

Hato Rey Community Hospital

DL-122997-06

December 29, 1997

Mr. John Potter
Regional Administrator
US Nuclear Regulatory Commission
Region II
61 Forsyth St. S. W. Suite 23T85
Atlanta GA, 30303-3415

RE: License No. 52-17704-01

Dear Mr. Potter:

This is to notify you about a change of ownership of the Hato Rey Community Hospital. Previous information was sent to you in April 15, 1997 related to an agreement between the mortgagor (Bani-Puerto Rico, Inc.) and the Housing and Urban Development signed in October 1, 1996. Now, I am sending you a copy of the Memorandum of Foreclosure Sale that adjudicates the Hospital to the United States Department of Housing and Urban Development.

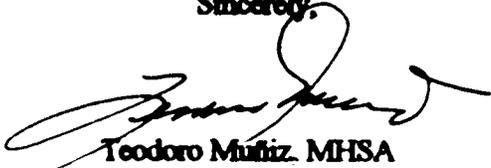
We are submitting below the information concerning the changes of ownership:

1. There is no change of name of the licensed organization.
2. There is no change in the licensee contact telephone number(s).
3. There is no change related to the personnel having control over licensed activities. The licensee, authorized users and Radiation Safety Officer remain the same.
4. Will continue operating under the same licensee's conditions as usual.
5. The transaction explaining the change of ownership is included in the attached document entitled Memorandum of Foreclosure Sale.
6. There are no planned changes in the organization, location, facility, equipment or procedures.
7. There are no changes in the use, possession, location or storage of the licensed materials.
8. There are no changes in the organization, location, facility, equipment, procedures or personnel that would require a license amendment.

9. The surveys and records have been maintained in accordance to NRC regulations. The same personnel will be in charge to continue the surveillance program and record keeping as it has been done until now.
10. All records concerning decommissioning plans, public dose, waste disposal and radioactive material spills will remain in the same location under the control of the same personnel.
11. There are no radioactive contamination problems at present and all records concerning contamination will remain in the same location under the control of the same personnel.
12. There is no need for a decontamination plan related to this transfer of ownership.
13. The same personnel will continue to handle any records, corrective action, open inspection item, enforcement action and decontamination process if needed.
14. The same personnel will continue to handle the licensed material and be responsible for any corrective action, open inspection item and enforcement action.
15. The same personnel will be operating under this license abiding by all constraints, conditions, requirements, representations and commitments identify in the existing license.

All administrative and clinical operations and personnel remain the same under this new arrangement regarding the change of ownership of the Hato Rey Community Hospital. In case of any doubt please do not hesitate to contact Dr. Sandra C. Gracia, Director of Nuclear Medicine Service and/or Dr. Irma L. Molina, RSO of the Hato Rey Community Hospital at phone numbers (787) 756-6747 or (787) 758-7575 extension 3372.

Sincerely,



Teodoro Muñiz, MHSA
Executive Director

2007/2/9

LAW OFFICE
ERNESTO GONZALEZ PINERO *

file

UNION PLAZA BUILDING
SUITE 31 - 00907
416 PONCE DE LEON AVENUE
HATO REY, PUERTO RICO 00880

PO BOX 10785
SAN JUAN PR 00910-1855
AREA CODE 787
TELE 763-4157
763-0465
FAX 250-8804

ASSOCIATES
MARGARET A. GILLOW
ARMANDO J. WENZEL

OUR TELEFAX NO. IS (787) 250-3304

FROM: *E. Gonzalez*

TO: <i>Mr. Juanita Lopez</i>	TELEFAX NO.
ATTENTION: <i>for Telecom Ministry</i>	<i>753-1605</i>

DATE: <i>12/4/97</i>	TIME: <i>3:45 P</i>
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TOTAL NUMBER OF PAGES
INCLUDING COVER LETTER

MESSAGE: *Documente Selectado*

[Handwritten signature]

IMPORTANT NOTICE

If you have not received the total number of pages indicated above please call our number (787) 763-4157.

----- MEMORANDUM OF FORECLOSURE SALE -----

-----I, the City of San Juan, Puerto Rico at San Juan Judicial Center, Office of the Marshal located in the sixth floor, Muñoz Rivera Avenue, Hato Rey, San Juan, Puerto Rico at 10:00 o'clock in the morning of November 14, 1997, after having been duly appointed Foreclosure Commissioner by the Secretary of Housing and Urban Development of the United States of America I proceeded to hold a Public Auction for the sale of the following described properties:

-----Parcel A: -----

-----"URBAN: Lot located at Hato Rey Sub-Ward, Río Piedras Ward, Municipality of San Juan, Commonwealth of Puerto Rico, rectangular in shape, with an area content of TWO THOUSAND THREE HUNDRED EIGHTY-FIVE SQUARE METERS (2,385.00 sq. mts.). It is bounded on the WEST, in a distance of Thirty Meters (30.00 m.) by Ponce de León Avenue; on the SOUTH, in a distance of Seventy-Nine Meters Fifty Centimeters (79.50 m.) by property of Ramón Alonso, previously Juan Marrero Miranda, Ramona Muñoz Viuda de Alonso, and Hato Rey Enterprises; on the NORTH, in a distance of Seventy-Nine Meters Fifty Centimeters (79.50 m.) by property of Hato Rey Executive Building, Inc., previously Jaime Fontánez and Francisco López García; and on the EAST, in a distance of Thirty Meters (30.00 m.) by Los Pinos Street, previously Nevárez Street." On this lot there is a three-story concrete building with an area of Thirty-Three Thousand Square Feet (33,000.00 sq. ft.) where "Hospital Nuestra Señora de la Guadalupe" (now Hato Rey Community Hospital) is located and a new high-rise tower consisting of one basement, one ground floor and seven (7) typical floors with a total area of Seventy-Five Thousand Six Hundred and Two Square Feet (75,602.00 sq. ft.). -----

-----The property is recorded at Page (Folio) 59 over of Volume (Tomo) 825 of Río Piedras Norte, Registry of the Property of Puerto Rico, Second Section of San Juan, Property number 16,261. -----

-----Parcel B: -----

-----"URBAN: Lot located at Hato Rey Sub-Ward, Río Piedras Ward, Municipality of San Juan, Commonwealth of Puerto Rico, marked with number Three (3) of Block "D" in the Development Plan dated November Ten (10), nineteen hundred twenty-two (1922), prepared by Mister R.F. Delgado, Architect, wich Plan was attached to Deed Number One Hundred (100), dated November twenty-five (25), nineteen hundred twenty-two (1922), executed before Notary Public Juan de Guzmán Benítez, with an area content of Four Hundred Fifty-Seven Square Meters and Fifty Hundredths of another (457.50 Sq. Mts.). It is bounded on the NORTH, in a distance of Thirty Meters Six Hundred Fifty Millimeters by lot number four of block "D", property of Hernán Hernández; on the EAST, in a distance of Fifteen Meters Six Hundred Eighteen Millimeters (15.618 m.) by lot number 11 of block "D", property of Mercedes de la Torre; on the SOUTH, in a distance of Thirty Meters Seven Hundred Fifty-Eight Millimeters (30.758 m.) by lot number Two (2) of block "D", property of Mercedes de la Torre; and, on the WEST, in a distance of Fifteen Meters Two Hundred Sixty-Three Millimeters (15.263 m.) by Los Pinos Street, previously Nevárez Street, of the Development." On this lot there is two-story reinforced concrete house and an accessory building used for a garage and servants' quarters. -----

-----The property is recorded at Page (Folio) 51 of Volume (Tomo) 825 of Río Piedras Norte Registry of the Property of Puerto Rico, Second Section of San Juan, Property number 4,197. -----

-----Parcel C: -----

-----"URBANA: Solar radicado en el Barrio Hato Rey de Rio Piedras, Puerto Rico que comprende los solares marcados con los números UNO (1), DOS (2), TRES(3) y parte del CUATRO (4), comprendidos en la Manzana "B" del Plano de Urbanización de Ciudad Nueva con una cabida de MIL QUINIENTOS TREINTA Y OCHO PUNTO CINCO MIL NOVECIENTOS CINCUENTA Y SIETE (1,538.5957) METROS CUADRADOS, colindando por el NORTE, en Cincuenta y Dos Punto Ciento Sesenta y Nueve (52.169) Metros con el Hospital Nuestra Señora de la Guadalupe; por el SUR, en Cincuenta y Dos Punto Setecientos Veinticuatro (52.724) Metros con la Calle Matienzo Cintrón, antes Calle de la Torre; por el ESTE, en Veintinueve Punto Trececientos Treinta y Cinco (29.335) Metros con el remanente del Solar Número Cuatro (4) perteneciente a Juan Marrero Miranda; y por el OESTE, en Veintinueve Punto Trececientos Cuarenta y Dos (29.342) Metros con la Avenida Ponce de León." -----

-----The property is recorded at Page (Folio) 21 of Volume (Tomo) 1209 of Rio Piedras Norte, Registry of the Property of Puerto Rico, Second Section of San Juan, Property number 34,543. -----

-----The appointment of Foreclosure Commissioner was made pursuant to Section 365 of the Multifamily Mortgage Foreclosure Act of 1981 (12 U.S.C. §3704). Said appointment was made on September 12, 1997 and accepted by the undersigned on October 20, 1997. -----

-----A copy of the Appointment for Foreclosure Commissioner was duly presented for recordation at Entry (Asiento) 105 of Book (Diario) 939 of the Second Section of the Registry of the Property of San Juan on October 23, 1997. -----

-----An Amended Notice of Default and Foreclosure Sale was issued by the undersigned on October 20, 1997 and it was caused to be published in El Dia Newspaper on October 24, October 31 and November 6, 1997. A copy of said Notice was fixed in the Bulletin Board of the following public places:-----

----- (a) Hato Rey Community Hospital - Hato Rey, P.R. -----

----- (b) Collector of Internal Revenue Office at Rio Piedras, Puerto Rico. -----

----- (c) San Juan City Hall. -----

----- (d) Post Office - Hato Rey, P.R. -----

----- (e) San Juan Judicial Center - Hato Rey, P.R. -----

-----The notice of Default and Foreclosure Sale, together with a copy of the Designation of Foreclosure Commissioner, was mailed Certified Mail Return Receipt requested, to BWH-Puerto Rico, Inc.

311 279

Foreclosure Sale
c/o Dr. Roberto Kutcher to the following address: PO BOX 11338,
Santurce PR 00910. -----

-----I further received the postal green card evidencing receipt of
said correspondence. -----

-----It was also mailed, certified return receipt, to REICHLARD,
CALAF & WALKER as attorneys for Messrs. Frank Wise, Carl Kruse and
John Slack who are junior lien holders for reason of the
attachments that appear from the Registry of the Property over
Property B hereinbefore described. -----

-----The green card evidencing receipt of the notice was later
received by the undersigned. -----

-----Another copy of Notice of Default and Foreclosure Sale was
hand-tendered to Corporación del Fondo del Seguro del Estado as
holder of two junior liens over Property B to secure attachments as
appear at the reverse of a letter dated October 20, 1997 hand-
delivered to attorney Francisco Fallá Lebrón of the legal division
of said agency, by Mr. Marcelino Colón on October 21, 1997. -----

-----At the Foreclosure Sale only appeared Mrs. Sonia Rivera and
Mr. José Ayala on behalf of the Secretary of Housing and Urban
Development of the United States. Mrs. Rivera expressed that she
was fully aware of the terms of the Notice of Default and
Foreclosure Sale and informed that the unpaid principal balance and
accrued interests as of the date of the sale was \$20,057,163.13.

-----For the reason that there were no other bidders than the
Secretary, I waived all requirements addressed to bidders other
than the Secretary. -----

-----At this stage Mrs. Rivera on behalf of the Secretary of
Housing and Urban Development of the United States proceeded to
offer the amount of TWENTY MILLION DOLLARS FOR THE THREE PROPERTIES
TO BE DIVIDED IN THE SAME PROPORTION OF THEIR MORTGAGE
RESPONSIBILITIES representing said amount the total amount of the
debt except for the balance of FIFTY SEVEN THOUSAND ONE HUNDRED
SIXTY THREE DOLLARS AND THIRTEEN CENTS (\$57,163.13) left as

Memorandum of Foreclosure Sale

deficiency. The bid price was applied to the three liened estates as follows: -----

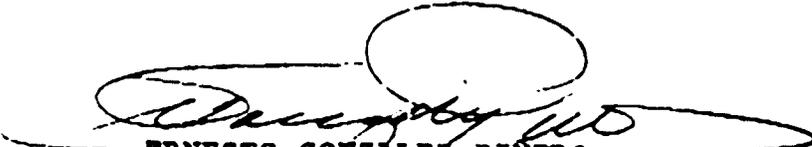
----- Property A - \$18,600,000.00 -----

----- Property B - 800,000.00 -----

----- Property C - 600,000.00 -----

-----There being no other bidder I proceeded to adjudicate and sell the properties to the United States Department of Housing and Urban Development. Upon the adjudication, the undersigned requested from Mrs. Rivera the original mortgage notes for their cancellation within the corresponding Deed of Conveyance. -----

-----San Juan, Puerto Rico, this 14th. day of November. 1997. ---


ERNESTO GONZALEZ PINERO
Foreclosure Commissioner

LICENSE FEE REQUIREMENTS

LICENSE FEE AND DEBT COLLECTION BRANCH
DIVISION OF ACCOUNTING AND FINANCE
OFFICE OF THE CONTROLLER
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001

HATO REY COMMUNITY HOSPITAL
ATTN: TEODORO MUNIZ, MHSA
EXECUTIVE DIRECTOR
CALL BOX 828
HATO REY, PR 00919-0828

TYPE OF ACTION

- NEW LICENSE
 RENEWAL OF LICENSE
 AMENDMENT TO LICENSE

REQUESTED DATE
12-29-97

LICENSE NUMBER
52-17704-01

CONTROL NUMBER
257774 ATTN: RITA MESSIER, LFARB, T9E10

I. APPLICATION FEE DUE

Your request for a licensing action is subject to the fee(s) in the category(ies) noted below in accordance with Section 170.31 of the enclosed Federal Register notice. Payment of the fee is required prior to the issuance of the license, renewal, or amendment.

FEE CATEGORY	APPLICATION	RENEWAL	AMENDMENT
7C	\$	\$	\$ 460.00
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$

FEE(S) DUE \$ 460.00
PAYMENT RECEIVED \$
AMOUNT DUE \$ 460.00

- Your request was received without the prescribed application fee.
- We received your Check No. _____ in the amount of \$ _____. Payment of the additional fee noted above is required.
- Your request will increase the scope of your license program. Therefore, your request is subject to the application fee(s) noted above. Refer to Section 170.31 and Footnote 1(d)(2).
- Your license expired prior to the receipt of your application for renewal. Therefore, your request is subject to the application fee(s) noted above. Refer to Section 170.31 and Footnote 1(a).

MAKE PAYMENT OF THE FEE(S) TO THE U.S. NUCLEAR REGULATORY COMMISSION AND MAIL THE PAYMENT TO THE ADDRESS LISTED AT THE TOP OF THIS FORM. IF WE DO NOT RECEIVE A REPLY FROM YOU WITHIN 30 CALENDAR DAYS FROM THE DATE LISTED BELOW, WE SHALL ASSUME THAT YOU DO NOT WISH TO PURSUE YOUR APPLICATION AND WILL VOID THIS ACTION.

SIGNATURE - LICENSE FEE ANALYST
RITA MESSIER
LFDCB
REMessier
1/16/98

II. FEE NOT REQUIRED

- Enclosed is Check No. _____ which accompanied your request. The fee is not required because:
- We received your Check No. _____ in payment of the fee.
- The Licensing staff has informed us that your request is to be considered as a continuation of your request dated _____, Control No. _____.
- Your request was combined, prior to review, with your _____ request, Control No. _____.

III. CHECK RETURNED

- Enclosed is Check No. _____ which was returned to us by the bank for:
- INSUFFICIENT FUNDS
 ACCOUNT CLOSED
 OTHER

MAIL THE REPLACEMENT CHECK TO THE ADDRESS LISTED AT THE TOP OF THIS FORM AND REFERENCE THE ABOVE CONTROL NUMBER.

IV. LICENSE ISSUED WITHOUT THE REQUIRED FEE

- License No. _____, Amendment No. _____, issued on _____ was issued without the required fee being collected. The fee required is noted in Section 1 of this form.
- The scope of your licensed program was increased. Therefore, your request is subject to the application fee(s) noted in Section 1 of this form. Refer to Section 170.31 and Footnote 1(d)(2).
- Because of the urgency of your request, the license was issued without remittance of the prescribed fee noted in Section 1 of this form.

Distribution: OC/DAF RF DATE
Pending Fee File OC/DAF/SE(LF-3.2.7)
LFARB R/F (2) Region II 1-16-98