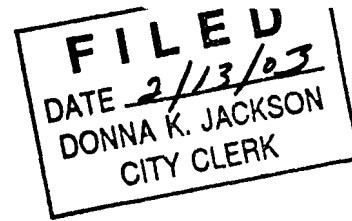


**The Merritt Group**

February 12, 2003

The Honorable Hubert Brodell, Mayor  
City of Jonesboro Aldermen  
515 West Washington Avenue  
Jonesboro, AR 72401



RE: MAPC Agenda Item - Conditional Use Permit - The Merritt Group

Dear Mr. Mayor and Aldermen:

We are writing today to request that the City Council of Jonesboro arrange an appeal hearing to be held by the City Council of Jonesboro. We wish to appeal the outcome of the voting for item number two on the MAPC agenda on 02/11/03.

An application was submitted to the City for a Conditional Use Permit for the installation of a communication tower to be located on Brown's Lane, just north of The Frame House. The land is under contract for sale with the contingency that the Conditional Use Permit be approved prior to consummation of the transaction.

Following discussion of the item by the City staff, our representative, and the commission members, a motion was made and seconded to approve the request. Upon completion of the voting, the result was 4 in favor, and 2 opposed. There was no opposition to the request present. There is currently one vacant seat on the MAPC, one member was absent, and the "Chair" did not vote. By ordinance, five affirmative votes are required for approval of this request. Though a simple majority of the votes of those members present was obtained, the motion failed. No further motion was made, and the item was concluded with no additional action. The failure of MAPC to approve the application is arbitrary, capricious, and contrary to City, State, and Federal law.

A similar presentation as was presented at the MAPC meeting last night will be presented to the City Council during the Appeal Hearing. All questions posed by the City staff will be addressed, and if any Aldermen have questions, we will attempt to address those as well, as they are asked.

Thank you for your time and attention.

THE MERRITT GROUP

Joel Taylor  
Sole Proprietor