite of the fact that the licensee itself represents that its licensed premises consist of 600 acres located in both Lebanon and Dauphin Counties, the Board asserts that "Lebanon County is not entitled to any local share funds under the Act." No explanation is given. Apparently no analysis or reference to Section 1403(c) (3) (x) is made or attempted. The Board has spoken: East Hanover Township is not entitled because the Board says it is not entitled and the proposed regulation redefining the term licensed facility will enshrine the Board's position if finalized. It is respectfully submitted that only the Legislature is empowered to effectively repeal the use of the statutory terms "land-based location" and "acreage" which are used to determine the division of local share funds. For

the Board to state (in paragraph 14 of the Regulatory Analysis Form) that “no one will be adversely affected by this rulemaking” is just plain false. Inconsistently, in paragraph 18, the Board states that “the total amount of funds to be distributed will not be affected, but the distribution of those funds to the various political subdivisions might be.” The response goes on to state that “none of the current slot machine licensees’ licensed facilities are located in more than one political subdivision.” That would only be true if the Board’s redefinition of licensed facility is finalized and even then it will conflict with the licensee’s own representation.¹

D. The Board was likewise dismissive of the IRRC’s comment regarding East Hanover Township’s suggested compromise language restricting the Board’s redefinition “for purposes of measuring linear distance between facilities only.” The Board responded that if lacked a statutory basis to partially change the definition and that multiple definitions would be too confusing to licensees. Here again the Board defers to gaming interests at the expense of the general public and host municipalities. East Hanover Township suggests an even narrower second compromise option:

Licensed facility –

(i) For purposes of Category 3 facilities only:

This would allow for Category 3 facilities, i.e., those not co-located with a horse racing facility to be measured brick to brick and narrow the Board’s jurisdiction to the Category 3 casino buildings not the associated premises. Treating Category 3 licensed premises differently than Category 1 or 2 licensed premises is wholly reasonable and rational given the reality that Category 1 and 2 licensed facilities must be co-located with pre-existing licensed horse racing facilities and Category 3 facilities are not. It also allows for the terms “land-based location” and

¹ (See also the Board’s response to Regulatory Analysis Form (20) indicated no local government costs or revenue losses. This despite losses of \$350,000.00 per year to East Hanover Township alone)

“acreage” to have meaning and effect. Lastly, it would accomplish the announced purpose of the proposed regulation to wit: to allow for the siting of two Category 3 applicants, Valley Forge Convention Center Partners, L.P. and Buskill Group, Inc., without harming East Hanover Township.

E. Finally, the Board, in its comments (page 4) attempts to divine Legislative intent to support its interpretation of what constitutes a licensed facility by reference to deliberations on Senate Bill 802. The Board completely ignores the explanation given by Representative Lederer when she introduced Amendment 10338 which would strike the words “associated areas.” Representative Lederer explained her amendment as follows: “Now, you are going to want to know what associated areas are. The meaning is that any area adjacent to a casino or which can be reached by a bridge, a pedestrian walkway, or an easement (emphasis added) can be part of the casino. In other words, the casino which is planned for one block from my home will be permitted to construct a bridge over the Delaware Avenue and come into my area of Fishtown and take property, buy property, and extend the casino. They could build a bridge over Delaware Avenue and go into Representative Keller’s district at Pennsport, called the Foxwoods.”

In other words, the purpose for deleting the term “associated areas” was to prevent an interpretation that the licensed facility included areas beyond the leased or owned boundaries of the licensee not to reduce the licensed facility to only that portion of the licensee’s leased or owned premises on which the slot machines are located.

At best, the legislative history on this issue is subject to multiple interpretations. Clearly, it provides no certain support for the Board’s redefinition of the statutory term “licensed facility”.

III. CONCLUSION

The Board's final form version of its proposed regulation 125-86 effects no less than three profound policy changes and constitutes a wholesale impermissible redefinition of the statutory definition of "licensed facility". First, it would redefine the 15 mile linear distance between licensed facilities as brick to brick, not land to land. Second, it would profoundly narrow and restrict the Board's oversight of gaming employees to gaming floor square footage. Thirdly, it would limit and restrict the local share disbursements to gaming floor square footage not land or acreage, thereby rendering meaningless the Legislature's use of those terms for that purpose. All of these policy changes have such profound policy consequences that, if they are to be implemented, only the Legislature, not the Board, may do so. If any Board change is permissible, it is submitted that the narrow compromise language, substantially as suggested by East Hanover Township, will result in the least change and the least harm.

Respectfully submitted,



SAMUEL G. WEISS, JR., ESQUIRE

Weiss, Weiss & Weiss

802 Walnut Street

Lebanon, PA 17042

Telephone: (717) 273-1661

Solicitor, East Hanover Township, Lebanon County

Dated: October 20, 2008

LAW OFFICES
BALLARD SPAHR ANDREWS & INGERSOLL, LLP
1735 MARKET STREET, 51ST FLOOR
PHILADELPHIA, PENNSYLVANIA 19103-7599
215-665-8500
FAX: 215-864-8999
WWW.BALLARDSPAHR.COM

ATLANTA, GA
BALTIMORE, MD
BETHESDA, MD
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LOS ANGELES, CA
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SALT LAKE CITY, UT
VOORHEES, NJ
WASHINGTON, DC
WILMINGTON, DE

CATHERINE BECK
DIRECT DIAL: (215) 864-8628
PERSONAL FAX: (215) 864-9010
E-MAIL: BECKC@BALLARDSPAHR.COM

August 27, 2008

By Federal Express


Brenda Reece
Licensing Analyst
Pennsylvania Gaming Control Board
303 Walnut Street, Strawberry Square
5th Floor, Verizon Tower
Harrisburg, PA 17101

Re: Mountainview Thoroughbred Racing Association- Lease Amendment

Dear Brenda:

Enclosed for your file is the First Amendment (the "Amendment") to the Lease and Joint Operating Agreement between Pennsylvania National Turf Club, Inc. and Mountainview Thoroughbred Racing Association (the "Lease Agreement"). The Amendment was entered into to amend and restate the definition of "Leased Premises" in order to clarify that the Leased Premises includes (i) the 225 acres located in Dauphin County and (ii) the 375 acres located in Dauphin County and Lebanon County.

If any further action is required with respect to the Amendment, please let me know.

Best regards,

Catherine Beck

CB/
Enclosure

cc: Samuel G. Weiss, Jr., Esquire

FIRST AMENDMENT TO LEASE AND JOINT OPERATING AGREEMENT

This First Amendment to Lease and Joint Operating Agreement ("Amendment") made and entered into as of the 26 day of August 2008, effective September 27, 2007, by and between Pennsylvania National Turf Club, Inc., a Pennsylvania corporation (hereinafter referred to as "PNTC") and Mountainview Thoroughbred Racing Association, a Pennsylvania corporation (hereinafter referred to as "MTRA").

BACKGROUND

PNTC owns substantially all of the real property comprising Hollywood Casino at Penn National Race Course ("PNRC").

As of December 6, 2007, effective September 27, 2006, PNTC and MTRA entered into a Lease and Joint Operating Agreement (the "Agreement"). The Agreement superseded a similar Agreement between the parties dated December 30, 1982.

The parties intended to include in the Agreement the lease of approximately 225 acres of PNRC used for racing and gaming activities pursuant to Sections 1.1 and 1.2 of the Agreement and the balance of substantially all of the real property comprising PNRC, approximately 375 acres, for gaming related activities as set forth in Section 1.2 of the Agreement.

Section 1.1 of the Agreement, pertaining only to the racing facilities, references 225 acres located in Dauphin County. However, Section 1.2, pertaining to gaming activities, although it refers to all of the real property located on or at PNRC, failed to make clear that this included the 225 acres used for racing and gaming activities as well as 375 acres located in Dauphin County and Lebanon County used or available for use with respect to gaming activities.

In order to correct any ambiguity created by the reference in Section 1.1 of the Agreement, the parties have agreed to amend the definition of "Leased Premises" as set forth herein.

NOW THEREFORE, in consideration of the foregoing and intending to be legally bound hereby, the parties hereto agree as follows:

1. Section 1.2 of the Agreement be and the same is hereby amended and restated in its entirety to read as follows:

"1.2 PNTC also hereby leases to MTRA and MTRA hereby leases from PNTC, for the uses provided in Section 3 hereof, all of the real property located on or at PNRC including the approximately 225 acres located in Dauphin County, East Hanover Township, Pennsylvania and the approximately 375 acres located in Dauphin County, East Hanover Township, Pennsylvania and Lebanon

County, East Honover Township, Pennsylvania which is used or usable in connection with the operation of slot machines or other permitted gaming activities by MTRA at PNRG and all related activities including, but not limited to, restaurants, entertainment areas, administrative and regulatory areas, parking garages and parking lots, the sewer treatment plant and water system and water pumped houses located at PNRG, golf courses, residential buildings, hotels and any other related entertainment facilities (including any extensions of any thereof or additions to any thereto). The Leased Premises, comprising approximately an aggregate of 600 acres shall include the right of ingress and egress to all of the facilities located on the Leased Premises."

2. Section 1.3 of the Agreement be and the same is hereby amended and restated in its entirety to read as follows:

"1.3 The Leased Premises shall mean and include the premises leased pursuant to Sections 1.1 and 1.2 above as more fully described in Schedule "A" attached hereto and made a part hereof."

3. Schedule "A", in the form attached hereto, shall be the "Schedule A" to the Agreement.

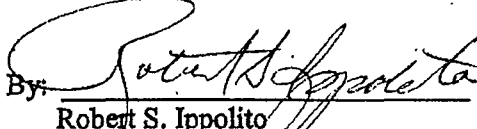
4. Except as amended hereby, all of the remaining terms and provisions of the Agreement are hereby ratified and confirmed by the parties hereto and shall continue in full force and effect in accordance with the terms and provisions thereof.

5. This Amendment shall be binding upon and inure to the benefit of the parties hereto and their respective successors and permitted assigns.

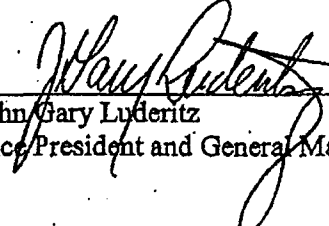
6. The Agreement and this Amendment contain the entire agreement and understanding of the parties hereto with respect to the subject matter of each thereof and supersede all prior or contemporaneous agreements with respect to such subject matter and may not be modified or amended except in writing signed by the party intending to be bound thereby.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the day and year first above written.

PENNSYLVANIA NATIONAL TURF
CLUB, INC.

By: 
Robert S. Ippolito
Secretary and Treasurer

MOUNTAINVIEW THOROUGHBRED
RACING ASSOCIATION

By: 
John Gary Luderitz
Vice President and General Manager

SCHEDULE A

Legal Description

Penn National Race Course

Parcel ID No.: 20-005-010

ALL THAT CERTAIN tract or real estate in East Hanover Township, Dauphin County and East Hanover Township, Lebanon County, Pennsylvania, bounded and described as follows to wit:

BEGINNING at a railroad spike in Bow Creek Road (T-612) (60 feet wide), said point being located 164.1 feet South of the centerline of PA Route 443 (50 feet wide) as measured along the centerline of Bow Creek Road; thence along the lands now or formerly of Melvyn R. and Anna I. Bowman the following three (3) courses: (1) South 57 degrees, 58 minutes 34 seconds East, 466.93 feet to a post; (2) North 81 degrees, 57 minutes, 53 seconds East, 1247.71 feet to a steel pin; (3) North 11 degrees, 58 minutes, 52 seconds West, 826.13 feet through a steel pin on line to a point in PA Route 443; Thence along PA Route 443 the following (5) courses: (1) South 85 degrees, 44 minutes 50 seconds East, 34.19 feet to a point; (2) South 83 degrees, 16 minutes, 38 seconds East, 648.14 feet to a point; (3) by a curve to the left having a length of 378.69 feet, a radius of 955.37 feet, the chord of which is North 84 degrees, 22 minutes, 02 seconds East, a distance 376.22 feet to a point; (4) North 73 degrees, 00 minutes, 42 seconds East, 44.03 feet to a point; (5) North 72 degrees, 43 minutes, 00 seconds, East, 1193.14 feet to a point; thence along the lands now or formerly of Robert L. and Jane I. Edwards the following two (2) courses: (1) North 24 degrees, 22 minutes, 00 seconds West, 982.79 feet passing through a steel pin on line to a steel pin; (2) North 54 degrees, 47 minutes, 22 seconds West, 406.99 feet to a steel pin; thence along the lands now or formerly of Michael G. and Stephanie A. Moyer, Edward Reher, Indiantown Gap Military Reservation North 37 degrees, 52 minutes, 45 seconds East, 1529.44 to a steel pin, thence along lands now or formerly of John W. III and Connie G. Morissey South 23 degrees, 48 minutes, 21 seconds East, 1297.89 to a point; thence along the lands now or formerly of the Administration of Veteran Affairs the following six (6) courses: (1) South 83 degrees, 10 minutes, 33 seconds West, 18.00 feet to a point; (2) South 18 degrees, 35 minutes, 57 seconds West, 169.35 feet to a point; (3) South 67 degrees, 15 minutes, 07 seconds East, 93.80 feet to a point; (4) South 84 degrees, 31 minutes, 07 seconds East, 87.24 feet to a point; (5) North 79 degrees, 10 minutes, 51 seconds East, 212.40 feet to a point; South 62 degrees, 25 minutes, 22 seconds East, 92.57 feet to a point; thence by the lands now or formerly of Ronald W. Rogers South 05 degrees, 35 minutes, 08 seconds East, 624.24 feet through a steel pin on line to a point in the aforementioned PA Route 443; thence along said road North 74 degrees, 05 minutes, 52 seconds East, 67.39 feet to a point near the intersection of PA Route 443 and Angle Road (T-400) (33 feet wide); thence along Angle Road the following three (3) courses; (1) South 87 degrees, 30 minutes, 50 seconds East, 995.74 feet to a point; (2) North 86 degrees, 36 minutes, 12 seconds East, 108.21 feet to a point; (3) North 81 degrees, 08 minutes, 12 seconds East, 14.42 feet to a point; thence along the lands now or formerly of the Metropolitan Edison Company the following two (2) courses: (1) South 08 degrees, 52 minutes, 06 seconds East, 266.43 feet to a steel pin; (2) North 81 degrees, 10 minutes, 17 seconds East, 277.79 feet to a steel pin; thence

South 14 degrees, 33 minutes, 56 seconds East, 553.73 feet to a steel pin; thence North 75 degrees, 54 minutes, 05 seconds East, 242.35 feet to a steel pin; North 66 degrees, 56 minutes, 19 seconds East, 381.02 feet to steel pin; thence South 11 degrees, 41 minutes, 41 seconds East, 1632.51 to a point at the lands now or formerly of Rick L. Gutshall; thence along the same the following seven (7) courses: (1) North 79 degrees, 08 minutes, 26 seconds West, 1593.81 feet to a point; (2) South 27 degrees, 01 minutes, 04 seconds West, 561.11 feet to a point; (3) North 84 degrees, 28 minutes, 11 seconds East, 607.43 feet to a point; (4) South 19 degrees, 03 minutes, 48 seconds East, 129.02 feet to a point; (5) North 76 degrees, 46 minutes, 41 seconds East, 154.04 feet to a steel pin; (6) South 30 degrees, 44 minutes, 33 seconds East, 378.20 feet to a steel pin; (7) South 19 degrees, 02 minutes, 00 seconds East, 267.03 feet to a point at the lands now or formerly at Charles C. and Tina L. Diebler; thence along said lands of Diebler South 70 degrees, 02 minutes, 19 seconds West, 676.25 feet to a point; thence along the lands now or formerly of John E. and Susan E. Schott South 67 degrees, 19 minutes, 39 seconds West, 606.82 feet to a steel pin in the easterly right of way line of Firehouse Road (T-606) (60 feet wide); thence along said easterly right of way line the following three (3) courses: (1) by a curve to the left, having an arc length of 59.54 feet, a radius 187.21 feet, the chord of which is South 06 degrees, 32 minutes, 30 seconds East, 59.29 feet to a point; (2) South 15 degrees, 39 minutes, 13 seconds East, 264.80 feet to a point; (3) by a curve to the right having an arc length of 318.42 feet, a radius of 289.66 feet, the chord of which is South 15 degrees, 50 minutes, 18 seconds West, 302.62 feet to a point; thence along Firehouse Road (T-606) South 72 degrees, 07 minutes, 32 seconds West, 324.01 feet to a point at the approximate intersection of Firehouse Road (T-606) and Fox Run Road (T-527) (60 feet wide); thence along Fox Run Road the following five (5) courses: (1) South 70 degrees, 35 minutes, 02 seconds West, 126.02 feet to a point; (2) by a curve to the right having an arc length of 268.44 feet, a radius of 673.11 feet, the chord of which is South 82 degrees, 00 minutes, 32 seconds West, 266.67 feet to a point; (3) North 86 degrees, 33 minutes 58 seconds West, 618.76 feet to a point; (4) by a curve to the left having an arc length of 148.63 feet, a radius of 216.96 feet the chord of which is South 73 degrees, 48 minutes, 32 seconds West, 145.74 feet to a point; (5) South 54 degrees, 11 minutes, 02 seconds West, 2509.06 feet to a point near the intersection of Fox Run Road (T-527) (60 feet wide) and Bow Creek Road (T-612) (60 feet wide); thence in, along and through Bow Creek Road the following seventeen (17) courses: (1) North 29 degrees, 02 minutes, 05 seconds West, 178.45 feet to a point; (2) North 31 degrees, 03 minutes, 35 seconds West, 555.79 feet to a point; (3) North 28 degrees, 34 minutes, 05 seconds West, 661.19 feet to a point; (4) North 25 degrees, 15 minutes, 05 seconds West, 215.82 feet to a point; (5) North 21 degrees, 05 minutes, 05 seconds West, 194.96 feet to a point; (6) North 19 degrees, 43 minutes, 20 seconds West, 232.97 feet to a point; (7) North 19 degrees, 37 minutes 05 seconds West, 370.91 feet to a point; (8) North 18 degrees, 45 minutes, 35 seconds West, 592.05 feet to a point; (9) North 22 degrees, 02 minutes, 35 seconds West, 157.82 feet to a point; (10) North 33 degrees, 02 minutes, 20 seconds West, 139.85 feet to a point; (11) North 43 degrees, 45 minutes, 05 seconds West, 102.23 feet to a point; (12) North 52 degrees, 48 minutes, 05 seconds West, 144.39 feet to a point; (13) North 57 degrees, 25 minutes, 35 seconds West, 100.66 feet to a point; (14) North 50 degrees, 10 minutes, 20 seconds West, 84.46 feet to a point; (15) North 26 degrees, 27 minutes, 50 seconds West, 98.40 feet to a point; (16) North 16 degrees, 42 minutes, 35 seconds West, 740.58 feet to a point; (17) North 18 degrees, 05 minutes, 35 seconds West, 209.16 feet to a railroad spike the point of BEGINNING.

EXCEPTING THEREFROM AND THEREOUT the parcel more particularly described as follows:

ALL THAT CERTAIN tract of real estate situate in East Hanover Township, Dauphin County and East Hanover Township, Lebanon County, Pennsylvania, bounded and described as follows:

BEGINNING at a point at the intersection of the easterly right of way line of Firehouse Road (T-606) (60 feet wide) and the southerly right of way line of PA Route 443 (50 feet wide); thence along the southerly right of way line of PA Route 443 (S.R.0443) North 74 degrees, 14 minutes, 30 seconds East, 400.00 feet to a point; thence along the property now or formerly of Pennsylvania National Turf Club, Inc., the following four (4) courses: (1) South 15 degrees, 45 minutes, 30 seconds East, 360.00 feet to a point; (2) South 74 degrees, 14 minutes, 30 seconds West 154.57 feet to a point; (3) North 48 degrees, 55 minutes, 30 seconds West, 379.67 feet to a point; (4) South 64 degrees, 34 minutes 00 seconds West, 30.00 feet to a point on the easterly right of way line of Firehouse Road (T-606) (60' wide); thence along said right of way line North 25 degrees, 26 minutes, 00 seconds West, 48.00 feet to a point, the place of BEGINNING.

BEING THE SAME PREMISES acquired by Pennsylvania National Turf Club, Inc. by virtue of the following deeds:

1. from Roy J. Book and Patricia A. Boo, his wife, dated April 7, 1969, recorded in Deed Book R. Volume 54, page 406.
2. from Roy I. Laudermilch and Elva I. Laudermilch, his wife, dated April 15, 1969, recorded in Deed Book S Volume 54 page 59.
3. from Edward R. Bickle and Anna E. Bickle, his wife, dated April 15, 1969, recorded in Deed Book S Volume 54, page 65.
4. from Irvin L. Rhoad and Pauline C. Rhoad, his wife, dated April 15, 1969, recorded in Deed Book Volume 54, page 61.
5. from Landis E. Tice, Jr. and Mary S. Tice, his wife, dated April 15, 1969, recorded in Dauphin County in Deed Book S Volume 54, page 100 and in Lebanon County in Deed Book 73, page 797.
6. from Melvin J. Nash and Mary M. Nash, his wife, dated May 1, 1969, recorded in Deed Book T. Volume 54, page 323.
7. from Melvin G. Espenshade and Dorothy E. Espenshade, his wife, dated May 1, 1969, recorded in Deed Book T Volume 54 page 327.
8. from Kenneth d. Rodemaker and Iva J. Rodemaker, his wife, dated May 2, 1969, recorded in Deed Book T Volume 54, page 334.
9. from Kenneth D. Rodemaker and Iva J. Rodemaker, his wife, dated August 26, 1970, recorded in Deed Book C Volume 56, page 563.