

## PLATTE RIVER COMMONS PROHIBITED USES

LEASING PARTY covenants and agrees not to use the Leased Premises for any of the following purposes or uses, which shall be called Prohibited Uses:

- A. Any use not contemplated in the Decision Document or the Corrective Measures Implementation, or which interferes with the implementation or completion of the Corrective Measures Implementation.
- B. Any use which could add to any contamination on or under the Leased Premises, or which could delay or increase the cost of investigation, clean up or remediation of any contamination on or under the Leased Premises.
- C. Any of the following uses:
  - (i) residential
  - (ii) nursing home
  - (iii) jail, juvenile detention center
  - (iv) daycare, child or adult
  - (v) hospital, hospice
  - (vi) schools, fraternities, sororities
  - (vii) zoo, animal shelter, animal treatment or care facility, kennel
  - (viii) food processing facility
  - (ix) greenhouse, plant nursery (except in situations where greenhouse- or nursery-cultivated plants are grown in clean soils imported to the site and for which there is no reasonable possibility of root penetration into contaminated soils existing on the Land)
  - (x) dairy farm, horse boarding
  - (xi) overnight camping, recreational vehicle park
  - (xii) fishing or swimming, with it understood that this does not prohibit fishing or swimming in the North Platte River
  - (xiii) hunting or trapping
  - (xiv) dry cleaners
  - (xv) gasoline station, auto repair or service
  - (xvi) chemical manufacturing facility
  - (xvii) landfill
- D. Any use or purpose other than industrial, mixed commercial, and recreation.