

EMPIRE RESORTS INC
Form 8-K
August 01, 2013

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or Section 15(d)
of the Securities Exchange Act of 1934

Date of Report (Date of earliest event reported): July 30, 2013

EMPIRE RESORTS, INC.

(Exact name of registrant as specified in its charter)

Delaware
(State or other jurisdiction
of incorporation)

001-12522
(Commission
File Number)

13-3714474
(IRS Employer

Identification No.)

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c/o Monticello Casino and Raceway,

204 State Route 17B,

P.O. Box 5013, Monticello, NY
(Address of principal executive offices)

12701
(Zip Code)

Registrant's telephone number, including area code: (845) 807-0001

Not Applicable

(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation to the registrant under any of the following provisions:

- .. Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- .. Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- .. Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- .. Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Item 1.01. Entry into a Material Definitive Agreement.

The option agreement (the Option Agreement), by and between Monticello Raceway Management, Inc. (MRMI), a wholly-owned subsidiary of Empire Resorts, Inc. (the Company), and EPT Concord II, LLC (EPT and, together with MRMI, the Parties), originally entered into on December 21, 2011, was further amended by a letter agreement between the Parties, dated July 30, 2013 (the Letter Agreement). Pursuant to the Option Agreement, EPT granted MRMI a sole and exclusive option to lease certain EPT property located in Sullivan County, New York (the EPT Property) pursuant to the terms of a lease negotiated between the parties.

Pursuant to the Letter Agreement, MRMI and EPT agreed to extend the option exercise period and the final option exercise outside date (as such terms are defined in the Option Agreement) from July 30, 2013 to August 14, 2013 (as the same may be further extended pursuant to the Option Agreement). Except for these amendments, the Option Agreement remains unchanged and in full force and effect.

This summary description is qualified in its entirety by reference to the actual Letter Agreement, which is attached as Exhibit 10.1 to this Form 8-K and incorporated herein by reference.

Item 9.01. Financial Statements and Exhibits.

(d) Exhibits.

10.1. Letter Agreement, dated July 30, 2013, by and between Monticello Raceway Management, Inc. and EPT Concord II, LLC.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Dated: August 1, 2013

EMPIRE RESORTS, INC.

By: /s/ Joseph A. D. Amato
Name: Joseph A. D. Amato
Title: Chief Executive Officer

Exhibit Index

- 10.1. Letter Agreement, dated July 30, 2013, by and between Monticello Raceway Management, Inc. and EPT Concord II, LLC.