

**PRELIMINARY INDUCEMENT RESOLUTION  
DATED JANUARY 28, 2026**

**PRELIMINARY INDUCEMENT RESOLUTION OF THE TOWN OF  
BABYLON INDUSTRIAL DEVELOPMENT AGENCY RELATING TO THE  
GRANTING OF PRELIMINARY APPROVAL TO SM NY QRS 14-93 INC. IN  
CONNECTION WITH THE POTENTIAL GRANT OF CERTAIN FINANCIAL  
ASSISTANCE**

**WHEREAS**, representatives of SM NY QRS 14-93 Inc., a Delaware corporation, on behalf of itself and/or the principals of SM NY QRS 14-93 Inc. and/or any entity or entities formed on behalf of SM NY QRS 14-93 Inc., or any of the foregoing (collectively, the “**Company**”), have filed or caused to be filed a preliminary application with the Town of Babylon Industrial Development Agency (the “**Agency**”) concerning a project (the “**Project**”) consisting of (i) the demolition of an approximately 28,636 square foot portion of a building and (ii) the renovation and equipping of an approximately 243,000 square foot building located on that certain approximately 16.97 acre lot, piece or parcel of land located at 1000 New Horizons Boulevard in Amityville, New York (the “**Facility**”), all for use as a warehousing and distribution facility by one or more tenants yet to be determined; and

**WHEREAS**, the Company submitted a preliminary Project Application (the “**Project Application**”) to the Agency to initiate the accomplishment of the above; and

**WHEREAS**, pursuant to the Project Application, representatives of the Company have indicated that the Project will provide the Town of Babylon (the “**Town**”) with new modern warehouse and distribution facilities; and

**WHEREAS**, based upon further review of the Project Application, the Agency intends to determine whether financial assistance shall be provided by the Agency in order to induce the Company to proceed with the proposed Project; and

**WHEREAS**, the Company is obtaining and compiling all information necessary to allow the Agency to make such determination;

**NOW, THEREFORE, BE IT RESOLVED** by the Agency as follows:

**Section 1.** The proposed Project and the Facility would, if approved by the Agency, be in furtherance of the policy of fostering economic development in the Town in accordance with the Article 18-A and Section 907-a of the General Municipal Law of the State of New York.

**Section 2.** The officers of the Agency and other appropriate officials of the Agency and its agents and employees are hereby authorized and directed to take whatever steps may be necessary to implement the provision of this resolution including compiling and reviewing requisite information to determine whether financial assistance shall be provided by the Agency for the proposed Project;

**Section 3.** Nothing herein shall be construed as committing the Agency to undertake or approve the Project or to provide financial assistance for the Project.

**Section 4.** Any expenses incurred by the Agency with respect to the proposed Project shall be paid by the Company. The Company will agree to pay such expenses and further will agree to indemnify the Agency, its members, directors, employees and agents and hold the Agency and such persons harmless against claims for losses, damage or injury or any expenses or damages incurred as a result of action taken by or on behalf of the Agency in good faith with respect to the proposed Project.

**Section 5.** This preliminary resolution shall take effect immediately.