

(C) A FIDUCIARY'S INVESTMENT DECISIONS SHALL BE JUDGED IN ACCORDANCE WITH THE FOLLOWING GUIDELINES AND STANDARDS:

(1) NO SPECIFIC INVESTMENT OR COURSE OF ACTION IS, TAKEN ALONE, PRUDENT OR IMPRUDENT;

(2) THE FIDUCIARY MAY EXERCISE REASONABLE BUSINESS JUDGMENT REGARDING THE ANTICIPATED EFFECT ON THE PORTFOLIO OF FIDUCIARY ASSETS AS A WHOLE UNDER THE FACTS AND CIRCUMSTANCES PREVAILING AT THE TIME OF THE DECISION OR ACTION;

(3) THE FIDUCIARY SHALL HAVE NO LIABILITY FOR CONTINUING TO HOLD FIDUCIARY ASSETS EXISTING AT THE TIME THE FIDUCIARY APPOINTMENT WAS ACCEPTED OR SUBSEQUENTLY ADDED PURSUANT TO PROPER AUTHORITY IF, AND AS LONG AS, THE FIDUCIARY, IN THE EXERCISE OF GOOD FAITH AND REASONABLE PRUDENCE, CONSIDERS THE RETENTION TO BE IN THE BEST INTERESTS OF THE BENEFICIARIES OR IN THE FURTHERANCE OF THE GOALS OF THE GOVERNING INSTRUMENT;

(4) SUBJECT TO ALL OTHER PROVISIONS OF THIS SECTION, THE FIDUCIARY MAY RETAIN AS FIDUCIARY ASSETS AN INTEREST IN THE FIDUCIARY, IF THE FIDUCIARY IS A CORPORATION, OR IN ANY CORPORATION CONTROLLING, CONTROLLED BY, OR UNDER COMMON CONTROL WITH THE FIDUCIARY; AND

(5) IN MAKING AN INVESTMENT DECISION, THE FIDUCIARY MAY CONSIDER, WITHOUT LIMITATION:

(I) GENERAL ECONOMIC CONDITIONS;

(II) THE POSSIBLE EFFECT OF INFLATION;

(III) THE EXPECTED TAX CONSEQUENCES OF INVESTMENT DECISIONS OR STRATEGIES;

(IV) THE ROLE EACH INVESTMENT OR COURSE OF ACTION PLAYS WITHIN THE INVESTMENT OF THE PORTFOLIO OF FIDUCIARY ASSETS AS A WHOLE;

(V) THE EXPECTED TOTAL RETURN OF THE INVESTMENT INCLUDING BOTH INCOME YIELD AND APPRECIATION OF CAPITAL;

(VI) THE REASONABLENESS OF ANY COSTS ASSOCIATED WITH THE INVESTMENT; AND

(VII) THE STATUS OF RELATED ASSETS OF BENEFICIARIES.

(D) TO THE EXTENT THAT ANY PROVISION OF THIS SECTION IS INCONSISTENT WITH THE TERMS OF A GOVERNING INSTRUMENT, THE TERMS OF THE GOVERNING INSTRUMENT SHALL CONTROL.

(E) IF MORE THAN ONE PERSON HAS INVESTMENT AUTHORITY OVER FIDUCIARY ASSETS, THIS SECTION SHALL APPLY IF ANY OF THOSE PERSONS IS A FIDUCIARY.