



THIS ATTACHMENT HAS BEEN REDACTED IN ITS ENTIRETY.

Standard Form of Agreement Between Owner and Construction Manager as Constructor

AGREEMENT made as of the 26th day of April in the year 2013
(In words, indicate day, month and year.)

BETWEEN the Owner:
(Name, legal status and address)

Monticello Raceway Management, Inc.
204 Route 17B
Monticello, NY 12701

and the Construction Manager:
(Name, legal status and address)

LPCiminelli, Inc.
2421 Main Street
Buffalo, NY 14214

for the following Project:
(Name and address or location)

Monticello Raceway Management, Inc.'s
Sullivan County Casino Project
Concord Intersection of Thompsonville Rd. and Joyland Rd.
Thompson, NY

The Architect:
(Name, legal status and address)

JCJ Architecture
38 Prospect Ave.
Hartford, CT 06103

The Owner's Designated Representative:
(Name, address and other information)

Joseph D'Amato
Chief Executive Officer, Empire Resorts, Inc.
204 Route 17B
Monticello, NY 12701

The Construction Manager's Designated Representative:
(Name, address and other information)

Keith Kabeary
Project Executive

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

AIA Document A201™-2007, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.