

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM429385

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	RELEASE OF SECURITY INTEREST		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Wilmington Trust, National Association, as Collateral Agent		05/31/2017	National Banking Association: UNITED STATES
RECEIVING PARTY DATA			
Name:	Yonkers Racing Corporation		
Street Address:	810 Yonkers Avenue		
City:	Yonkers		
State/Country:	NEW YORK		
Postal Code:	10704		
Entity Type:	Corporation: NEW YORK		
PROPERTY NUMBERS Total: 5			
Property Type	Number	Word Mark	
Registration Number:	2432830	YONKERS RACEWAY	
Registration Number:	3280271	EMPIRE CITY	
Registration Number:	4014733	EMPIRE CITY CASINO	
Registration Number:	4146339	EMPIRE TERRACE RESTAURANT	
Registration Number:	4146701	EMPIRE CITY CASINO YONKERS RACEWAY	
CORRESPONDENCE DATA			
Fax Number:	3129939767		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
Phone:	312-993-2622		
Email:	gayle.grocke@lw.com		
Correspondent Name:	Gayle D. Grocke c/o Latham & Watkins LLP		
Address Line 1:	330 N. LaSalle Street		
Address Line 2:	Suite 2800		
Address Line 4:	Chicago, ILLINOIS 60611		
ATTORNEY DOCKET NUMBER:	052001-0002		
NAME OF SUBMITTER:	Gayle D. Grocke		
SIGNATURE:	/gdg/		

CH \$140.00 2432830

DATE SIGNED:	05/31/2017
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Total Attachments: 3

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RELEASE OF SECURITY INTEREST IN TRADEMARKS (SECOND LIEN)

THIS RELEASE OF SECURITY INTEREST IN TRADEMARKS (this “Release”) is made as of May 31, 2017 by WILMINGTON TRUST, NATIONAL ASSOCIATION, as collateral agent for the benefit of the Secured Creditors (“Collateral Agent”), in favor of YONKERS RACING CORPORATION (“Grantor”).

WHEREAS, Collateral Agent, Grantor, and certain other grantors referred to therein are party to that certain Second Lien Collateral Agreement dated as of August 20, 2013 (as amended, restated, amended and restated, supplemented, restructured, or otherwise modified from time to time, the “Second Lien Collateral Agreement”);

WHEREAS, pursuant to the terms and conditions of the Second Lien Collateral Agreement, Grantor entered into that certain Second Lien Trademark Security Agreement dated as of August 20, 2013 (as amended, restated, amended and restated, supplemented, or otherwise modified from time to time, the “Second Lien Trademark Security Agreement”), in favor of Collateral Agent;

WHEREAS, pursuant to the terms and conditions of each of the Second Lien Collateral Agreement and the Second Lien Trademark Security Agreement, Grantor granted to Collateral Agent a security interest and lien in and to all of the United States Trademark registrations set forth on Schedule A attached hereto and all proceeds of the foregoing (collectively, the “Released Trademark Collateral”);

WHEREAS, the Second Lien Trademark Security Agreement was recorded with the United States Patent and Trademark Office on September 4, 2013 at Reel/Frame No. 5103/0303; and

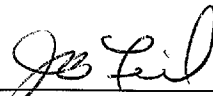
WHEREAS, Collateral Agent has agreed to terminate and release its security interest and lien in and to the Released Trademark Collateral and to reconvey any and all rights in the Released Trademark Collateral to the Grantor.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, effective as of the date hereof, Collateral Agent hereby (i) terminates and releases any and all security interests and liens it has against the Grantor’s entire right, title and interest in and to the Released Trademark Collateral, whether under the Second Lien Collateral Agreement or the Second Lien Trademark Security Agreement, (ii) releases the Released Trademark Collateral from the Second Lien Collateral Agreement and the Second Lien Trademark Security Agreement and (iii) reconveys and assigns to Grantor all of Collateral Agent’s right, title and interest (if any) in and to the Released Trademark Collateral. This Release is applicable only and relates solely to the Released Trademark Collateral and no other collateral under the Second Lien Collateral Agreement or the Second Lien Trademark Security Agreement.

Collateral Agent shall take all further actions, and execute and deliver all such further documents, as may be reasonably requested by or on behalf of Grantor necessary to more fully and effectively effectuate the purposes of this Release, in each case, at Grantor’s expense.

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WILMINGTON TRUST, NATIONAL ASSOCIATION,
as Collateral Agent

By: 
Name: **Joseph B. Feil**
Title: **Vice President**

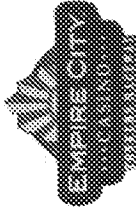
[Signature Page to Trademark Release (Second Lien)]

TRADEMARK
REEL: 006073 FRAME: 0508

SCHEDULE A

UNITED STATES TRADEMARKS:

Registrations:

<u>Borrower/Grantor</u>	<u>Title</u>	<u>Filing Date/Issued Date</u>	<u>Status</u>	<u>Application/ Registration No.</u>
Yonkers Racing Corporation	YONKERS RACEWAY	Filing Date: April 15, 1999 Registration Date: March 6, 2001	Live	Serial No.: 75683807 Registration No.: 2432830
Yonkers Racing Corporation	EMPIRE CITY	Filing Date: March 25, 2002 Registration Date: Aug. 14, 2007	Live	Serial No.: 76386820 Registration No.: 3280271
Yonkers Racing Corporation	UNCOVER THE STASHED CASH	Filing Date: July 12, 2007 Registration Date: March 18, 2008	Abandoned	Serial No.: 77227912 Registration No.: 3397868
Yonkers Racing Corporation	THE JACKPOT NEXT DOOR	Filing Date: March 3, 2008 Registration Date: June 30, 2009	Abandoned	Serial No.: 77411040 Registration No.: 3648393
Yonkers Racing Corporation	EMPIRE CITY CASINO	Filing Date: June 1, 2010 Registration Date: August 23, 2011	Live	Serial No.: 85052007 Registration No.: 4014733
Yonkers Racing Corporation	EMPIRE TERRACE RESTAURANT	Filing Date: September 26, 2011 Registration Date: May 22, 2012	Live	Serial No.: 85431653 Registration No.: 4146339
Yonkers Racing Corporation	EMPIRE CITY CASINO YONKERS RACEWAY 	Filing Date: October 17, 2011 Registration Date: May 22, 2012	Live	Serial No.: 85448945 Registration No.: 4146701