

RESOLUTION 1994-6

**A RESOLUTION ESTABLISHING THE PRO
RATA COST OF THE NOVEMBER 2, 1993
REFERENDUM TO BE PAID BY APPLICANTS
FOR A RIVERBOAT OWNER'S LICENSE**

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

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

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 4-33-6-19, IC 4-33-6-20, Public Law 1993-277 (ss), SECTION 133 and SECTION 134, the Commission may issue a license only to those counties and cities upon the approval of the voters in the respective counties and cities;

WHEREAS, pursuant to Public Law 277-1993 (ss), SECTION 133 and SECTION 134, a special election may be held in November of 1993 "if an applicant for a riverboat license under IC 4-33-6 pays in advance of the election the cost of the expenses to hold the special election, as determined by the election board";

WHEREAS, on November 2, 1993, referenda were held in the counties of Clark, Dearborn, Floyd, Ohio, Switzerland, Vanderburgh, and Warrick on the Ohio River, and LaPorte and Porter counties on Lake Michigan and the cities of East Chicago and Hammond on Lake Michigan;

WHEREAS, the results of the November 2, 1993, referenda have been certified to the Commission stating that the referenda passed in the counties of Dearborn, Ohio, Switzerland and Vanderburgh on the Ohio River, and the county of LaPorte on Lake Michigan and the cities of East Chicago and Hammond on Lake Michigan, and the referenda failed to pass in the counties of Clark, Floyd and Warrick on the Ohio River and the county of Porter on Lake Michigan;

WHEREAS, the Commission has set deadlines for applicants to apply for a Riverboat Owner's License to be located in these counties or cities, these deadlines have passed, and, therefore, the total number of applicants is known;

WHEREAS, pursuant to RESOLUTION 1993-3, the Commission established the procedure to be utilized for the payment of the

election costs within the same jurisdiction when multiple applications were filed; and

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

SECTION 1. DEFINITIONS.

The definitions set forth in IC 4-33-2 apply to this Resolution.

SECTION 2. SCOPE.

This Resolution applies to the applicants for a Riverboat Owner's License in the counties of Clark, Dearborn, Floyd, Ohio, Switzerland, Vanderburgh, and Warrick on the Ohio River, and the counties of LaPorte and Porter on Lake Michigan, and the cities of East Chicago and Hammond on Lake Michigan.

SECTION 3. PROCEDURE UTILIZED FOR PAYMENT OF ESTIMATED ELECTION COSTS.

Pursuant to RESOLUTION 1993-3, the first applicant that presented the county auditor with a copy of the application filed with the Commission, and the appropriate statement indicating that the application had been filed with the Commission, the location of the home dock site, and that the application fee had been paid, was to pay the amount of the cost of the special election as previously determined by the county election board of the county.

The respective County election board, at a duly convened meeting, determined the cost of the special election held in November of 1993. The Commission has been advised of this information as set forth specifically below through the State Election Board. The respective County Auditor, through the State Election Board has advised the Commission of the actual costs of holding the election as well as which applicant(s) tendered this amount pursuant to RESOLUTION 1993-3. The respective County Auditors, in accordance with the procedure prescribed by the Indiana State Board of Accounts, under the State Examiner's Memorandum of August 31, 1993, are authorized to refund excess estimated special election costs.

SECTION 4. PROCEDURE AND ORDER FOR PAYMENT OF PRO RATA SHARE OF ELECTION COSTS, AND REFUNDS OF EXCESS PAYMENT OF ELECTION COSTS IN CLARK COUNTY.

The Commission finds as follows with respect to Clark County:

Harrah's Southern Indiana Riverboat Partnership and Ogden Riverboat Associates L.P. applied for a Riverboat Owner's License to be located in Clark County, Indiana.

Estimated special election costs: Ninety-two Thousand One Hundred Seventy-nine Dollars and Twenty-five Cents (\$92,179.25). Harrah's Southern Indiana Riverboat Partnership paid the cost of the special election which was held on November 2, 1993, in Clark County.

Actual cost to Clark County of the special election held in Clark County was Seventy-two Thousand Six Hundred Fifty-one Dollars and Forty-one Cents (\$72,651.41).

The estimated cost exceeded the actual cost of the November 2, 1993, election by Nineteen Thousand Five Hundred Twenty-seven Dollars and Eighty-four Cents (\$19,527.84).

There are a total of two (2) applicants for a Riverboat Owner's License to be located in Clark County, Indiana. As a result, the pro rata share of the actual election costs for each applicant is Thirty-six Thousand Three Hundred Twenty-five Dollars and Seventy-five Cents (\$36,325.75).

Based on these findings, the Commission hereby ORDERS with respect to Clark County:

Pursuant to RESOLUTION 1993-3, Ogden Riverboat Associates, L.P. is to issue a cashier's check or a certified check made payable to Harrah's Southern Indiana Riverboat Partnership in the amount of Thirty Six Thousand Three Hundred Twenty-Five Dollars and Seventy-Five Cents (\$36,325.75) at the following address: 1023 Cherry Rd., Memphis, TN 38117. This check must be received no later than noon (Indianapolis time) on Friday, March 25, 1994.

The Clark County Auditor is authorized to refund the amount of Nineteen Thousand Five Hundred Twenty-seven Dollars and Eighty-four Cents (\$19,527.84), as an excess payment of estimated election costs to Harrah's Southern Indiana Riverboat Partnership at the following address: 1023 Cherry Rd., Memphis, TN 38117.

SECTION 5. PROCEDURE AND ORDER FOR PAYMENT OF PRO RATA SHARE OF ELECTION COSTS, AND REFUNDS OF EXCESS PAYMENT OF ELECTION COSTS IN DEARBORN COUNTY.

The Commission finds as follows with respect to Dearborn County:

Indiana Gaming Company, L.P., Schilling Casino Corp., Lady Luck Lawrenceburg Development Corp., Ameristar Casinos, SES Boat L.P., Boomtown Belle II L.P., Lawrenceburg Riverboat Gaming Corp., Golden Nugget Lawrenceburg, Inc., Harrah's Indiana

Investment Corp., Boyd Gaming Corp., and Imperial Palace of Indiana, Inc. applied for a Riverboat Owner's License to be located in Dearborn County, Indiana.

Estimated special election costs: Thirty-eight Thousand Five Hundred Twenty-six Dollars and Sixty-four Cents (\$38,526.64). Indiana Gaming Corp. paid the cost of the special election which was held on November 2, 1993.

Actual cost to Dearborn County of the special election held in Dearborn County was Twenty-three Thousand Three Hundred Seventy-eight Dollars and Fifty-three Cents (\$23,378.53).

The estimated cost exceeded the actual cost of the November 2, 1993, election by Fifteen Thousand One Hundred Forty-eight Dollars and Eleven Cents (\$15,148.11).

There are a total of eleven (11) applicants for a Riverboat Owner's License to be located in Dearborn County, Indiana. As a result, the pro rata share of the actual election costs for each applicant is Two Thousand One Hundred Twenty-five Dollars and Thirty-two Cents (\$2,125.32).

Based on these findings, the Commission hereby ORDERS with respect to Dearborn County:

Pursuant to RESOLUTION 1993-3, Schilling Casino Corp., Lady Luck Lawrenceburg Development Corp., Ameristar Casinos, SES Boat L.P., Boomtown Belle II L.P., Lawrenceburg Riverboat Gaming Corp., Golden Nugget Lawrenceburg, Inc., Harrah's Indiana Investment Corp., Boyd Gaming Corp., and Imperial Palace of Indiana, Inc. are each to issue a cashier's check or a certified check in the amount of Two Thousand One Hundred Twenty-five Dollars and Thirty-two Cents (\$2,125.32) made payable to Indiana Gaming Company, L.P. at the following address: c/o Joseph Walsh, Jr., Winston & Strawn, 35 W. Wacker Dr., Chicago, IL 60601. This check must be received no later than noon (Indianapolis time) on Friday, March 25, 1994.

The Dearborn County Auditor is authorized to refund the amount of Fifteen Thousand One Hundred Forty-eight Dollars and Eleven Cents (\$15,148.11), as an excess payment of estimated election costs to Indiana Gaming Company, L.P. at the following address: c/o Joseph Walsh, Jr., Winston & Strawn, 35 W. Wacker Dr., Chicago, IL 60601.

SECTION 6. PROCEDURE AND ORDER FOR PAYMENT OF PRO RATA SHARE OF ELECTION COSTS, AND REFUNDS OF EXCESS PAYMENT OF ELECTION COSTS IN FLOYD COUNTY.

The Commission finds as follows with respect to Floyd County:

Eldorado Riverboat, L.L.C., Jackpot Indiana Riverboat, Inc., Grand Casinos, Inc., Mount Albany Grand Casinos, Inc., and New Albany Landing Co., L.L.C. applied for a Riverboat Owner's License to be located in Floyd County, Indiana.

Estimated special election costs: Fifty-four Thousand Five Hundred Fifty Dollars (\$54,550). Eldorado Riverboat, L.L.C., Jackpot Indiana Riverboat, Inc., Grand Casinos, Inc., and Mount Albany Grand Casinos, Inc. each paid the cost of the special election which was held on November 2, 1993, in Floyd County.

Actual cost to Floyd County of the special election held in Floyd County was Forty-three Thousand Four Hundred Ninety-six Dollars and Ninety-six Cents (\$43,496.96).

The estimated cost exceeded the actual cost of the November 2, 1993, election by Eleven Thousand Fifty-three Dollars and Four Cents (\$11,053.04). The Floyd County Auditor, through the State Election Board has advised the Commission that the Auditor has refunded to Eldorado Riverboat, L.L.C., Jackpot Indiana Riverboat, Inc., Grand Casinos, Inc., and Mount Albany Grand Casinos, Inc. the amount of Forty-three Thousand Six Hundred Seventy-five Dollars and Seventy-six Cents (\$43,675.76).

There are a total of five (5) applicants for a Riverboat Owner's License to be located in Floyd County, Indiana. As a result, the pro rata share of the actual election costs for each applicant is Eight Thousand Six Hundred Ninety-nine Dollars and Thirty-nine Cents (\$8,699.39).

Based on these findings, the Commission hereby ORDERS with respect to Floyd County:

Pursuant to RESOLUTION 1993-3, New Albany Landing Co., L.L.C. is to issue cashier's checks or certified checks in the amount of Two Thousand One Hundred Seventy-four Dollars and Eighty-five Cents (\$2,174.85) made payable to each of the following applicants: Eldorado Riverboat Limited Liability Co. at the following address: c/o John J. Sullivan, 8900 Keystone Crossing, Ste. 1250, Indianapolis, IN 46240; Jackpot Indiana Riverboat, Inc. at the following address: c/o James E. Fifer, 220 E. Main, New Albany, IN 47150; Grand Casinos, Inc. at the following address: 13705 First Ave. North, Plymouth, MN 55441; and Mount Albany Grand Casinos, Inc. at the following address: 251 E. Ohio St., Ste. 1100, Indianapolis, IN 46204-2118. These checks must be received no later than noon (Indianapolis time) on Friday, March 25, 1994.

SECTION 7. PROCEDURE AND ORDER FOR PAYMENT OF PRO RATA SHARE OF ELECTION COSTS, AND REFUNDS OF EXCESS PAYMENT OF ELECTION COSTS IN OHIO COUNTY.

The Commission finds as follows with respect to Ohio County:

Alpha Rising Sun, Mystic Rose Entertainment, and Gamma International, Ltd. applied for a Riverboat Owner's License to be located in Ohio County, Indiana.

Estimated special election costs: Fifteen Thousand Six Hundred Four Dollars and Seventy-five Cents (\$15,604.75). Alpha Rising Sun paid the cost of the special election which was held on November 2, 1993.

Actual cost to Ohio County of the special election held in Ohio County was Eleven Thousand One Hundred Eighty-three Dollars and Twenty-five Cents (\$11,183.25).

The estimated cost exceeded the actual cost of the November 2, 1993, election by Four Thousand Four Hundred Twenty-one Dollars and Fifty Cents (\$4,421.50).

There are a total of three (3) applicants for a Riverboat Owner's License to be located in Ohio County, Indiana. As a result, the pro rata share of the actual election costs for each applicant is Three Thousand Seven Hundred Twenty-seven Dollars and Seventy-five Cents (\$3,727.75).

Based on these findings, the Commission hereby ORDERS with respect to Ohio County:

Pursuant to RESOLUTION 1993-3, Mystic Rose Entertainment, and Gamma International, Ltd. are each to issue a cashier's check or a certified check in the amount of Three Thousand Seven Hundred Twenty-seven Dollars and Seventy-five Cents (\$3,727.75) made payable to Alpha Rising Sun at the following address: c/o Thomas Aro, PO Box 659, Lakeshore, MS 39558. This check must be received no later than noon (Indianapolis time) on Friday, March 25, 1994.

The Ohio County Auditor is authorized to refund the amount of Four Thousand Four Hundred Twenty-one Dollars and Fifty Cents (\$4,421.50) as an excess payment of estimated election costs to Alpha Rising Sun at the following address: c/o Thomas Aro, PO Box 659, Lakeshore, MS 39558.

SECTION 8. PROCEDURE AND ORDER FOR PAYMENT OF PRO RATA SHARE OF ELECTION COSTS, AND REFUNDS OF EXCESS PAYMENT OF ELECTION COSTS IN SWITZERLAND COUNTY.

The Commission finds as follows with respect to Switzerland County:

Pinnacle Gaming Development Corp., Switzerland Riverboat

Gaming Corp., and Swiss Par-A-Dice L.P. applied for a Riverboat Owner's License to be located in Switzerland County, Indiana.

Estimated special election costs: Twenty Thousand Dollars (\$20,000). Pinnacle Gaming Development Corp. paid the cost of the special election which was held on November 2, 1993.

Actual cost to Switzerland County of the special election held in Switzerland County was Eight Thousand Nine Hundred Ninety-six Dollars and Ninety-eight Cents (\$8,996.98).

The estimated cost exceeded the actual cost of the November 2, 1993, election by Eleven Thousand Three Dollars and Two Cents (\$11,003.02).

There are a total of three (3) applicants for a Riverboat Owner's License to be located in Switzerland County, Indiana. As a result, the pro rata share of the actual election costs for each applicant is Two Thousand Nine Hundred Ninety-eight Dollars and Ninety-nine Cents (\$2,998.99).

Based on these findings, the Commission hereby ORDERS with respect to Switzerland County:

Pursuant to RESOLUTION 1993-3, Switzerland Riverboat Gaming Corp. and Swiss Par-A-Dice L.P. are each to issue a cashier's check or a certified check in the amount of Two Thousand Nine Hundred Ninety-eight Dollars and Ninety-nine Cents (\$2,998.99) made payable to Pinnacle Gaming Development Corp. at the following address: c/o Rhonda Fuller, 1210 One American Square, Box 82053, Indianapolis, IN 46282-0003. This check must be received no later than noon (Indianapolis time) on Friday, March 25, 1994.

The Switzerland County Auditor is authorized to refund the amount of Eleven Thousand Three Dollars and Two Cents (\$11,003.02), as an excess payment of estimated election costs to Pinnacle Gaming Development Corp. at the following address: c/o Rhonda Fuller, 1210 One American Square, Box 82053, Indianapolis, IN 46282-0003.

SECTION 9. PROCEDURE AND ORDER FOR PAYMENT OF PRO RATA SHARE OF ELECTION COSTS, AND REFUNDS OF EXCESS PAYMENT OF ELECTION COSTS IN VANDERBURGH COUNTY.

The Commission finds as follows with respect to Vanderburgh County:

Player's International, Inc., Jumer's of Evansville, Inc., Aztar Indiana Gaming Corp., Riverfront Station, Inc., River City Casino, L.L.C., and Evansville Landing (formerly Gold Strike Resorts) have all applied for a Riverboat Owner's License to be

located in Vanderburgh County, Indiana.

Estimated special election costs: One Hundred Ninety-eight Thousand Six Hundred Sixty-five Dollars (\$198,665). Evansville Landing (formerly Gold Strike Resorts) paid the cost of the special election which was held on November 2, 1993, in Vanderburgh County.

Actual cost to Vanderburgh County of the special election held in Vanderburgh County was One Hundred Thirty-five Thousand Two Hundred Forty Dollars (\$135,240).

The estimated cost exceeded the actual cost of the November 2, 1993, election by Sixty-three Thousand Four Hundred Twenty-five Dollars (\$63,425).

There are a total six (6) applicants for a Riverboat Owner's License to be located in Vanderburgh County, Indiana. As a result, the pro rata share of the actual election costs for each applicant is Twenty-two Thousand Five Hundred Seventy Dollars (\$22,570).

Based on these findings, the Commission hereby ORDERS with respect to Vanderburgh County:

Pursuant to RESOLUTION 1993-3, Player's International, Inc., Jumer's of Evansville, Inc., Aztar Indiana Gaming Corp., Riverfront Station, Inc., and River City Casino, L.L.C. are each to issue a cashier's check or a certified check in the amount of Twenty-Two Thousand Five Hundred Seventy Dollars (\$22,570) made payable to Evansville Landing (formerly Gold Strike Resorts) at the following address: 1800 One Indiana Square, Indianapolis, IN 46204. This check must be received no later than noon (Indianapolis time) on Friday, March 25, 1994.

The Vanderburgh County Auditor is authorized to refund the amount of Sixty-three Thousand Four Hundred Twenty-five Dollars (\$63,425), as an excess payment of estimated election costs to Evansville Landing (formerly Gold Strike Resorts) at the following address: 1800 One Indiana Square, Indianapolis, IN 46204.

SECTION 9. PROCEDURE AND ORDER FOR PAYMENT OF PRO RATA SHARE OF ELECTION COSTS, AND REFUNDS OF EXCESS PAYMENT OF ELECTION COSTS IN WARRICK COUNTY.

The Commission finds as follows with respect to Warrick County:

Ameristar Casinos Inc. applied for a Riverboat Owner's License to be located in Warrick County, Indiana.

Estimated special election costs: Thirty-eight Thousand Six Hundred Seventy Dollars (\$38,670). Ameristar Casinos Inc. paid the cost of the special election which was held on November 2, 1993.

Actual cost to Warrick County of the special election held in Warrick County was Twenty-nine Thousand Five Hundred Thirty-eight Dollars and Thirty-six Cents (\$29,538.36).

The estimated cost exceeded the actual cost of the November 2, 1993, election by Nine Thousand One Hundred Thirty-one Dollars and Sixty-four Cents (\$9,131.64).

Based on these findings, the Commission hereby ORDERS with respect to Warrick County:

The Warrick County Auditor is authorized to refund the amount of Nine Thousand One Hundred Thirty-one Dollars and Sixty-four Cents (\$9,131.64), as an excess payment of estimated election costs to Ameristar Casinos Inc. at the following address: c/o Ted Steinbauer, PO Box 508, Jackpot, NV 89825.

SECTION 10. PROCEDURE AND ORDER FOR PAYMENT OF PRO RATA SHARE OF ELECTION COSTS, AND REFUNDS OF EXCESS PAYMENT OF ELECTION COSTS IN LaPORTE COUNTY.

The Commission finds as follows with respect to LaPorte County:

Michigan City Casino & Lodge, Inc., Riverboat Corp. of Indiana, Inc., Joint Venture between Hilton Michigan City Corp. and Caesar's Indiana Resorts Corp., Players Michigan City, Inc., Indiana Blue Chip Hotel & Riverboat Casino Resort Corp., and CHC Ltd., L.L.C. have all applied for a Riverboat Owner's License to be located in LaPorte County, Indiana.

Special election costs: Seventy-five Thousand Nine Hundred Forty-four Dollars (\$75,944). Michigan City Casino & Lodge, Inc. paid the cost of the special election which was held on November 2, 1993, in LaPorte County.

Actual cost to LaPorte County of the special election held in LaPorte County was Fifty-six Thousand Three Hundred Eight-one Dollars and Forty-seven Cents (\$56,381.47).

The estimated cost exceeded the actual cost of the November 2, 1993, election by Nineteen Thousand Five Hundred Sixty-two Dollars and Fifty-three Cents (\$19,562.53).

There are a total six (6) applicants for a Riverboat Owner's License to be located in LaPorte County, Indiana. As a result, the pro rata share of the actual election costs for each applicant is Nine Thousand Three Hundred Ninety-Six Dollars and Ninety-One Cents (\$9,396.91).

Based on these findings, the Commission hereby ORDERS with respect to LaPorte County:

Pursuant to RESOLUTION 1993-3, Joint Venture between Hilton Michigan City Corp. and Caesar's Indiana Resorts Corp., Players Michigan City, Inc., Indiana Blue Chip Hotel & Riverboat Casino Resort Corp., and CHC Ltd., L.L.C., and Players Michigan City, Inc. are each to issue a cashier's check or a certified check in the amount of Nine Thousand Three Hundred Ninety-Six Dollars and Ninety-One Cents (\$9,396.91) made payable to Michigan City Casino & Lodge, Inc. at the following address: c/o Mark E. Maddox, Esq., 9100 Keystone Crossing Suite 440, Indianapolis, IN 462240-2159. This check must be received no later than noon (Indianapolis time) on Friday, March 25, 1994.

The LaPorte County Auditor is authorized to refund the amount of Nineteen Thousand and Five Hundred Sixty-two Dollars and fifty-three Cents (\$19,562.53), as an excess payment of estimated election costs to Michigan City Casino & Lodge, Inc. at the following address: c/o Mark E. Maddox, Esq., 9100 Keystone Crossing Suite 440, Indianapolis, IN 462240-2159.

SECTION 11. PROCEDURE AND ORDER FOR PAYMENT OF PRO RATA SHARE OF ELECTION COSTS, AND REFUNDS OF EXCESS PAYMENT OF ELECTION COSTS IN PORTER COUNTY.

The Commission finds as follows with respect to Porter County:

Circus, Circus Enterprises, Inc. has applied for a Riverboat Owner's License to be located in Porter County, Indiana.

Estimated special election costs: One Hundred Four Thousand Dollars (\$104,000). Circus, Circus Enterprises, Inc. paid One Hundred Five Thousand Dollars (\$105,000) for the cost of the special election which was held on November 2, 1993, in Porter County.

Actual cost to Porter County of the special election held in Porter County was Eighty-eight Thousand Nine Hundred Forty-eight Dollars and Seven Cents (\$88,948.93).

The actual payment exceeded the actual cost of the November 2, 1993, election by Sixteen Thousand Fifty-one Dollars and Seven Cents (\$16,051.07).

Based on these findings, The Commission hereby ORDERS with respect to Porter County:

The Porter County Auditor is authorized to refund the amount of Sixteen Thousand Fifty-one Dollars and Seven Cents (\$16,051.07), as an excess payment of estimated election costs to Circus, Circus Enterprises Inc. at the following address: c/o James T. Smith, 1800 Indiana National Bank Tower, Indianapolis, IN 46204.

SECTION 12. PROCEDURE AND ORDER FOR PAYMENT OF PRO RATA SHARE OF ELECTION COSTS, AND REFUNDS OF EXCESS PAYMENT OF ELECTION COSTS IN EAST CHICAGO.

The Commission finds as follows with respect to the city of East Chicago, Indiana:

Showboat Marina Partnership has applied for a Riverboat Owner's License to be located in the city of East Chicago, Indiana.

Estimated special election costs: Forty Thousand Dollars (\$40,000). Showboat Marina Partnership paid the cost of the special election which was held on November 2, 1993, in East Chicago, Indiana.

Actual cost to the city of East Chicago, Indiana, of the special election held in the city of East Chicago, Indiana, was Thirty-three Thousand Two Hundred Five Dollars and Seventy-seven Cents (\$33,205.77).

The actual payment exceeded the actual cost of the November 2, 1993, election by Six Thousand Seven Hundred Ninety-four Dollars and Twenty-three Cents (\$6,794.23).

Based on these finds, the Commission hereby ORDERS with respect to the city of East Chicago, Indiana:

The Lake County Auditor is authorized to refund the amount of Six Thousand Seven Hundred Ninety-four Dollars and Twenty-three Cents (\$6,794.23), as an excess payment of estimated election costs to Showboat Marina Partnership at the following address: c/o Michael A. Pannos, 9111 Broadway, Suite EE, Merrillville, IN 46410.

SECTION 13. PROCEDURE AND ORDER FOR PAYMENT OF PRO RATA SHARE OF ELECTION COSTS, AND REFUNDS OF EXCESS PAYMENT OF ELECTION COSTS IN HAMMOND.

The Commission finds as follows with respect to the city of Hammond, Indiana:

Lake Michigan Charter Ltd., Mirage Riverboats of Indiana, Boyd Indiana Inc., Bally's Indiana Limited Partnership have all applied for a Riverboat Owner's License to be located in the city of Hammond, Indiana.

Estimated special election costs: Eighty-Five Thousand (\$85,000). Lake Michigan Charter Ltd., paid the cost of the special election which was held on November 2, 1993, in the city of Hammond, Indiana.

Actual cost to the city of Hammond, Indiana, of the special election held in the city of Hammond, Indiana, was Sixty-eight Thousand Nine Hundred Twenty-seven Dollars and Six Cents (\$68,927.06).

The estimated cost exceeded the actual cost of the November 2, 1993, election by Sixteen Thousand Five Hundred Sixty-two Dollars and Ninety-four Cents (\$16,072.94).

There are a total four (4) applicants for a Riverboat Owner's License to be located in the city of Hammond, Indiana. As a result, the pro rata share of the actual election costs for each applicant is Seventeen Thousand Two Hundred Thirty-one Dollars and Seventy-seven Cents (\$17,231.77).

Based on these findings, the Commission hereby ORDERS with respect to the city of Hammond, Indiana:

Pursuant to RESOLUTION 1993-3, Mirage Riverboats of Indiana, Boyd Indiana Inc., Bally's Indiana Limited Partnership are to each issue a cashier's check or a certified check in the amount of Seventeen Thousand Two Hundred Thirty-one Dollars and Seventy-seven Cents (\$17,231.77) made payable to Lake Michigan Charter Ltd. at the following address: 1111 Calumet Ave., Hammond, IN 46320. This check must be received no later than noon (Indianapolis time) on Friday, March 25, 1994.

The Lake County Auditor is authorized to refund the amount of Sixteen Thousand Seventy-two Dollars and Ninety-four Cents (\$16,072.94), as an excess payment of estimated election costs to Lake Michigan Charter Ltd. at the following address: 1111 Calumet Ave., Hammond, IN 46320.

SECTION 14. NOTIFICATION OF THE COMMISSION.

The applicant who paid the actual costs of holding an election in each city and county, and who is identified in **SECTIONS 3 through 13** is to notify the Commission by noon on Thursday, March 31, 1994, that it has or has not received the appropriate funds from each of the applicants as set forth in **SECTIONS 3 through 13**.

SECTION 15. EFFECTIVE DATE.

This RESOLUTION is effective immediately.

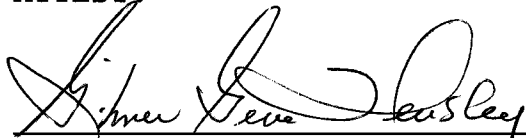
ADOPTED, THIS THE 11TH DAY OF MARCH, 1994:

THE INDIANA GAMING COMMISSION:



Alan I. Klineman, Chair

ATTEST:



Gilmer Gene Hensley, Secretary

RESOLUTION 1994

**NUNC PRO TUNC AMENDMENT TO RESOLUTION
1994-6 CORRECTING THE PRO RATA COST
OF THE NOVEMBER 2, 1993 REFERENDUM TO
BE PAID BY THE APPLICANT FOR A
RIVERBOAT OWNER'S LICENSE IN PORTER COUNTY**

WHEREAS, pursuant to RESOLUTION 1994-6, the Indiana Gaming Commission ("the Commission") authorized the refund of Sixteen Thousand Fifty-one Dollars and Seven Cents (\$16,051.07), as an excess payment of estimated election costs to Circus, Circus Enterprises, Inc. at the following address: c/o James T. Smith, 1800 Indiana National Bank Tower, Indianapolis, IN 46204; and

WHEREAS, the Commission has been advised that the figures of the actual election costs submitted by the Porter County Auditor, through the State Election Board, were incorrect due to a scrivener's error. The actual cost of the election was Eighty-nine Thousand Two Hundred Ninety-nine dollars and Forty-eight Cents (\$89,299.48).

NOW, THEREFORE, RESOLUTION 1994-6, SECTION 11 IS AMENDED TO READ:

Actual cost to Porter County of the special election held in Porter County was Eighty-nine Thousand Two Hundred Ninety-nine dollars and Forty-eight Cents (\$89,299.48).

The estimated payment exceeded the actual cost of the November 2, 1993, election by Fifteen Thousand Seven Hundred Dollars and Fifty-two Cents (\$15,700.52).

Based on these findings, the Commission hereby ORDERS with respect to Porter County:

The Porter County Auditor is authorized to refund the amount of Fifteen Thousand Seven Hundred Dollars and Fifty-two Cents (\$15,700.52), as an excess payment of estimated election costs to Circus, Circus Enterprises, Inc. at the following address: c/o James T. Smith, 1800 Indiana National Bank Tower, Indianapolis, IN 46204.