

MONROE COUNTY BAR ASSOCIATION

REAL ESTATE SECTION

BY-LAWS

ARTICLE I

Name and Purpose

Section 1. This Section shall be known as the Real Estate Section of the Monroe County Bar Association

Section 2. The purpose of this Section is to bring together those members of the Monroe County Bar Association interested in the law that affects real property -- the title thereto, the transactions therein and the possibility of establishing increased uniformity therein -- to disseminate information relating to and further education in such matters among members of the Bar, other professions and the general public; to consider and report as to all matters relating to Federal, State and Local laws and regulations of those fields; to examine pending legislation and administrative regulation and determine whether to promote or oppose the same in the name of the Section (and to recommend to the Association that the Association promote or oppose the same in the name of the Section and/or Association) whenever, in its judgment, action thereon is required; to initiate legislation and administrative regulations and rulings related to Federal, State or Local taxation (and to recommend that the Association do the same); to promote the interest and welfare of the public and members of the Bar in Real Estate Law and to furnish a constant and active service for the maintenance and protection of the highest degree of professional practice and ethical principles in connection with the practice of real property law, as well as the professional development of the Bar in matters relating to interests in real property.

ARTICLE II

Membership

Section 1. Any member of the Monroe County Bar Association shall be eligible for membership in this Section, and shall be enrolled as a member upon application to the Section Secretary.

ARTICLE III

Officers

Section 1. Pursuant to the By-Laws of the Monroe County Bar Association, the officers shall be Chair, Vice Chair, and Secretary, all of whom shall be elected by the members of the Section. This Section shall hold elections for officers not later than June 30th of each year. In the event this Section fails to hold such elections, the Board of Trustees of the Monroe County Bar Association may appoint officers to hold office until elections are held and officers elected.

Section 2. All officers will hold office for a term of one year from July 1st to June 30th.

Section 3. The election of the officers of this Section shall be held in the month of June, on a date to be determined by the then sitting council, but in no event later than June 30th, which shall be designated as the annual meeting of the Real Estate Section. A separate oral vote for each officer from members of the Section attending shall be held at that session. A majority vote from members of the Section attending in each case will elect the officer. No proxies are permitted.

ARTICLE IV

Nomination of Officers

Section 1. At least forty-five (45) days prior to each annual meeting of the Section, the chairman shall appoint a Nominating Committee of three members of the Section, which committee shall meet, nominate at least one member for each office and make its report to the chairman thirty (30) days prior to the annual meeting. The notice of the annual meeting will be mailed to each member of the Real Estate Section at least ten (10) days prior to the meeting, and such notice shall contain the members nominated by the Nominating Committee. In order to nominate any other member to run for office, or serve as a Council member pursuant to Article V herein, a petition must be signed by at least fifteen (15) members of the Section indicating the name of the party, the office he or she wishes to run for and presented to the Chair of the Section at least three (3) days prior to the election.

ARTICLE V

Council

Section 1. The Real Estate Section shall also elect a Council at the annual election of each year, which Council shall contain the officers set forth in the above section, the past Chairman and not less than three (3) nor more than seven (7) other members of the Section. The members other than the said officers and past Chair shall be nominated and elected in the same manner the officers are nominated and elected as above provided.

Section 2. Regular meetings of the Council shall be held from time to time during the fiscal year at such time and place as the Chair, or a majority of council, shall direct.

Section 3. A majority of the members of the Council present at any meeting shall constitute a quorum for the transaction of business.

Section 4. All binding action of the Council shall be by a majority vote of the members present.

ARTICLE VI

Duties of the Officers and of the Council

Section 1. Chair: The Chair shall preside at all meetings of the Section and of the Council, and shall perform such other duties and acts as are ordinarily incident to the office and consistent with these By-Laws and the By-Laws of the Monroe County Bar Association.

Section 2. Vice-Chair: The Vice-Chair shall assist the Chair in the performance of the Chair's duties when requested to do so. On the death, resignation or during the disability of the Chair, the Vice-Chair shall perform the duties of the Chair for the remainder of the Chair's term except in the case of disability and then only for so much of the term as the disability continues. The Vice-Chair shall also perform the duties of the Chair as such times as the Chair is unable to do so and shall succeed the Chair upon expiration of the Chair's term of office.

Section 3. Secretary: The Secretary shall be the custodian of all books, membership rosters, paper, documents and other property (except money and investments) of the Section. The Secretary shall keep a true record of the proceedings of all meetings of the Section and the Council and shall file copies of the minutes thereof with the person having responsibility on behalf of the Association for liaison with the Section. The Secretary shall succeed the Vice-Chair

upon expiration of the Vice-Chair's term of office.

Section 4. Council: The Council shall have general supervision and control of the affairs and activities of the Section, subject to the By-Laws of Association and of the Section. It shall be responsible for the authorization of all commitments and any contracts which shall entail the payment of money and for the expenditure of all monies collected by the Section or appropriated for the use and benefit of the Section. The Council shall adopt its own rules of procedure, including rules as to the time and place of meetings and notices of meetings to be given to its members.

Section 5. Vacancies: The Council may, by a majority vote, fill vacancies in the Offices of Secretary and Vice-Chair, or in the event of a vacancy in the Offices of Chair and Vice-Chair, then in the Office of Chair. Vacancies to the membership of the Council shall be filled by a majority vote of the Council.

ARTICLE VII

Amendments of By-Laws

Section 1. This Section shall have the power, subject to approval by the Board of Trustees, to adopt and amend these By-Laws in a manner and resulting in a provision not inconsistent with the Monroe County Bar Association's Certificate of Incorporation and/or By-Laws. The adoption of these By-Laws, and any amendments thereto, may be amended at any meeting of the Section by a majority vote of the Section present, and will be conditioned upon notice of such action being on the agenda in the written notice of the meeting and a copy of the By-Laws and/or amendments thereto being available for review at the Monroe County Bar Association's Office.

Said By-Laws and any amendments thereto shall be submitted to the Board of Trustees of the Association for approval after their adoption and shall become effective from the date of approval by the Board of Trustees of the Monroe County Bar Association.

ARTICLE VIII

Committees

Section 1 The Council of this Section may divide the members of the Section into Committees to perform different phases of the work of the Section and to make recommendations to the Section for action. These committees may be formed by appointment by the Chairman of the Section, approval by the Council, or by motion made, seconded and adopted by a majority of members of the Section present at any regularly called meeting. The proposed formation of these committees must be contained in the notice of meeting sent at least ten (10) days prior thereto.

Section 2. Standing Committees: There shall be such Standing Committees as shall, from time to time, be authorized by the Council. The Chair and members of each Standing Committee shall be appointed by the Chair of the Council as soon as may be practicable after the annual meeting of the Section, to serve a term of one fiscal year. The Chair of the Section may fill any vacancy in the Chair or membership of any Standing Committee during the Chair's term of office. No action by a Standing Committee shall be effective unless approved by the Council.

Section 3. Special Committees: The Chair of the Section may, from time to time, create such special, ad hoc or other committees as the Chair shall deem necessary or desirable, and

appoint the Chair and members thereof to serve during the term of office. No action of a special committee shall be effective unless approved by the Council.

Section 4. Realtor/Bar Subcommittee: Subject to invitation by the Greater Rochester Association of Realtors and to the extent permitted by the By-Laws of the Greater Rochester Association of Realtors, the Chair of the Section shall appoint two Section members to serve on the Realtor/Bar Subcommittee of the Greater Rochester Association of Realtors, said appointments to be made no earlier than September 1st of the Section's fiscal year and no later than November 15th of the Section's fiscal year. For the first fiscal year in which these appointments are made, one such Section member shall serve for a term of one year, commencing on the 1st of January after such appointment, and one such Section member shall serve for a period of two years commencing on the 1st of January after such appointment. Thereafter, Section members appointed to the committee shall serve for a term of two calendar years after appointment. The Chair of the Section shall also serve as an ex-officio member of the Committee.

ARTICLE IX

Liaison

Section 1. The President of the Association, after consultation with the Chair of the Section, shall appoint a member of this Section to serve as liaison between the Section and the Board of Trustees. The person selected shall be responsible for keeping the President and the Board of Trustees advised of the proceedings and activities of the Section. The Secretary of this Section shall, within five (5) days after any meeting thereof, file with the Secretary of the Association a

copy of the minutes of the meeting.

ARTICLE X

Statement of Policy

Section 1. No Section of the Monroe County Bar Association may pass any resolution expressing its views unless written notice of The proposed action is mailed to each member of the Section at least five (5) days before the meeting at which the resolution is considered. No resolution of this Section shall be deemed to establish the policy of the Association unless it has been submitted to and approved by the Board of Trustees, or by the members of the Association at a regular or special meeting of members, or by the members pursuant to Article XII of the By-Laws of the Association.

ARTICLE XI

Annual Report

Section 1. The Chairman of this Section shall each year prepare and deliver to the President of the Association at least two (2) weeks prior to the annual meeting, a report of the work of the Section for that year.