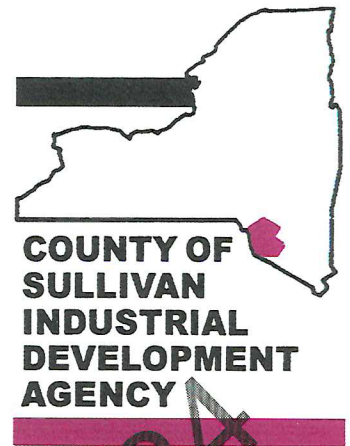


548 Broadway
Monticello, New York 12701
(845) 428-7575
(845) 428-7577 FAX
TTY 711



September 11, 2023

To Whom It May Concern:

Re: New York State Sales and Use Tax Exemption
County of Sullivan Industrial Development Agency with Empire Resorts Real Estate I, LLC ("Company") - Project

Pursuant to TSB-M-87(7) issued by the New York State Department of Taxation and Finance on April 1, 1987, you have requested a letter from the County of Sullivan Industrial Development Agency ("Agency") containing the information required by said policy statement regarding the sales tax exemption with respect to the purchase, lease or rental of building materials, furniture, fixtures, equipment and supplies to be used in connection with the acquisition, construction, installation and equipping of the following described Project by the Company:

(i) acquisition, construction, installation and equipping of a new eighteen (18) hole golf course ("Golf Course"), a comfort station including restrooms and light snacks, an approximately 12,800+/- square foot maintenance building and related structures ("Buildings") situate on one (1) parcel of real estate consisting of approximately 215.35+/- acres located along Thompsonville Road and Chalet Road, Town of Thompson ("Town"), County of Sullivan ("County"), State and identified on the Town tax map as 15.-1-15 ("Land"); (ii) acquisition, construction and equipping of the Golf Course and Buildings; (iii) acquisition, construction and installation thereon and therein of certain furniture, fixtures, machinery, equipment and tools ("Equipment"); (iv) construction of improvements to the Golf Course, the Buildings, the Land and the Equipment (collectively, the Golf Course, the Buildings, the Land and the Equipment are referred to as the "Facility" or the "Project"); and (v) lease of the Facility from the Agency to the Company.

On March 30, 2022, the Agency, a corporate governmental Agency constituting a body corporate and politic and a public benefit corporation and a governmental agency of the State of New York, adopted a resolution whereby the Agency appointed the Company as its agent to acquire, construct, install and equip the Project.

* This Sales Tax Exemption Letter shall not be used to abate sales tax on purchases of motor vehicles.

This is to certify that purchases, leases or rentals by the Agency, through its agent, the Company, of materials to be incorporated into the Project and purchases, leases or rentals of supplies, tools, equipment, or services necessary to construct, install and equip such Project are exempt from any sales or use tax imposed by the State of New York and any governmental instrumentality located within the State of New York.

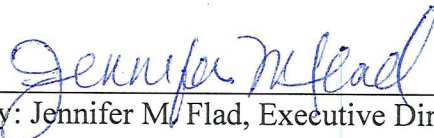
It is further certified that since the Agency is a public benefit corporation, neither the Agency nor the Company as its agent, is required to furnish an "Exempt Organization Certificate" in order to secure exemption from sales or use tax for such items.

A copy of this letter retained by any vendor or seller to the Company as agent for the Agency, may be accepted by such vendor or seller as a "statement and additional documentary evidence of such exemption" as provided by New York Tax Law 1132(c)(2), thereby relieving such vendor or seller from the obligation to collect sales or use tax upon purchases or rentals of such materials, supplies, tools, equipment, or services by the Agency through its agent, the Company.

THIS LETTER SHALL BE IN EFFECT FROM OCTOBER 1, 2023 TO AND INCLUDING MARCH 31, 2024.

In the event you have any questions with respect to the above, please do not hesitate to contact me.

COUNTY OF SULLIVAN INDUSTRIAL
DEVELOPMENT AGENCY


By: Jennifer M. Flad, Executive Director

Expiring on March 31, 2024