

# MOONEY LAW FIRM, P.A.

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December 15, 2010

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Re: Rezoning Bogan property R-1 to C-3

Dear Ladies and Gentlemen:

This letter is written to you in advance of the City Council Meeting set for December 21, 2010.

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I represent David Bogan and his family who own property on Johnson Avenue near the location of the new Baptist Hospital. David's home is on the location as shown as R-1 on the enclosed plat. The Planning Commission has recommended to you the rezoning to C-3. There are two other lots owned by the Bogans, which have already been zoned C-3.

When the home is zoned C-3, all three tracts will be combined as on 3.3 acre lot for the purpose of commercial development. The sale is conditional on the home tract zoning to C-3.

I know it is not usual that the rules are suspended and the property rezoned in one meeting, but this is my request. It is extremely important that the sale of the property is completed before the end of the year and if the Ordinance is not passed at the December 21<sup>st</sup> meeting it will be held over for the January meeting.

As you know, there is a great possibility that Congress will not pass the current tax bill and if that happens, the capital gains tax will jump from 15% to 25%, which would cost my client dearly.

Please support my request for 3 readings of the Ordinance on the 21<sup>st</sup>. The Planning Commission unanimously supports the rezoning and there are no known persons objecting to the rezoning.

I am enclosing a copy of the Ordinance which we are forwarding to Donna today, along with a plat showing all 3 lots (marked #1) as well as a plat showing the planned layout on the new development (marked #2).

Cordially yours,

MOONEY LAW FIRM, P.A.



Charles M. Mooney, Sr.

CMMsr:sh

Cc: Mayor Perrin  
Donna Jackson, City Clerk  
Ottis Spriggs  
David Bogan  
George Hammon  
Carol Caldwell