AFFIDAVIT
RETAILER'S TRANSFER OF PERMITS
HELD THROUGH CERTIFICATE OF RESERVATION TO OPERATOR

Now comes _____, lawful representative of _____, a business possessing a video lottery retailer licensed under the Limited Video Lottery Act, who after first being duly sworn, affirms that the following is true:

That W.Va. Code §§ 29-22B-1104 and 1105 of the Limited Video Lottery Act allowed a limited video lottery retailer license holder who was licensed by the Alcohol Beverage Control Administrative (ABCA) on or before January 1, 2001 as a private club licensee or a Class A beer licensee and who applied for a fraternal or veterans limited video lottery retailer license on or before August 1, 2001, to reserve up to seven video lottery terminals without resorting to the bidding procedure as found in W.Va. Code § 29-22B-1107.

That this licensed retailer was issued a Certificate of Reservation by the West Virginia State Lottery Commission for seven video lottery terminals.

That W.Va. Code § 29-22B-1104 of the Limited Video Lottery Act allows that by submitting $1,000.00 per allotted permit to the West Virginia State Lottery Commission a licensed retailer holder may renew the right to reserve up to seven video lottery terminals for the ten-year permit-period that begins July 1, 2011 and ends June 30, 2021 without resorting to the bidding procedure as found in W.Va. Code § 29-22B-1107.

That this licensed retailer renewed a Certificate of Reservation by the West Virginia State Lottery Commission for _____ video lottery terminals for the ten-year permit-period that begins July 1, 2011 and ends June 30, 2021.

That West Virginia Code of State Rules § 179-5-16.9.1 allows a licensed retailer with a certificate of reservation may contract with an operator for video lottery terminals and give the certificate of reservation to the operator.

And that this licensed retailer does now wish to transfer its Certificate of Reservation for _____ video lottery terminals to _____, a licensed limited video lottery operator, so that the West Virginia State Lottery Commission may issue a permit for _____ video lottery terminals to the above listed operator for the ten-year permit-period that begins July 1, 2011 and ends June 30, 2021, or earlier if the such time as the licensed retailer loses its limited video lottery retailer license.

And further this affiant saith naught.

_____ _____
(retailer licensee or lawful representative) (date)

_____
(title)

UNITED STATES OF AMERICA
STATE OF WEST VIRGINIA
COUNTY OF _____, to-wit**:**

Subscribed and sworn to before me, a Notary Public in and for the County and State aforesaid, this _____day of _____, 20___.

_____
NOTARY PUBLIC

My commission expires _____