

## **Section 2 – Agreements/Requirements Status Updates**

### *Section 2.1 Agreements and Requirements for Bond Issuance at Pimlico*

The legislation identifies several agreements and reporting requirements that must be finalized before MSA may issue bonds and/or proceed with construction related activities for the Pimlico project. Below is a summary of MSA’s understanding of the status of these agreements and requirements:

#### **Agreement 1 - Memorandum of Understanding (“MOU”) by and among LifeBridge Health, Inc. (“LifeBridge”), the Baltimore Development Corporation (“BDC”), and MJC required by Chapter 590.**

The parties entered into a MOU, which was fully executed, and effective April 18, 2022.

*Status: Completed*

#### **Agreement 2 – MJC Land Conveyance**

The terms of the legislation assumes MJC conveyance of the Pimlico Racing Facility the City of Baltimore. This is still the expectation; however, this process and the terms of the agreement have not yet been finalized.

*Status: Open*

#### **Agreement 3 - LifeBridge Land Conveyance**

It is MSA’s understanding that LifeBridge remains amenable to an agreement that would convey a portion of property currently owned by LifeBridge the fee owner of the Pimlico property. The conveyance is necessary for rotation of the track surfaces and general redevelopment of Pimlico. The City of Baltimore (the “City”) has taken the lead on the conveyance negotiations with LifeBridge. MSA’s design consultants have commenced boundary

survey efforts that will assist in the identification of necessary land transfer requirements.

*Status: Open*

#### **Agreement 4 – Pimlico Development Agreement (MJC / City / MSA)**

This agreement is required to outline the roles, responsibilities, and requirements for each party during the actual redevelopment process. MSA developed and shared a first draft of the Development Agreement with MJC and the City on May 25, 2022 and received MJC's preliminary comments on August 16, 2022. Follow-up negotiation meetings commenced in September and the parties have continued to hold negotiation meetings and shared proposed agreement terms and language, however, the agreement is not finalized. The two biggest areas of disagreement are: (1) MJC's request for approval rights on the design of the venue and (2) the construction related restrictions surrounding the Preakness during redevelopment.

*Status: Open*

#### **Agreement 5 - Pimlico Term Operating Agreement**

Work on this agreement has not yet commenced.

Status: Open

#### **Agreement 6 – Pimlico Lease Agreement Associated with Preakness**

Work on this agreement has not yet commenced.

*Status: Open*

#### **Agreement 7 - MJC Covenants and Restriction with LifeBridge**

MSA understands that MJC wanted the covenants and restrictions and

LifeBridge was willing to consider them, but only in an agreement separate from the MOU.

*Status: Open*

**Agreement 8 - MJC Covenants and Restrictions with City of Baltimore**

MSA understands that in September, MJC shared a voluminous 94-page document with the City outlining their desired covenants and restrictions associated with the use and redevelopment of the (to be subdivided) parcels surrounding the redeveloped Pimlico Racing Facility. The document remains under City review.

*Status: Open*

**Requirement 8 - Racing Commission Track Safety Report**

The Racing Commission has formed a committee to work on the report but has not yet completed it.

*Status: Open*