

**RESOLUTION AMENDING AN EXISTING RESOLUTION DATED SEPTEMBER 23,
2026 TO MODIFY THE PROJECT AND FACILITY DESCRIPTION RELATED TO
THE APPROVAL GRANTED BY THE TOWN OF BABYLON INDUSTRIAL
DEVELOPMENT AGENCY TO EIGHT PATTON DEV LLC**

WHEREAS, the Town of Babylon Industrial Development Agency (the “**Agency**”) adopted a resolution on September 23, 2026 (the “**Authorizing Resolution**”) having the following title: “RESOLUTION GRANTING APPROVAL OF AND AUTHORIZING THE GRANT OF CERTAIN FINANCIAL ASSISTANCE BY THE TOWN OF BABYLON INDUSTRIAL DEVELOPMENT AGENCY TO EIGHT PATTON DEV LLC IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION, FURNISHING AND EQUIPPING OF AN AFFORDABLE MULTI-FAMILY COMMERCIAL RESIDENTIAL RENTAL HOUSING FACILITY IN THE TOWN OF BABYLON”; and

WHEREAS, representatives of Eight Patton Dev LLC, a limited liability company organized and existing under the laws of the State of New York (on behalf of itself and/or the principals of Eight Patton Dev LLC and/or any entity or entities formed on behalf of Eight Patton Dev LLC or any of the foregoing (collectively, the “**Company**”)), now desire to modify the description of the Original Project (defined below) and the description of the Original Facility (defined below) regarding the approval granted by the Agency; and

WHEREAS, representatives of the Company had informed officials of the Agency about, and have expressed the desire to enter into negotiations with, officials of the Agency with respect to a project (the “**Original Project**”) consisting of (i) the acquisition of approximately 3.2 acres of vacant land, (ii) the clearing of approximately 3.2 acres of land thereon and (iii) the construction thereon of twenty-six (26) duplex buildings containing fifty-one (51) residential units for an approximately 65,000 square foot commercial multi-family residential rental housing facility ((ten (10) units (approximately ten percent (10%) of all units) set aside for workforce housing) to be located on that certain approximately 3.2 acre lot, piece or parcel of land generally known as 8 Patton Avenue, in Wyandanch, New York 11798 (the “**Original Facility**”), all for use by the Company in its commercial residential multi-family rental housing business; and

WHEREAS, representatives of the Company have modified the Original Project to consist of (i) the acquisition of approximately 3.2 acres of vacant land, (ii) the clearing of land thereon and (iii) the construction thereon of twenty-six (26) duplex buildings containing fifty-one (51) residential units, an approximately 65,000 square foot commercial multi-family residential rental housing facility ((ten (10) units (approximately twenty percent (20%) of all units) set aside for workforce housing) (the “**Project**”) to be located on that certain approximately 3.2 acre lot, piece or parcel of land generally known as 8 and 0 Patton Avenue and 1390, 1386, 1382 and 1378 Straight Path, in Wyandanch, New York 11798 (the “**Facility**”), all for use by the Company in its commercial residential multi-family rental housing business; and

WHEREAS, the Agency desires to amend the Authorizing Resolution and adopt this Amendatory Resolution (this “**Amendatory Resolution**”) to address the changes as described above; and

WHEREAS, the Agency desires to adopt this Amendatory Resolution.

NOW, THEREFORE, BE IT DETERMINED, APPROVED AND RESOLVED by the members of the Agency as follows:

Section 1. The Agency hereby adopts this Amendatory Resolution and the Authorizing Resolution is hereby amended as follows:

The third WHEREAS clause of the Authorizing Resolution is hereby deleted in its entirety and replaced with the following:

“WHEREAS, to accomplish the purposes of the Act, and in accordance with the Plan, the Agency has entered into negotiations with representatives of Eight Patton Dev LLC, a New York limited liability company, on behalf of itself and/or the principals of Eight Patton Dev LLC, and/or any entity or entities formed on behalf of Eight Patton Dev LLC, or any other real estate holding company created in connection with the foregoing or any of the foregoing (collectively, the **“Company”**) for the undertaking of a “project” within the meaning of the Act (the **“Project”**) a commercial multi-family residential rental housing project consisting of (i) the acquisition of approximately 3.2 acres of vacant land, (ii) the clearing of land thereon and (iii) the construction thereon of twenty-six (26) duplex buildings containing fifty-one (51) residential units, an approximately 65,000 square foot commercial multi-family residential rental housing facility ((ten (10) units (approximately twenty percent (20%) of all units) set aside for workforce housing), to be located on that certain approximately 3.2 acre lot, piece or parcel of land located at 8 and 0 Patton Avenue and 1390, 1386, 1382 and 1378 Straight Path, in Wyandanch, New York 11798 (the **“Land”**) constituting a commercial facility under the Act, and the acquisition and installation of certain equipment, furnishings and personal property therefor (the **“Facility Equipment”**), all for use by the Company in its commercial residential multi-family rental housing business (the Land, Improvements, including construction, renovation and reconstruction thereof, and the Facility Equipment, collectively the **“Facility”**); and”

Section 2. The CEO, the Chairman or the Secretary and any member of the Agency (as used in this Amendatory Resolution, the **“Authorized Representatives”**) are hereby designated the authorized representatives of the Agency and each of them is hereby authorized and directed to cause the transactions as described herein to be undertaken and in relation thereto, to execute and deliver any and all papers, instruments, agreements, opinions, certificates, affidavits and other documents, and to do and cause to be done any and all acts and things necessary or proper for carrying out this Amendatory Resolution, including such changes or revisions in the forms of such documents as may be requested by counsel to the Agency.

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 or provided for by the provisions of this Amendatory Resolution, and to execute and deliver all such additional certificates, instruments, agreements and documents, 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, desirable and proper to effect the purposes of this Amendatory Resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of this Amendatory Resolution binding upon the Agency.

Section 4. All covenants, stipulations, obligations and agreements of the Agency contained in this Amendatory Resolution shall be deemed to be the covenants, stipulations, obligations and agreements of the Agency to the full extent authorized or permitted by law, and such covenants, stipulations, obligations and agreements shall be binding upon the Agency and its successors from time to time and upon any board or body to which any powers or duties, affecting such covenants, stipulations, obligations and agreements shall be transferred by or in accordance with law. Except as otherwise provided in this Amendatory Resolution, all rights, powers and privileges conferred and duties and liabilities imposed upon the Agency or the members thereof by the provisions of this Amendatory Resolution shall be exercised or performed by the Agency or by such members, officers, board or body as may be required by law to exercise such powers and to perform such duties.

Section 6. No covenant, stipulation, obligation or agreement contained in this Amendatory Resolution shall be deemed to be a covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency or the Town of Babylon in his or their individual capacity and neither the members of the Agency nor any officer shall be liable personally or be subject to any personal liability or accountability by reason of the adoption hereof.

Section 7. This Amendatory Resolution shall take effect immediately.