

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date:	June 10, 2025	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing
Department:	Facilities Development & Operations		

I. EXECUTIVE BRIEF


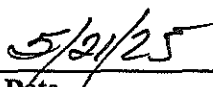

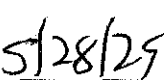
**Motion and Title:** Staff recommends motion to approve: a Utility Easement Agreement (Easement) in favor of Florida Power & Light Company (FPL) for the construction, operation, and maintenance of underground electrical facilities and an above-ground pad-mounted transformer at Lake Ida East Park, located at 950 NW 9<sup>th</sup> Street in Delray Beach as part of FPL’s Storm Secure Underground Program.

**Summary:** This Easement is being granted as part of FPL’s Storm Secure Underground Program, which aims to enhance the reliability and resiliency of the electrical grid by transitioning overhead power lines to underground infrastructure. FPL has identified a portion of Lake Ida East Park as a potential site for the improvements in Delray Beach. This perpetual, non-exclusive Easement is being granted to FPL at no cost. The Easement allows for the construction, operation, and maintenance of underground electrical infrastructure and an above-ground transformer. The Easement area encompasses approximately 8427.62 square feet (0.19 acres). (Property & Real Estate Management) District 4 (HJF)

**Background and Justification:** FPL’s Storm Secure Underground Program replaces overhead power lines with underground lines to improve reliability and resiliency during hurricanes and severe weather, as well as day-to-day conditions. Upon execution, the Easement will be recorded in the public records to formally document its existence and location.

**Attachments:**

- 1. Location Map
- 2. Utility Easement Agreement

Recommended By:		
	Department Director	Date
Approved By:		
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2025	2026	2027	2028	2029
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes \_\_\_\_\_ No X

Does this item include the use of federal funds? Yes \_\_\_\_\_ No X

Does this item include the use of state funds? Yes \_\_\_\_\_ No X

Budget Account No: Fund \_\_\_\_\_ Dept \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_  
Program \_\_\_\_\_

B. Recommended Sources of Funds/Summary of Fiscal Impact:

*There is no fiscal impact.*

Fixed Asset Numbers F08091020 G021480 *Additional Mgr. Funds, ORNB 5/20/25*  
PCN: 12-43-46-08-21-016-0010 & 12-43-46-08-21-016-0020

C. Departmental Fiscal Review: *[Signature]*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

*[Signature]* 5/22/25 *[Signature]* 5/23/25  
OFMB *on 5/22* Contract Development and Control *26 5/23/25*  
*ESW 5-22-25*

B. Legal Sufficiency:

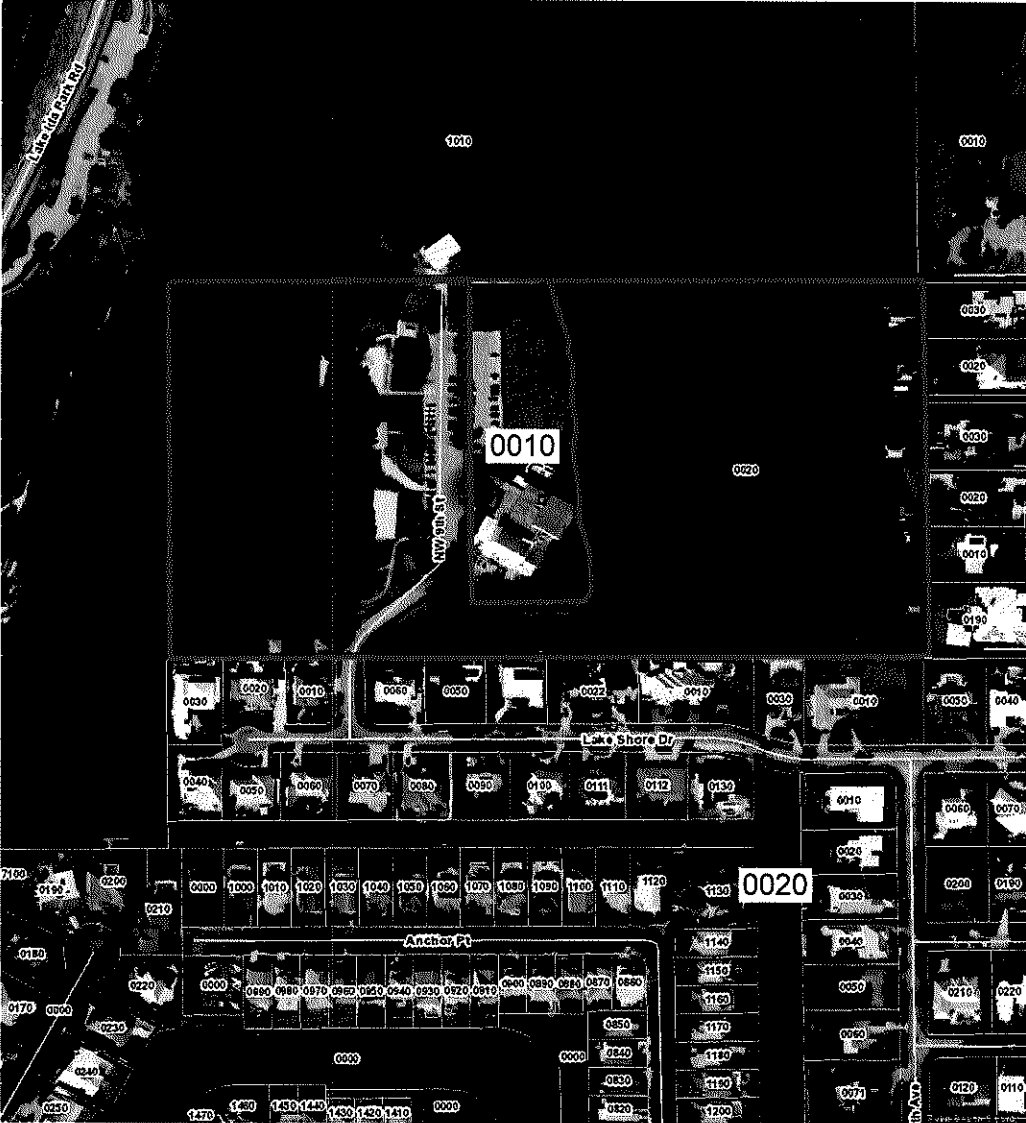
*[Signature]* 5/27/25  
Assistant County Attorney

C. Other Department Review:

*[Signature]*  
Department Director

This summary is not to be used as a basis for payment.

LOCATION MAP



**PCN(s):**  
12-43-46-08-21-016-0010  
12-43-46-08-21-016-0020

**District:**  
4

**Acres:**  
PCN 0010 -- 2.42ac.  
PCN 0020 -- 18.16 ac.

**Site Ownership:**  
PALM BEACH COUNTY  
LESSOR

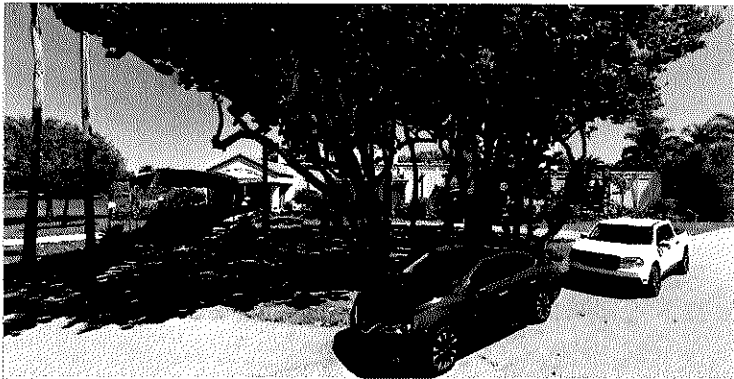
**Address:**  
950 NW 9TH ST  
DELRAY BEACH 33411

**Zoning:**  
PCN 0010 -- CF (city)  
PCN 1020 -- OS (city)

As of 5/19/2025



Parking lot view (both PCNs)



Playhouse view (PCN 0010)

This map is provided for informational purposes only and is not intended to be used for description, conveyance, or authoritative definition of legal boundary. The Property and Real Estate Management Division does not accept responsibility for damages experienced as a result of using, modifying, contributing or distributing the enclosed material.

**ATTACHMENT 2**  
**UTILITY EASEMENT AGREEMENT**  
**8 PAGES W EXHIBITS**

Prepared by & Return to:  
Palm Beach County  
Property & Real Estate Management Division  
2633 Vista Parkway  
West Palm Beach, Florida 33411-5605  
Attn: Purvi A. Bhogaita, Director

PCN: 12-43-46-08-21-016-0010 & 12-43-46-08-21-016-0020

**UTILITY EASEMENT AGREEMENT**

This EASEMENT is granted June 16, 2025, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose legal mailing address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, (“Grantor”), to **FLORIDA POWER & LIGHT COMPANY**, a Florida corporation, whose legal mailing address is Post Office Box 14000, Juno Beach, Florida 33408-0420, (“Grantee”).

**W I T N E S S E T H:**

That said Grantor, in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration paid, the receipt and sufficiency of which are hereby acknowledged, hereby grants unto Grantee, its successors and assigns, a perpetual non-exclusive easement (the “Easement”) for the construction, operation and maintenance of underground electric utility facilities, including wires, cables, conduits, and appurtenant equipment, and an above-ground pad-mounted transformer (the “Facilities”) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as the size of and remove such Facilities or any of them within an easement upon, under and across the following described real property (the "Easement Premises") situate, lying and being in the County of Palm Beach, State of Florida to wit:

**See legal description/site sketch marked Exhibit "A"  
attached hereto and made a part hereof**

Together with the right to permit any other person, firm or corporation to attach wires to any Facilities hereunder and lay cable and conduit within the Easement Premises and to operate the same for communications purposes. Together with the right of reasonable ingress and egress to said Easement Premises at all times, the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Premises; and the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the Easement Premises which might interfere with or fall upon the Facilities installed within the Easement Premises.

**THE CONDITIONS OF THIS RIGHT OF USAGE ARE SUCH THAT:**

1. Grantee shall cause the Facilities and their appurtenances to be constructed within the confines of the Easement Premises.
2. Grantee hereby expressly agrees that in the event Grantee abandons use of the Easement Premises for the purpose herein expressed, the Easement granted hereby shall become null and void, and all rights in and to the Easement Premises shall revert to Grantor.
3. Grantee further expressly agrees to maintain in good condition and repair, at its sole cost and expense, its Facilities within the Easement Premises at all times during the term hereof.
4. The grant of this Easement shall in no way restrict the right and interest of Grantor in the use, maintenance and quiet enjoyment of the Easement Premises to the extent that such does not interfere with the rights granted herein.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name, by its proper officers thereunto duly authorized, the day and year first above written.

ATTEST:

**JOSEPH ABRUZZO**  
**CLERK OF THE CIRCUIT COURT**  
**& COMPTROLLER**

**PALM BEACH COUNTY, a political**  
**subdivision of the State of Florida**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Maria G. Marino, Mayor

**APPROVED AS TO FORM**  
**AND LEGAL SUFFICIENCY**

By: \_\_\_\_\_  
Assistant County Attorney

**APPROVED AS TO TERMS AND**  
**CONDITIONS**

By: \_\_\_\_\_  
Department Director

**Exhibit “A”**

**Legal Description/Site Sketch**



EXHIBIT A  
SKETCH AND DESCRIPTION  
THIS IS NOT A SURVEY

LEGAL DESCRIPTION:

A PORTION OF THE PARCEL AS DESCRIBED AND RECORDED AS PARCEL CONTROL NUMBER 12-43-46-08-21-016-0010 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; BEING IN SECTION 8, TOWNSHIP 46 SOUTH, RANGE 43 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

A 10.00' WIDE EASEMENT, 5.00' ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE:

**COMMENCE** AT THE CENTER OF SAID SECTION 8; THENCE SOUTH 89°18'48" WEST, ALONG THE NORTHERLY LINE OF THE SOUTHWEST QUARTER SECTION LINE, A DISTANCE OF 805.61 FEET TO THE NORTHWESTERLY PROPERTY CORNER OF SAID PARCEL, ALSO BEING THE NORTHEASTERLY CORNER OF AN 80 FOOT ROAD RIGHT-OF-WAY; THENCE SOUTH 01°14'25" EAST ALONG SAID WESTERLY PROPERTY LINE AND EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 555.00 FEET TO THE **POINT OF BEGINNING**; THENCE NORTH 89°18'48" EAST, A DISTANCE OF 20.00 FEET TO THE **POINT OF TERMINUS**, THE SIDE LINES BEING PARALLEL WITH AND PERPENDICULAR TO SAID CENTERLINE BY RIGHT ANGLES, AND THE SIDE LINES TO BE PROLONGED OR SHORTENED TO INTERSECT THE RELATIVE PROPERTY LINES.

CONTAINING A TOTAL OF 0.005 ACRES, OR 200.00 SQUARE FEET, MORE OR LESS.

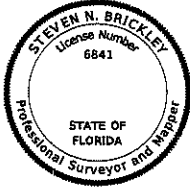
SURVEYOR'S NOTES:

1. PRINTED VERSIONS OF THIS DOCUMENT ARE NOT VALID AND THE SIGNATURE MUST BE VERIFIED ON ALL ELECTRONIC COPIES.
2. OTHER MATTERS OF RECORD AFFECTING LANDS SHOWN HEREON MAY BE FOUND IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
3. THE BASIS OF BEARING IS THE EAST/WEST QUARTER SECTION LINE OF SECTION 8, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, HAVING A GRID BEARING OF SOUTH 89°18'48" WEST.
4. COORDINATES SHOWN ARE GRID, DATUM = NAD 83, 1990 ADJUSTMENT, ZONE: FLORIDA EAST; LINEAR UNITS ARE U.S. SURVEY FEET & ALL DISTANCES ARE GROUND, PROJECT SCALE FACTOR = 1.000044735; GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE.
5. NO FIELD WORK WAS PERFORMED.

NOTE: SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION.  
DESCRIPTION NOT VALID UNLESS ACCOMPANIED WITH SKETCH OF DESCRIPTION AS SHOWN ON SHEET 2 OF 2 OF THIS DOCUMENT.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "STANDARDS OF PRACTICE" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.



Digitally signed by  
Steven Brickley  
Date: 2025.04.23  
15:46:14 -04'00'

STEVEN N. BRICKLEY DATE OF SIGNATURE  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA LICENSE NO. LS 6841

NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL OR ELECTRONIC SIGNATURE BY THE SIGNING PROFESSIONAL SURVEYOR AND MAPPER.

**Bowman**

Bowman Consulting Group, Ltd., Inc. Phone: (772) 249-0733  
10815 S.W. Tradition Square  
Port St. Lucie, FL 34987 www.bowmanconsulting.com

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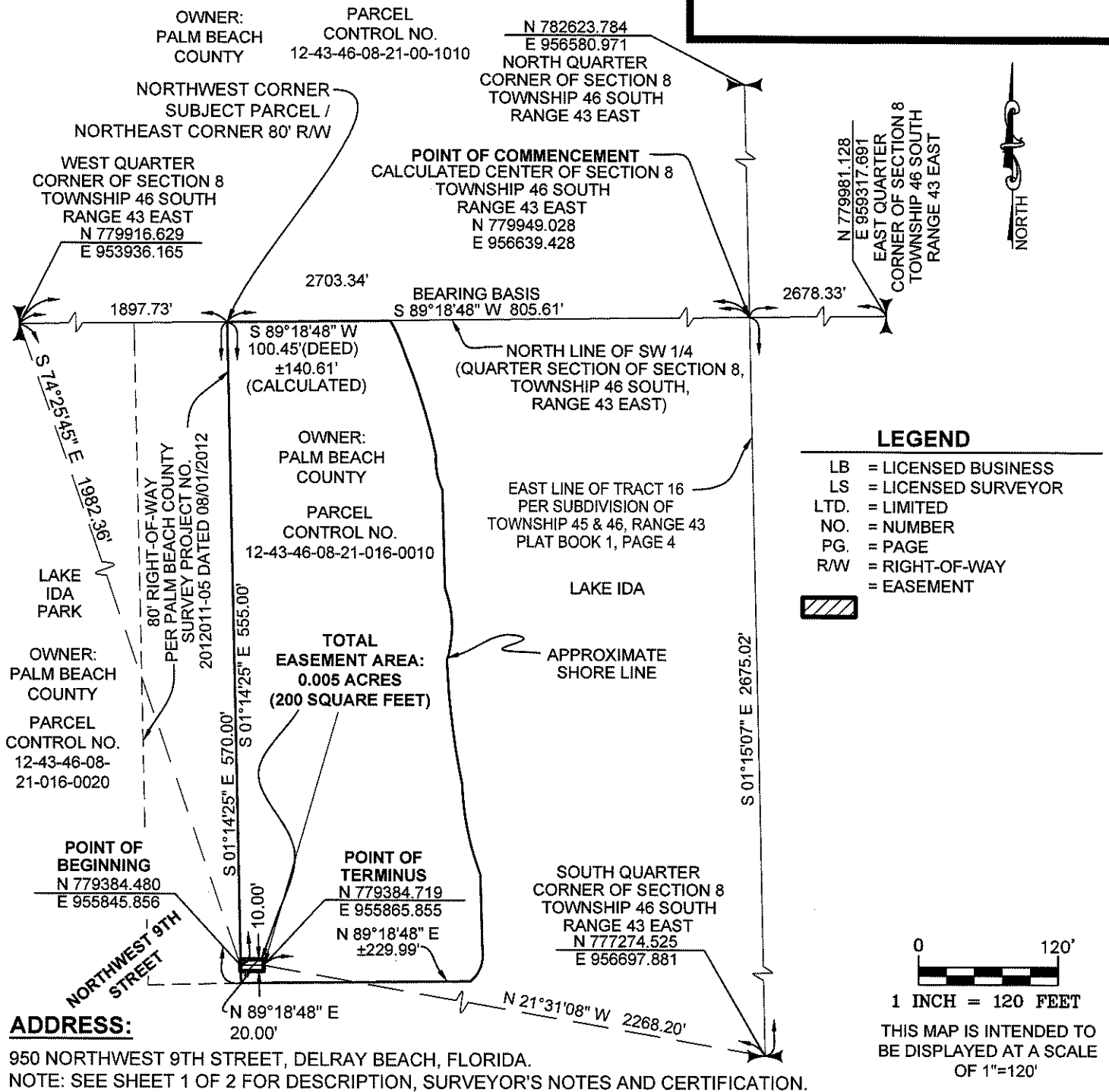
FLORIDA POWER AND LIGHT  
EASEMENT

PALM BEACH COUNTY FLORIDA

PROJECT NO. 100207-01-037	REVISED: Apr. 23, 2025	DATE: 02/27/2025
CADD FILE: EXHIBIT 71 DCR 4	WR NO. 12794252	SCALE: N/A
		SHEET: 1 OF 2

FILE: V:\100207 - PIKE-FPL\100207-01-037 (SUR) - PIKE FPL EAST 2024 - LINTON 38\SURVEY\TASK 1 LINTON 38-1 #252\SURVEY\GIS\EXHIBIT 71 DCR 4

**EXHIBIT "A"**  
**SKETCH AND DESCRIPTION**  
**THIS IS NOT A SURVEY**



# Bowman

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10815 S.W. Tradition Square  
Port St. Lucie, FL 34987 [www.bowmanconsulting.com](http://www.bowmanconsulting.com)

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**FLORIDA POWER AND LIGHT**

## EASEMENT

PALM BEACH COUNTY

FLORIDA

PROJECT NO. 100207-01-037

REVISÉ: Apr. 23, 2025

DATE: 02/27/2025

CADD FILE: EXHIBIT 71 DCR 4

WR NO. 12794252

SCALE: 1"=120'

**SHEET: 2 OF 2**

EXHIBIT A  
SKETCH AND DESCRIPTION  
THIS IS NOT A SURVEY

LEGAL DESCRIPTION:

A PORTION OF THE PARCEL AS DESCRIBED AND RECORDED AS PARCEL CONTROL NUMBER 12-43-46-08-21-016-0020 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; BEING IN SECTION 8, TOWNSHIP 46 SOUTH, RANGE 43 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

A 10.00' WIDE EASEMENT, 5.00' ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE CENTER OF SAID SECTION 8; THENCE SOUTH 89°18'48" WEST, ALONG THE NORTHERLY LINE OF THE SOUTHWEST QUARTER SECTION LINE, A DISTANCE OF 805.61 FEET TO THE NORTHWESTERLY PROPERTY CORNER OF THE PARCEL AS DESCRIBED AND RECORDED AS 12-43-46-08-21-016-0010, NOW KNOWN AS PARCEL 1, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, ALSO BEING THE NORTHEASTERLY CORNER OF AN 80 FOOT ROAD RIGHT-OF-WAY, CONTINUE SOUTH 89°18'48" WEST, ALONG SAID SECTION LINE A DISTANCE OF 73.49 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°36'05" EAST, A DISTANCE OF 491.10 FEET TO A POINT, NOW KNOWN AS POINT "A"; THENCE SOUTH 45°42'03" WEST, A DISTANCE OF 147.06 FEET; THENCE SOUTH 28°49'36" WEST, A DISTANCE OF 77.00 FEET; THENCE SOUTH 00°08'50" WEST, A DISTANCE OF 10.00 FEET TO SOUTHERLY PROPERTY LINE OF SAID PARCEL AND THE POINT OF TERMINUS (1), TOGETHER WITH: BEGIN AT POINT "A" THENCE SOUTH 51°53'54" EAST, A DISTANCE OF 102.00 FEET TO THE EASTERLY LINE OF SAID 80 FOOT RIGHT-OF-WAY AND THE POINT OF TERMINUS (2), THE SIDE LINES BEING PARALLEL WITH AND PERPENDICULAR TO SAID CENTERLINE BY RIGHT ANGLES, AND THE SIDE LINES TO BE PROLONGED OR SHORTENED TO INTERSECT THE RELATIVE PROPERTY LINES.

CONTAINING A TOTAL OF 0.188 ACRES, OR 8227.62 SQUARE FEET, MORE OR LESS.

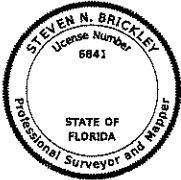
SURVEYOR'S NOTES:

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- 4. COORDINATES SHOWN ARE GRID, DATUM = NAD 83, 1990 ADJUSTMENT, ZONE: FLORIDA EAST; LINEAR UNITS ARE U.S. SURVEY FEET & ALL DISTANCES ARE GROUND, PROJECT SCALE FACTOR = 1.000044735; GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE.
- 5. NO FIELD WORK WAS PERFORMED.

NOTE: SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION.  
DESCRIPTION NOT VALID UNLESS ACCOMPANIED WITH SKETCH OF DESCRIPTION AS SHOWN ON SHEET 2 OF 2 OF THIS DOCUMENT.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "STANDARDS OF PRACTICE" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.



Digitally signed by  
Steven Brickley  
Date: 2025.05.08  
14:14:04 -04'00'

STEVEN N. BRICKLEY DATE OF SIGNATURE  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA LICENSE NO. LS 6841  
NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL OR ELECTRONIC SIGNATURE BY THE SIGNING PROFESSIONAL SURVEYOR AND MAPPER.

Bowman

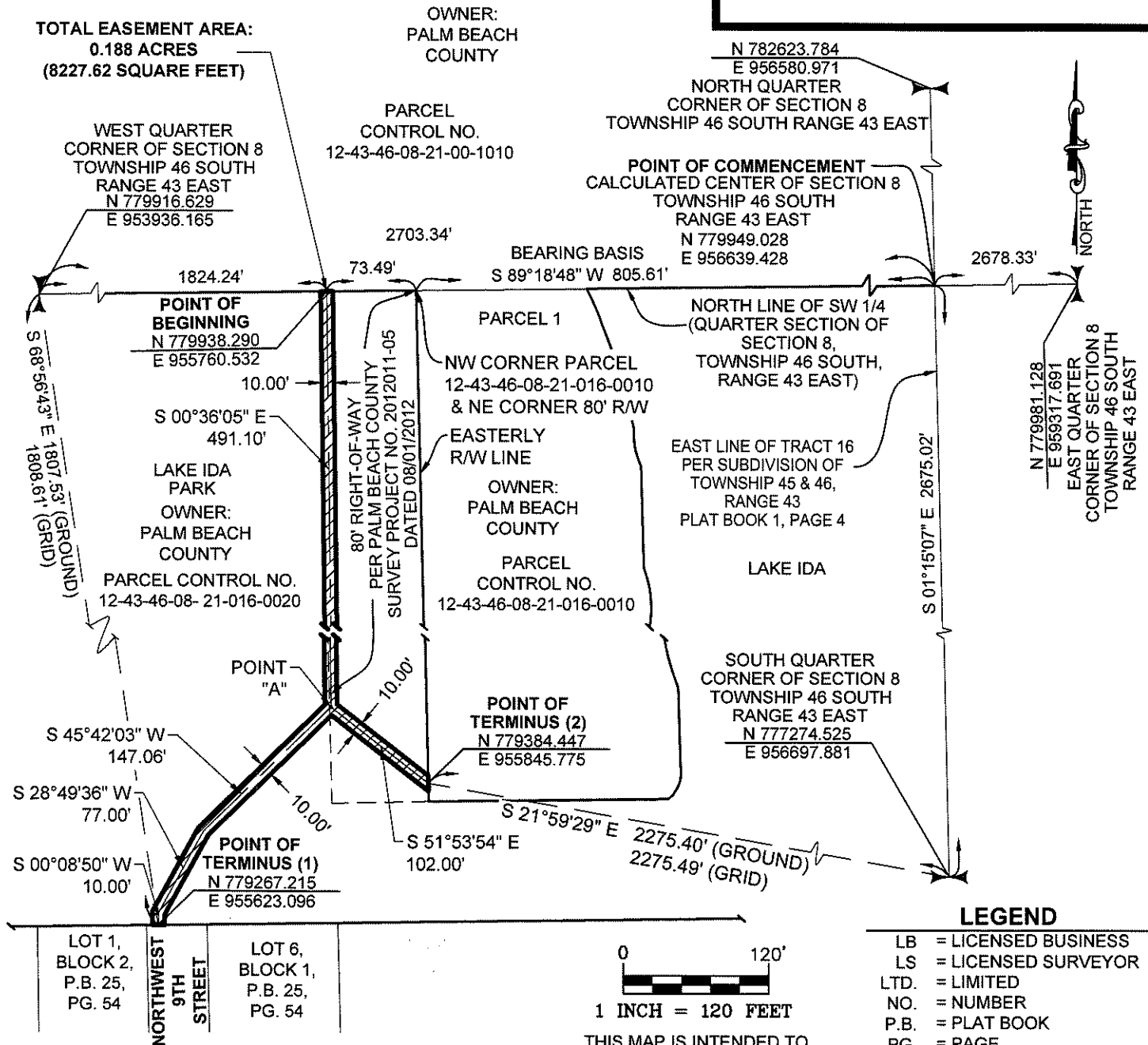
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FLORIDA POWER AND LIGHT  
EASEMENT

PALM BEACH COUNTY			FLORIDA
PROJECT NO. 100207-01-037	REVISED: May. 8, 2025	DATE: 02/25/2025	
CADD FILE: EXHIBIT 73 DCR5	WR NO. 12794252	SCALE: N/A	SHEET: 1 OF 2

FILE: V:\100207 - PIKE-FPL\100207-01-037 (SUR) - PIKE FPL EAST 2024 - LINTON 38\SURVEY\TASK 1 LINTON 38-1 #252\SURVEY\GIS\EXHIBIT 73 DCR5

EXHIBIT "A"  
SKETCH AND DESCRIPTION  
THIS IS NOT A SURVEY



ADDRESS:

975 NORTHWEST 9TH STREET, DELRAY BEACH FLORIDA

NOTE: SEE SHEET 1 OF 2 FOR DESCRIPTION, SURVEYOR'S NOTES AND CERTIFICATION.

**Bowman**

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10815 S.W. Tradition Square  
Port St. Lucie, FL 34987 www.bowmanconsulting.com

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FLORIDA POWER AND LIGHT

EASEMENT

PALM BEACH COUNTY

FLORIDA

PROJECT NO. 100207-01-037

REVISED: May. 8, 2025

DATE: 02/25/2025

CADD FILE: EXHIBIT 73 DCR5

WR NO. 12794252

SCALE: 1"=120'

SHEET: 2 OF 2

FILE: V:\100207 - PIKE-FPL\100207-01-037 (SUR) - PIKE FPL EAST 2024 - LINTON 38\SURVEY\TASK 1 LINTON 38-1 #252\SURVEY\GIS\EXHIBIT 73 DCR5

**NONGOVERNMENTAL ENTITY HUMAN  
TRAFFICKING AFFIDAVIT (§ 787.06(13), Fla. Stat.)  
THIS AFFIDAVIT MUST BE SIGNED AND NOTARIZED**

I, the undersigned, am an officer or representative of FPL Co.  
(CONTRACTOR) and attest that CONTRACTOR does not use coercion for labor or services as  
defined in section 787.06, Florida Statutes.

**Under penalty of perjury, I hereby declare and affirm that the above stated facts are true  
and correct.**

[Signature]  
(signature of officer or representative)

X Melissa Roettger  
(printed name of officer or representative)

**State of Florida, County of Palm Beach**

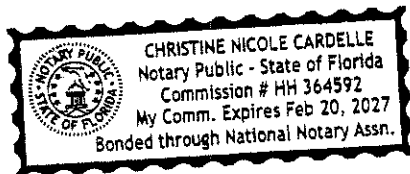
Sworn to and subscribed before me by means of ☒ physical presence or ☐ online notarization  
this, 25th day of February, 2025 by Melissa Roettger

Personally known ☐ OR produced identification ☒.

Type of identification produced FCL/CL

[Signature]  
NOTARY PUBLIC

My Commission Expires:  
State of Florida at large



(Notary Seal)

Lake Ida-FPL Easement



To: WHOM IT MAY CONCERN

Date: October 1, 2024

Re: FLORIDA POWER & LIGHT COMPANY  
AUTHORIZATION TO SIGN HUMAN TRAFFICKING AFFIDAVITS AND  
RELATED DOCUMENTS

I, David Flechner, Vice President, Compliance & Corporate Secretary for Florida Power & Light Company, do verify that the following listed individual:

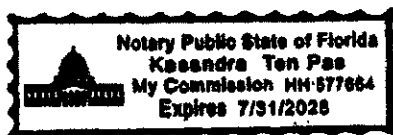
**MELISSA ROETTGER, SENIOR CUSTOMER ADVISOR**

is authorized to represent, sign for, and act on behalf of Florida Power & Light Company in matters relating to human trafficking affidavits and all related matters.

David Flechner  
Vice President, Compliance &  
Corporate Secretary

STATE OF FLORIDA                     )  
  ) ss  
COUNTY OF PALM BEACH        )

The foregoing instrument was acknowledged before me on October 1, 2024 by David Flechner, Vice President, Compliance & Corporate Secretary of Florida Power & Light Company, a Florida corporation. He is personally known to me and did not take an oath.



Notary Public  
State of Florida

Florida Power & Light Company

700 Universe Boulevard, Juno Beach, FL 33408