

6.11. Notice to Shareholders. Any notice of meeting or other notice, communication or report to any Shareholder shall be deemed duly delivered to such Shareholder when such notice, communication or report is deposited, with postage thereon prepaid, in the United States mail, addressed to such Shareholder at his address as it appears on the records of the Trust or is delivered in person to such Shareholder.

6.12. Shareholders' Disclosures; Redemption of Shares. The Shareholders shall upon demand disclose to the Trustees in writing such information with respect to direct and indirect ownership of the Shares as the Trustees deem necessary to comply with the provisions of the Internal Revenue Code and the regulations thereunder as the same shall be from time to time amended or to comply with the requirements of any other taxing authority. If the Trustees shall at any time and in good faith be of the opinion that direct or indirect ownership of Shares of the Trust has or may become concentrated to an extent which is contrary to the requirement of Section 856(a) (6) of the Internal Revenue Code, the Trustees shall have the power by lot or other means deemed equitable by them to call for redemption a number of such Shares sufficient in the opinion of the Trustees to maintain or bring the direct or indirect ownership of Shares of the Trust into conformity with the requirements of said Section 856(a) (6) or any successor provision. The redemption price shall be equal to the fair market value of the Shares as reflected in the latest bid quotation for the Shares as of the date fixed for redemption or, if no quotations for the Shares are available, as determined in good faith by the Trustees. From and after the date fixed for redemption by the Trustees, the holder of any Shares so called for redemption shall cease to be entitled to dividends, voting rights and other benefits with respect to such Shares, excepting only to the right to payment of the redemption price fixed as aforesaid. For the purpose of this Section 6.12, the term "individual" shall be construed as provided in Section 542(a) (2) of the Internal Revenue Code or any successor provision and "ownership" of Shares shall be determined as provided in Section 544 of the Internal Revenue Code, or any successor provision.

6.13. Right to Refuse to Transfer Shares. Whenever it is deemed by them to be reasonably necessary to protect the tax status of the Trust, the Trustees may require a statement or affidavit from each Shareholder or proposed transferee of Trust shares setting forth the number of shares already owned by him and any related person specified in the form prescribed by the Trustees for that purpose. If, in the opinion of the Trustees, which shall be conclusive upon any proposed transferor or proposed transferee of Trust shares, any proposed transfer would jeopardize the status of the Trust as a "Real Estate Investment Trust" under the Internal Revenue Code of 1954, as now enacted or as hereafter amended, the Trustees may refuse to permit such transfer. Any attempted transfer as to which the Trustees have refused their permission shall be void and of no effect to transfer any legal or beneficial interest in the shares. All contracts for the sale or other transfer of shares of beneficial interest in this Trust shall be subject to this provision.

ARTICLE VII

LIABILITY OF TRUSTEES, SHAREHOLDERS AND OFFICERS, AND OTHER MATTERS

7.1. Exculpation of Trustees and Officers. No Trustee, officer or agent of the Trust shall be liable or held to any personal liability whatsoever for any obligation or contract of the Trust or be liable in tort or otherwise in connection with the affairs of this Trust to the Trust or any Shareholder of the Trust, except only that arising from his own willful misfeasance, bad faith, gross negligence, or reckless disregard of duty. No Trustee, officer or agent of the Trust shall be liable to any other person or persons in connection with the affairs of the Trust except only that arising from his own willful misconduct knowingly and intentionally committed in bad faith.

7.2. Limitation of Liability of Shareholders, Trustees and Officers. The Trustees and officers in incurring any debts, liabilities or obligations, or in taking or omitting any other actions for or in connection with the Trust are, and shall be deemed to be, acting as Trustees or officers of the Trust and not in their own individual capacities. Except to the extent provided in Section 7.1 no Trustee or officer shall, nor shall any Shareholder, be liable for any debt, claim, demand, judgment, decree, liability or obligation of any kind of, against or with respect to the Trust, arising out of any action taken or omitted