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The Palm Beach Post

REAL NEWS STARTS HERE

Friday, May 17, 2019

palmbeachpost.com

\$2

Prosecutors: Keep Raja in prison during appeal in Jones death

By Daphne Duret
The Palm Beach Post

Calling him a killer who wounded the law enforcement community, prosecutors this week asked a judge to keep former Palm Beach Gardens police Officer



Raja

Nouman Raja in prison as he fights his convictions and 25-year prison sentence for the 2015 shooting death of stranded motorist Corey Jones.

Raja's attorneys this month asked Circuit Judge Joseph Marx to free Raja as he appeals the guilty

verdicts a Palm Beach County jury returned against him in March on manslaughter and attempted murder charges. The convictions make the now imprisoned 41-year-old the first police officer in three decades to be held criminally liable for taking a life while on duty.

Assistant State Attorney Brian Fernandes objected to Raja's request Monday, asking Marx in a six-page court filing to reject it without conducting a hearing. Florida Department of Corrections records show Raja arrived at a prison reception center from the Palm Beach County jail on May 1, less than a week after Marx sentenced him.

See RAJA, A7

Feds to send 500 immigrants to county

Palm Beach, Broward officials critical of plan

Sheriff calls 'catch-and-release' a 'danger'

Gov. DeSantis wasn't notified in advance, A7



Palm Beach County Mayor Mack Bernard speaks next to Sheriff Ric Bradshaw and FAU Police Chief and Palm Beach County Association of Chiefs of Police President Sean Brammer, far right, after the announcement Thursday that the Border Patrol will transport 1,000 immigrants a month to Palm Beach and Broward counties. (GREG LOVETT/PALMBEACHPOST.COM)

By Hannah Morse
The Palm Beach Post

WEST PALM BEACH — Palm Beach County officials on Thursday criticized the federal government's plan to send as many as 1,000 immigrants per month from the U.S.-Mexico border to Palm Beach and Broward counties.

Palm Beach County Sheriff Ric Bradshaw said he was

inside

President Trump introduces an immigration plan favoring 'merit' over family ties A3

informed earlier this week by the head of Border Patrol in Miami that about 500 people in "family units" who had crossed the border illegally would be brought from El Paso, Texas, to Palm Beach County. Bradshaw

said the process would begin within two weeks, but federal agents did not indicate when it would end.

"It's not a good plan," Bradshaw said during a news conference Thursday afternoon at PBSO headquarters. "We think it's a danger to this community, and it's going to put a real strain on what the resources are."

See FEDS, A12

Trump's businesses down \$3.6M in county

2018 financial report shows drop for Mar-a-Lago and two golf courses in the county

By Christine Stapleton
The Palm Beach Post

President Donald Trump's revenue from his Palm Beach County businesses, including Mar-a-Lago and two golf courses, dropped \$3.6 million in 2018, according to financial disclosure forms released Thursday.

Mar-a-Lago, the president's private club in Palm

Beach, was the biggest loser compared with other South Florida Trump businesses.

Mar-a-Lago saw a 10% drop from \$25.1 million in 2017 to \$22.7 million in 2018. The decline could reflect the hit Trump sustained when more than 20 charities canceled their pricey fundraisers at in response to the president's comments about protesters at a deadly white-supremacist rally in Charlottesville, Virginia, in 2017.

See TRUMP, A7

Jury awards cyclist millions for injuries

Jonathan's Landing must pay for injuries suffered when man hit pole in path

By Jane Musgrave
The Palm Beach Post

WEST PALM BEACH — One minute James Schnurr was enjoying a postcard-perfect South Florida day with his wife, bicycling

along a lushly landscaped path near the couple's home in Jonathan's Landing in Jupiter.

The next minute, the 64-year-old chief accountant for the Securities and Exchange Commission was lying in a heap, his body and his life irreparably broken.

See INJURIES, A10

How NextEra became national utilities star

Florida Power & Light's parent rides smart buys, alt energy to lofty post as nation's most valuable

By Jeff Ostrowski
The Palm Beach Post

In a stunning transformation from also-ran to star, NextEra Energy has emerged over the past decade as the

nation's most valuable utility, an investor darling and a green energy stalwart.

As the Juno Beach-based company's share price routinely sets new records, it's easy to forget that, in recent memory, NextEra was an afterthought in the energy business, a company whose prospects seemed so mediocre that investors held the stock in hopes that a larger rival

would snap it up.

Nearly two decades ago, NextEra — then known as FPL Group — said it would be swallowed by a Spanish utility. That deal fell apart, and FPL Group followed up later in 2000 by announcing it would buy New Orleans-based Entergy. Investors were irritated.

See NEXTERA, A10

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KOFSKI
ESTATE SALES

NEXTERA

From Page A1

"I thought FPL would be sold to another company at a premium," Steven Lehman, manager of the Federated Utility Fund, said at the time. "It's a disappointment to get no premium."

The Entergy merger collapsed, but NextEra shook off that setback and proceeded to build itself into the utility sector's star. In 2001, NextEra's \$10 billion value was the 30th-largest market capitalization among publicly traded utilities. Today, it's worth \$90 billion, making it No. 1 by a wide margin. In a distant second is North Carolina-based Duke Energy, worth \$63 billion as of Thursday.

Since the days of FPL's ill-fated negotiations with Entergy, NextEra has rewarded shareholders with a return of 1,692 percent, said Ken Berman, head of investment-advice service Gorilla Trades in Jupiter and an owner of NextEra stock. In other words, NextEra's days of disappointing investors are long past.

"They're perceived as the best—the fastest-growing, the highest-quality, with a robust future," said Andy Smith, a utility analyst at Edward Jones in St. Louis. How did NextEra outsmart and outmaneuver its rivals? The answer is complicated, but it starts with NextEra's Florida Power & Light, a reliable profit producer that's the primary provider of power in a fast-growing state that's now the nation's third-largest.

Population growth is only part of the story, however. Florida's influx of new residents slowed during the Great Recession, just as NextEra was widening its lead on other utilities. At any rate, rapid population growth is something of a mixed bag for utilities, which must invest heavily in new power plants to pump out electricity for all those new homes and businesses.

NextEra's fortunes have risen thanks to a combination of mergers with smaller rivals such as Gulf Power and investments in wind and solar power around the U.S., and the work it has done in new power plants to pump out electricity for all those new homes and businesses.

NextEra declined to comment for this story.



An FPL crewman puts a switcher on the power lines above North County Road in Palm Beach back in 2015. (GREG LOVETT/PALMBEACHPOST.COM)

Early green power investor

As an early investor in green power, NextEra set itself up to sell wind energy to other utilities. Many power companies are compelled by state regulators to produce at least some of their electricity from green sources.

"NextEra didn't just see the trend coming," Berman says. "It was aggressive about capitalizing on government support for renewable energy, in particular the tax subsidies that help finance wind and solar projects around the country."

The result is that NextEra for years has been the nation's largest producer of renewable energy—a lead it aims to keep. As the costs of solar panels have fallen, NextEra and its FPL division have invested aggressively in harnessing energy from the sun. FPL, for its part, now operates 18 solar plants. FPL expects to install 30 million solar panels statewide by 2030.

FPL also hopes to begin harvesting solar energy in its home county. The utility plans to build a solar plant in Westlake, the recently incorporated municipality in western Palm Beach County. In another solar project, FPL last year paid \$19.3 million for 1,288 acres in western Palm Beach County. That property, surrounded by Indian Trail Groves, is slated for a solar farm.

"They're the clear leaders in wind and solar, and it looks like the country is moving more and more toward clean energy," Smith said.

Investing \$12B in projects

NextEra expects to invest \$12 billion in new projects

this year.

"Only AT&T, Verizon and Amazon invested more in this country than we did in terms of capital investment," Chief Executive James Robo told analysts in January. "And we're going to continue to do what we have done for more than a decade, which is invest smart capital at FPL to improve the value proposition for customers."

NextEra reported a profit of \$6.6 billion on revenue of \$17 billion in 2018, making it both massively profitable and the largest company headquartered in Palm Beach County.

14,148 employees in US

Investors aren't the only ones to benefit from NextEra's strong run in recent years. The company also employs thousands of well-paid workers. In 2018, the company had 14,148 employees in the U.S., and their median pay was \$125,365, NextEra disclosed in a regulatory filing.

That's higher than any other publicly traded company headquartered in Palm Beach County, according to Palm Beach Post research. NextEra's employee pay is ninth-highest among publicly traded utilities, a sector that commonly pays six-figure salaries to rank-and-file workers.

Ratepayers also have benefited from NextEra's acumen, a message that FPL tirelessly repeats. FPL's residential customers' typical bill is \$99.38, well below the national average of \$142.81.

That has led to congenial relations between FPL and its regulatory overseer, the Florida Public Service Commission.

"Much of the company's success hinges on the relationships it has

built through years of low power prices and excellent customer service," Morningstar analyst Andrew Bischof wrote in a recent report. "Although regulatory relations in Florida have improved significantly, it's always possible that regulators could reverse their stance and put at risk FPL's ability to deploy capital at attractive rates of return."

The possibility of rising interest rates also poses a threat. With U.S. unemployment at a 50-year low, it's possible that the Federal Reserve could raise interest rates—and that, in turn, might lead some investors to trade their utility shares for safer investments.

In general, utility stocks are defensive plays. Utility investors typically focus on the dividend rather than the company's growth prospects.

Utility as growth stock

"As a general rule, utilities go down or sideways if interest rates go up," said Carl Domino, a money manager in Palm Beach. "NextEra may well be the exception."

That's because NextEra seems to have pulled off the unusual feat of positioning a utility as a growth stock. Its yield of 2.6 percent is below that of other utilities, suggesting its shareholders might be less worried about dividend checks than investors in such companies as Charlotte-based Duke or Atlanta-based Southern Co., both of which yield more than 4 percent.

Jupiter investor Berman says the looming expiration of federal tax breaks for wind power could hamper NextEra's growth. But he thinks the company can cut through that headwind with more growth in solar power. Intriguingly, NextEra is beginning to build wind farms and solar arrays directly for power-hungry data centers run by Google and others.

NextEra's "out-performance seems very likely to continue as NextEra keeps investing aggressively in both energy storage and renewables," Berman said.

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INJURIES

From Page A1

Schnurr broke his neck when he crashed into a pole

he couldn't see and the club before the trial, said attorney Thomas Angelo, who also represents the couple. That means it can't be forced to pay any additional money.

Ehrenreich said he will file motions asking Palm Beach County Circuit Judge Lisa Small to toss out the verdict. If that fails, he said the association will decide whether to launch an appeal. Schlesinger said the accident was totally preventable.

Riding behind his wife, Schnurr couldn't see the pole before it was too late, Schlesinger said. His view of the pole was blocked by his wife and also because it was painted beige to blend in with the surroundings, he said.

"The association was more interested in the way things look than the way things function," Schlesinger said. Had the association hired engineers before planting poles in the middle of each lane of the path, they would have discovered decades of research about how to do it safely, Schlesinger said. Transportation engineers

Todd Ehrenreich, who represented the association during the five-week trial.

The jury also found that Jonathan's Landing Golf Club was 5% responsible for the accident. The Schnurrs reached a confidential settlement with the club before the trial, said attorney Thomas Angelo, who also represents the couple. That means it can't be forced to pay any additional money.

Ehrenreich said he will file motions asking Palm Beach County Circuit Judge Lisa Small to toss out the verdict. If that fails, he said the association will decide whether to launch an appeal. Schlesinger said the accident was totally preventable.

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"The association was more interested in the way things look than the way things function," Schlesinger said. Had the association hired engineers before planting poles in the middle of each lane of the path, they would have discovered decades of research about how to do it safely, Schlesinger said. Transportation engineers

testified that poles should be painted bright yellow. Markings should be placed on the sidewalk to warn bicyclists that there's an obstacle ahead. Further, instead of heavy, immovable wooden poles, flexible ones are recommended, Schlesinger said.

Palm Beach County building officials would not have signed off on the poles if the association had sought permits for them, which it didn't, he said. Ironically, the poles were installed to protect bicyclists.

While roughly 10 miles of bike paths cut through the exclusive community along the Intracoastal Waterway, poles were placed at only one intersection. They were put in more than a decade ago after residents said they saw a car using the path as a shortcut, Schlesinger said.

The association tried to argue that it wasn't responsible for the bike paths, but legal documents say otherwise and Small rejected that claim, Angelo said.

Schnurr, now 67, is living in a rehabilitation facility in Connecticut, dealing with health woes that plague quadriplegics, Angelo said. While the multimillion-dollar jury verdict may sound high, the money will be quickly consumed by Schnurr's staggering health needs, he said. Schlesinger, who is also

a general contractor, said he hopes other property owners associations take note of the verdict and analyze their communities in search of dangerous obstacles.

In 2013, a similar message was sent out when a Palm Beach County jury ordered a Jupiter condominium association to pay \$12 million to a couple whose son was hit and killed by a driver who couldn't see the youth because the hedges at the complex hadn't been trimmed. Statewide groups that represent condominium associations urged their members to take note of that verdict, which was upheld on appeal.

Like the couple who lost their son, the Schnurrs are dealing with the horrific consequences of poor decision-making, Schlesinger said.

Schnurr, who played professional basketball in Europe before beginning his business career, was wearing a helmet. He was riding about 14 mph. He was simply enjoying an afternoon out in the sunshine with his wife.

"This shouldn't have happened," Schlesinger said. "This man is a quadriplegic because those people installed something that shouldn't have been there."

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CITY OF BOCA RATON NOTICE OF PUBLIC HEARING NOTICE OF ZONING CODE CHANGE

NOTICE IS HEREBY GIVEN that the City Council of the City of Boca Raton, Florida will conduct the first of the two (2) public hearings on the following proposed ordinance at the Regular City Council Meeting on **Wednesday, May 29, 2019 at 6:00 p.m.**, or as soon thereafter as possible. No vote will be taken on the ordinance. The meeting will be held in the Council Chamber at Boca Raton City Hall, 201 West Palmetto Park Road, Boca Raton. The ordinance in its entirety may be inspected at the Office of the City Clerk during regular business hours. All interested parties are invited to attend and be heard on **Wednesday, May 29, 2019**, with respect to the proposed ordinance.

Ordinance No. 5487

An ordinance of the City of Boca Raton considering amendments to Chapter 28 "Zoning." Code of Ordinances, with regard to assisted living facilities (ALFs), nursing homes and hospitals, to provide for the consistent use of terminology, delete obsolete terms, and affirm that such uses are regulated by beds per acre (BPA) and have a maximum of 75 beds per acre; deleting the obsolete term "orphanage" as a use; amending Chapter 28, Article I, Section 28-3, "Intent, Purposes, Methods," Code of Ordinances, to affirm, generally, that Chapter 28 is interpreted and applied in accordance with Federal and State law; providing for severability; providing for repeal; providing for codification; providing an effective date (AM-17-12)

Information on the ordinance may be obtained from the Development Services Department, City Hall, 201 West Palmetto Park Road, Boca Raton, Florida 33432 (561-393-7789).

NOTICE: If any decision of the City Council affects you, and you decide to appeal any decision made at this meeting with respect to any matter considered, you will need a record of the proceedings and, for such purposes, you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This NOTICE is required by State Law. If you desire a verbatim transcript, you shall have the responsibility, at your own cost, to arrange for the transcript.

In accordance with the Americans with Disabilities Act and Florida Statutes 286.26, persons with disabilities needing special accommodation to participate in this proceeding should contact the Office of the City Clerk at 393-7740 at least three business days prior to the proceeding (whenever possible) to request such accommodation.

Susan S. Saxton, CMC
City Clerk, City of Boca Raton

PUBLISH: May 17, 2019

NOTICE OF PROPOSED ORDINANCE ADOPTION

The Town of Manalapan proposes to adopt the following Ordinance:

ORDINANCE NO. 367

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING CHAPTER 15I: ZONING OF THE CODE OF ORDINANCES OF THE TOWN OF MANALAPAN AT THE R1-A RESIDENTIAL LOW DENSITY ZONING DISTRICT, TO REVISE THE REGULATIONS FOR CONSTRUCTION IN THIS ZONING DISTRICT TO ALLOW FOR THE OPTION TO CONSTRUCT THE ONE PERMISSIBLE PRIMARY RESIDENCE ON EITHER THE EAST OR THE WEST SIDE OF HIGHWAY A-1-A; TO PROVIDE ADDITIONAL REGULATIONS FOR ACCESSORY STRUCTURES AND USES RELATIVE TO THE CHOICE TO CONSTRUCT THE PRIMARY RESIDENCE ON THE EAST SIDE OF HIGHWAY A-1-A, AND TO PROVIDE FOR INTERNAL CONSISTENCY BETWEEN NEW AND EXISTING REGULATIONS IN THIS ZONING DISTRICT AND IN ZONING DISTRICT R1-B; ALSO AMENDING CHAPTER 15I: ZONING OF THE CODE OF ORDINANCES OF THE TOWN OF MANALAPAN AT SEC. 15I.003, DEFINITIONS, TO PROVIDE NEW TERMINOLOGY AND NEW AND UPDATED DEFINITIONS FOR CERTAIN ACCESSORY STRUCTURES AND USES; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 15I, ZONING, SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

A Public Hearing and First Reading of Ordinance No. 367 amending the Zoning Code as described above will be held by the Town Commission on Thursday, May 23, 2019 at 10:00 a.m. or as soon thereafter as these items can be heard and continuing from time to time and place to place at the Town Commission Chambers located at 600 South Ocean Boulevard, Manalapan, Florida.

Copies of the proposed Ordinance No. 367 can be inspected and copied in the office of the Town Clerk during normal business hours of 9:00 a.m. to 5:00 p.m., Monday through Friday. All interested persons are encouraged to come to the public hearing and be heard.

If a person decides to appeal any decision made by the Town Commission with respect to any matter considered at this meeting or hearing, he or she will need to ensure that a verbatim record of the proceedings is made, which record should include the testimony and evidence from which the appeal is to be based. The Town of Manalapan does not provide such a record.

PUBLISH: May 17, 2019

FEDS

From Page A1

Once brought to the Port of Palm Beach, the immigrants would be processed and given a notice to appear in court at a later date, the sheriff said he was told by federal officials. Bradshaw scoffed at the notion the immigrants would show up for their court appearance, comparing the plan to a "catch-and-release program."

"No accommodations for transportation leaving there. No accommodations for shelter or a place to live. Just no real plan on what's going to happen to these 500 people every month that are going to come to Palm Beach County and be released into our community," Bradshaw said.

It's not known yet from which countries the immigrants originated from, or why Palm Beach and Broward counties were chosen to receive them. Bradshaw said, as it was explained to him by Border Patrol, that during the border interview process immigrants likely said that their final destination after crossing the border would have been Florida because of family or other reasons.

Palm Beach County Mayor Mack Bernard told The Palm Beach Post that he believed the move was politically motivated in part because the county is Democratic.

"First of all, I'm concerned about how it would impact our resources in Palm Beach County," he said. "I'm concerned about just the administration bringing people to Palm Beach County and potentially dropping them off and leaving them as the responsibility of Palm Beach County and the community."

Bernard, who learned about the potential plans around noon Thursday, said the county has been

"To bring hundreds of people here every week without providing the necessary resources to house and feed them is inhumane. Although our commission has not had the chance to address this issue, in my opinion, the people that we can't find shelter for and will become homeless. I would suggest, that we bring them to the Trump hotels and ask the president to open his heart and home as well."

Mark Bogen, Broward County mayor

placed in a tough spot. And he raised a key issue: Will the influx of immigrants be the county's responsibility or the federal government's?

If resources are strained enough, Bernard said, it could force the county to call for a state of emergency.

"We will do everything in our power to feed those individuals and provide them shelter, but it will... create this financial strain on our already tight budget in Palm Beach County," Bernard said during the news conference.

Had the county been given the opportunity to plan for this influx, Florida Atlantic University Police Chief and Palm Beach County Association of Chiefs of Police President Sean Brammer said "we would have been able to tackle this a lot better than what was presented to us."

Broward County Mayor Mark Bogen said in a press release that the plan was "irresponsible policy."

"To bring hundreds of people here every week without providing the necessary resources to house and feed them is inhumane," Bogen said. "Although our commission has not had the chance to address this issue, in my opinion, the people that we can't find shelter for and will become homeless, I would suggest, that we bring them to the Trump hotels and ask the president to open his heart and home as well."

Like Bernard, Broward officials also suggested in a press release that political motivations may be at play. "President Trump

has threatened to send people who illegally cross the border to communities that are considered immigrant friendly," the press release said.

Broward Sheriff Gregory Tony said he was informed of the plan by Bradshaw, "although no state or federal official confirmed such action would be taking place," and would plan to meet with Broward commissioners to address the impacts.

Republican U.S. Sen. Marco Rubio tweeted that "unlawful arrivals are overwhelming our system" and that Bradshaw had notified him of the transfer plan. Democratic U.S. Rep. Alice Hastings, D-Delray Beach, said the administration was "using the weakest and most vulnerable as political pawns in its morally bankrupt immigration policies."

Bradshaw and Bernard noted that Palm Beach County has a mass migration plan, but "it didn't include having hundreds of people coming on a weekly basis," Bernard said.

The migration plan, Bradshaw said, is designed to address immigrants coming via a mass influx, as happened from Cuba in 1980, "not Border Patrol bringing us their overflow from another state. That's not what it was designed for."

"It's not for this reverse type of situation where the federal government's actually bringing the illegal immigrants to us versus them coming from the outside," Bradshaw said.

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IN BRIEF

ALEXANDRIA, VA. Chelsea Manning sent back to jail for refusing to testify

Former Army intelligence analyst Chelsea Manning was ordered back to jail Thursday for refusing to testify to a grand jury, even after telling a judge she'd rather "starve to death" than cooperate with prosecutors.

U.S. District Judge Anthony Trenga ordered her to remain incarcerated at the Alexandria jail either until she agrees to testify or until the grand jury's term expires in 18

months. He also imposed fines that will kick in at \$500 a day after 30 days and \$1,000 a day after 60 days.

Manning already spent two months in jail for refusing a previous subpoena to testify to a grand jury investigating Wikileaks.

NORFOLK, VA. Navy SEAL pleads guilty in hazing death of Green Beret

A U.S. Navy SEAL pleaded guilty Thursday to hazing and assault charges for his role in the 2017 strangulation of

a U.S. Army Green Beret in Africa.

Adam Matthews entered the plea at a special court-martial hearing at Naval Station Norfolk in Virginia.

Matthews was one of four U.S. service members who were charged with murder and other crimes in the hazing-related death of Army Staff Sgt. Logan Melgar, a Texas native.

"I can't describe how sorry I am for the death of Staff Sergeant Melgar," Matthews told the court. "I am truly sorry."

The Associated Press

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