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**DORMITORY AUTHORITY  
OF THE STATE OF NEW YORK**

**FIRST SUPPLEMENTAL RESOLUTION**

**supplementing the**

**Dormitory Authority of the State of New York  
New York University Commercial Paper Note Resolution,  
Adopted on February 14, 2024**

**to provide for the financing and refinancing of an  
Additional Capital Project**

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**Adopted July 17, 2024**

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**FIRST SUPPLEMENTAL RESOLUTION  
SUPPLEMENTING THE NEW YORK UNIVERSITY  
COMMERCIAL PAPER NOTE RESOLUTION TO PROVIDE FOR  
THE FINANCING AND REFINANCING OF AN ADDITIONAL CAPITAL PROJECT**

**WHEREAS**, on February 14, 2024, the Dormitory Authority of the State of New York (the “*Authority*”) duly adopted its New York University Commercial Paper Note Resolution (the “*Resolution*”), which established a commercial paper program for the benefit of New York University (the “*University*”) in order to provide short-term financing for the University’s ongoing capital project needs (the “*Program*”); and

**WHEREAS**, the Resolution authorizes the Authority to issue multiple series and subseries of commercial paper notes from time to time (the “*Commercial Paper Notes*” or “*Notes*”), the proceeds of which Notes are loaned by the Authority to the University pursuant to that certain Loan Agreement, dated as May 1, 2024 (the “*Loan Agreement*”), for the purpose of providing funds to finance and refinance the costs of acquiring, constructing, renovating, improving and/or equipping certain capital projects of the University identified in said Loan Agreement for financing under the Program; and

**WHEREAS**, in accordance with the terms of the Resolution and the Loan Agreement (and subject to satisfaction of all requirements respectively set forth therein), the University has requested that the Loan Agreement now be modified to provide for the issuance of Commercial Paper Notes to finance and refinance an additional capital project under the Program (as further described and defined herein, the “*Additional Project*”); and

**WHEREAS**, Sections 8.10(a) and 10.01(f) of the Resolution authorize the amendment of the Loan Agreement from time to time to provide for the inclusion of additional capital projects to be financed and refinanced under the Program as may be approved by an Authorized Officer of the Authority, *provided, however*, that any additional project that is not a Reviewed Project (as defined in the Resolution) shall only be approved by adoption of a Supplemental Resolution by the Authority; and

**WHEREAS**, the Additional Project is not yet a Reviewed Project and, therefore, at the request of the University, the Authority now desires to supplement the Resolution to authorize the financing and refinancing of the Additional Project with proceeds of the Commercial Paper Notes and all necessary amendments to the Loan Agreement to accomplish the same; and

**BE IT RESOLVED** by the Dormitory Authority of the State of New York, as follows:

**ARTICLE I**

**DEFINITIONS AND AUTHORITY**

**Section 1.01. Definitions.** (a) All terms which are defined in Section 1.1 of the Resolution shall have the same meanings, respectively, in this First Supplemental Resolution as such terms are given in said Section 1.1 of the Resolution. In addition, as used in this First Supplemental Resolution, unless the context shall otherwise require, the following terms shall have the respective meanings set forth below:

“**Additional Project**” means the acquisition of certain facilities currently leased and used by the University as a dormitory and located at 200 E. 6<sup>th</sup> Street, New York, New York.

“**First Supplemental Resolution**” means this First Supplemental Resolution supplementing the Resolution, adopted on July 17, 2024.

(b) Words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders. Unless the context shall otherwise indicate, words importing the singular number shall include the plural number and vice versa, and words importing persons shall include firms, associations and corporations, including public bodies, as well as natural persons.

The terms "hereby," "hereof," "hereto," "herein," "hereunder," and any similar terms, as used in this First Supplemental Resolution refer to this First Supplemental Resolution.

**Section 1.02. Authority for the First Supplemental Resolution.** This First Supplemental Resolution is adopted pursuant to the provisions of the Act and Section 10.01(f) of the Resolution.

## ARTICLE II

### AUTHORIZATION TO FINANCE ADDITIONAL PROJECT; EXECUTION AND DELIVERY OF DOCUMENTS

**Section 2.01 Authorization to Finance Additional Project.** In accordance with the authority granted in the Resolution, and within all limits prescribed therein, the financing and refinancing of the Additional Project with proceeds of one or more Series or Subseries of Notes to be issued under and pursuant to the Resolution is hereby authorized and the term Project as used in the Loan Agreement may be modified to include such Additional Project.

**Section 2.02 Execution of Documents.** Any Authorized Officer of the Authority is hereby authorized to execute and deliver, in the name and on behalf of the Authority, any and all documents and instruments or amendments to any existing documents and instruments necessary for the inclusion of the Additional Project as a Project under the Resolution and/or the Loan Agreement, including, if applicable, a Note Authorization Certificate or an amendment or supplement to an existing Note Authorization Certificate, and to do and cause to be done any and all acts and things, said Authorized Officer deems necessary or advisable in connection with the financing of the Additional Project and to carry out the transactions contemplated by this First Supplemental Resolution.

## ARTICLE III

### MISCELLANEOUS

**Section 3.01 Authority to Deliver this First Supplemental Resolution.** An Authorized Officer of the Authority is hereby authorized and directed to deliver this First Supplemental Resolution with such changes, insertions and omissions as may be approved by such Authorized Officer, such delivery being conclusive evidence of such approval; *provided, however*, such changes,

insertions and omissions shall not conflict with the provisions of the Resolution and shall be necessary to effectuate the intent of this First Supplemental Resolution.

**Section 3.02 *When Effective.*** This First Supplemental Resolution shall become effective immediately upon the filing with the Trustee of a copy of this First Supplemental Resolution certified by an Authorized Officer of the Authority, together with the opinion of Bond Counsel required by Section 10.3 of the Resolution.