

(iii) Whether the dividends are cumulative, cumulative to a limited extent, or noncumulative;

(4) That any specified class of stock is preferred over another class as to its distributive share of the assets on voluntary or involuntary liquidation of the corporation and the amount of the preference;

(5) That any specified class of stock may be redeemed at the option of the corporation or of the holders of the stock and the terms and conditions of redemption, including the time and price of redemption;

(6) That any specified class of stock is convertible into shares of stock of one or more other classes and the terms and conditions of conversion;

(7) That the holders of any specified securities issued or to be issued by the corporation have any voting or other rights which, by law, are or may be conferred on stockholders;

(8) For any other preferences, rights, restrictions, including restrictions on transferability, and qualifications not inconsistent with law;

(9) That the board of directors may classify or reclassify any unissued stock from time to time by setting or changing the preferences, conversion or other rights, voting powers, restrictions, limitations as to dividends, qualifications, or terms or conditions of redemption of the stock;

(10) (i) For any grant to the holders of the stock of the corporation, including a specified class or series of stock, of the preemptive right to subscribe to:

1. Any or all additional issues of the stock; or

2. Any securities of the corporation convertible into additional issues of stock; or

(ii) For any definition or limitation of the preemptive rights of stockholders to acquire additional stock or securities in the corporation; [and]

(11) For restrictions on transferability for any purpose, including restrictions designed to permit a corporation to qualify as:

(i) A real estate investment trust under the Internal Revenue Code or regulations adopted under the Internal Revenue Code; or

(ii) An investment company under the Investment Company Act of 1940 or regulations adopted under the Investment Company Act of 1940; AND

(12) THAT THE BOARD OF DIRECTORS, WITH THE APPROVAL OF A MAJORITY OF THE ENTIRE BOARD, AND WITHOUT ACTION BY THE STOCKHOLDERS, MAY AMEND THE CHARTER TO INCREASE OR DECREASE THE AGGREGATE NUMBER OF SHARES OF STOCK OF THE CORPORATION OR THE NUMBER OF SHARES OF STOCK OF ANY CLASS THAT THE CORPORATION HAS AUTHORITY TO ISSUE.