RESOLUTION

A special meeting of the County of Sullivan Industrial Development Agency ("Agency") was convened on July 1, 2026 at 10:00 a.m. local time at the Sullivan County Government Center, 100 North Street, Monticello, New York 12701.

The meeting was called to order by Acting Chairman Scott Smith, and, upon the roll being called, the following members of the Agency were:

| | PRESENT | ABSENT | |
|---|---|---|---|
| Howard A. Siegel | [ ] | [ √ ] | (participated by phone) |
| Kathleen Lara | [ ] | [ √ ] | |
| Scott Smith | [ √ ] | [ ] | |
| Sean Brooks | [ √ ] | [ ] | |
| Ira Steingart | [ √ ] | [ ] | |
| Joseph Perrello | [ √ ] | [ ] | |
| Edward T. Sykes | [ √ ] | [ ] | |

The following persons were also present:
Jennifer M. Flad, Executive Director
Ira Steingart, Chief Executive Officer
Julio Garaicoechea, Project Manager
Walter F. Garigliano, Agency General Counsel

The following resolution was duly offered by Sean Brooks, and seconded by Joseph Perrello, to wit:

Resolution No. 19 - 26

*RESOLUTION AMENDING RESOLUTION NO. 10-26 WHICH AUTHORIZED EXECUTION AND DELIVERY OF ONE OR MORE LEASEHOLD MORTGAGES RELATED TO THE CASINO PROJECT LAND, GOLF PROJECT LAND AND EV HOTEL PROJECT LAND (AS EACH IS HEREIN DEFINED) SECURING ONE OR MORE OBLIGATIONS OF MONTREIGN OPERATING COMPANY, LLC, EMPIRE RESORTS REAL ESTATE I, LLC, EMPIRE RESORTS REAL ESTATE II, LLC, AND CERTAIN OF THEIR AFFILIATES SECURING AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED THREE HUNDRED MILLION ($300,000,000) DOLLARS*

All capitalized terms not herein defined shall have the respective meanings ascribed thereto in Resolution No. 10-26, adopted by the Agency on April 13, 2026 ("April Resolution").

*WHEREAS*, the Agency was created by Chapter 560 of the Laws of 1970 of the State of New York, as amended pursuant to Title I of Article 18-A of the General Municipal Law of the State of New York (collectively, the "Act") as a body corporate and politic and as a public benefit corporation of the State of New York; and

*WHEREAS,* New York counsel for Fidelity National Title Insurance Company, on behalf of MOC, ERREI and ERREII, requested the amendment of Section 1 of the April Resolution to modify the definition of certain of their affiliates.

*WHEREAS,* the Agency wishes to amend the April Resolution as requested.

*NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE AGENCY AS FOLLOWS:*

Section 1. Section 1 of the April Resolution is hereby deleted and replaced with the following:

"The Chairman or Executive Director of the Agency (each, an "Authorized Officer"), each acting individually, are hereby authorized, on behalf of the Agency, to execute and deliver one or more mortgages of the Agency's subleasehold interest in the Casino Project Land; Golf Project Land or EV Hotel Project Land securing one or more obligations of MOC, ERREI, ERREII and/or any of their affiliates, subsidiaries, indirect owners or parent companies, which may include Empire Resorts Inc. and Genting Americas Inc., in favor of Wells Fargo as collateral agent for the benefit of the lender parties and other secured parties participating in the 2026 Refinancing."

Section 2. The Executive Director or Counsel to the Agency is hereby authorized and directed (i) to distribute copies of this resolution to MOC, ERREI and ERREII; and (ii) to do such further things or perform such acts and to execute any and all documents as may be necessary or convenient to implement the provisions of this resolution.

Section 3. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments, documents, and to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or in the opinion of the officer, employee or agent acting on behalf of the Agency desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all the terms, covenants and provisions of the documents for and on behalf of the Agency.

Section 4. These resolutions shall take effect immediately.

The question of adoption of the foregoing resolutions were duly put to a vote on roll call, which resulted as follows:

| | | | | |
|---|---|---|---|---|
| Howard A. Siegel | [ ] Yes | [ ] No | [ √ ] Absent | [ ] Abstain |
| Kathleen Lara | [ ] Yes | [ ] No | [ √ ] Absent | [ ] Abstain |
| Scott Smith | [ √ ] Yes | [ ] No | [ ] Absent | [ ] Abstain |
| Sean Brooks | [ √ ] Yes | [ ] No | [ ] Absent | [ ] Abstain |
| Ira Steingart | [ √ ] Yes | [ ] No | [ ] Absent | [ ] Abstain |
| Joseph Perrello | [ √ ] Yes | [ ] No | [ ] Absent | [ ] Abstain |
| Edward T. Sykes | [ √ ] Yes | [ ] No | [ ] Absent | [ ] Abstain |

The resolutions were thereupon duly adopted.

STATE OF NEW YORK :
:SS
COUNTY OF SULLIVAN :

I, the undersigned Assistant Secretary of the Agency DO HEREBY CERTIFY THAT:

1. I have compared the foregoing copy of a resolution of the County of Sullivan Industrial Development Agency ("Agency") with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of such resolution and of the proceedings of the Agency in connection with such matter.

2. Such resolution was passed at a meeting of the Agency duly convened in public session on July 1, 2026 at 10:00 a.m. at the Sullivan County Government Center, 100 North Street, Village of Monticello, Sullivan County, New York, at which the following members were present:

| | PRESENT | ABSENT |
|---|---|---|
| Howard A. Siegel | [ ] | [ √ ] (participated by phone) |
| Kathleen Lara | [ ] | [ √ ] |
| Scott Smith | [ √ ] | [ ] |
| Sean Brooks | [ √ ] | [ ] |
| Ira Steingart | [ √ ] | [ ] |
| Joseph Perrello | [ √ ] | [ ] |
| Edward T. Sykes | [ √ ] | [ ] |

3. The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | | | | |
|---|---|---|---|---|
| Howard A. Siegel | [ ] Yes | [ ] No | [ √ ] Absent | [ ] Abstain |
| Kathleen Lara | [ ] Yes | [ ] No | [ √ ] Absent | [ ] Abstain |
| Scott Smith | [ √ ] Yes | [ ] No | [ ] Absent | [ ] Abstain |
| Sean Brooks | [ √ ] Yes | [ ] No | [ ] Absent | [ ] Abstain |
| Ira Steingart | [ √ ] Yes | [ ] No | [ ] Absent | [ ] Abstain |
| Joseph Perrello | [ √ ] Yes | [ ] No | [ ] Absent | [ ] Abstain |
| Edward T. Sykes | [ √ ] Yes | [ ] No | [ ] Absent | [ ] Abstain |

and therefore, the resolution was declared duly adopted.

I FURTHER CERTIFY that (i) all members of the Agency had due notice of said meeting, (ii) pursuant to Sections 103(a) and 104 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public and public notice of the time and place of said meeting was duly given in accordance with such Sections 103(a) and 104, (iii) the meeting in all respects was duly held, and (iv) there was a quorum present throughout.

*IN WITNESS WHEREOF,* I have hereunto set my hand and seal on the 1st day of July, 2026.

Sean Brooks, Assistant Secretary