

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0245-21_

SPONSOR: Wilson C. Stewart, Jr.

TITLE: An Action Relating to Resources and Development; Approving the Assignment of Business Site Lease No. FD-88-134 from Bashas' Inc. to Raley's, Arizona LLC

Date posted: November 18, 2021 at 4:40PM

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Office of Legislative Services
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(928) 871-7586

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0245-21

DATE: November 16, 2021

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE ASSIGNMENT OF BUSINESS SITE LEASE NO. FD-88-134 FROM BASHAS' INC. TO RALEY'S, ARIZONA LLC

PURPOSE: The purpose of the resolution is to approve the assignment of the BASHAS' INC., an Arizona Corporation, Lease No. FD-88-134 to RALEY'S, ARIZONA, LLC, an Arizona limited liability company.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: _____
Posting End Date: 11-23-21
Eligible for Action: 11-24-21

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 24th NAVAJO NATION COUNCIL -- Third Year, 2021

3 INTRODUCED BY

4 
5 _____
6 (Prime Sponsor)

7
8 TRACKING NO. 0245-21

9 AN ACTION

10 RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE
11 ASSIGNMENT OF BUSINESS SITE LEASE NO. FD-88-134 FROM BASHAS' INC.
12 TO RALEY'S, ARIZONA LLC

13
14 BE IT ENACTED:

15 **Section One. Authority**

- 16 A. Pursuant to 2 N.N.C. §§ 500, the Resources and Development Committee is hereby
17 established as a standing committee of the Navajo Nation Council.
18 B. Pursuant to 2 N.N.C. §501 (B)(2)(a), the Resources and Development Committee
19 grants final approval for all non-mineral leases including modifications and
20 assignments.

21
22 **Section Two. Findings**

- 23 A. The Regional Business Development Office Executive Summary states that "[t]his
24 Legislation is requesting Assignment of Business Site Lease No. FD-88-134 from
25 BASHAS' INC, an Arizona Corporation to RALEY'S ARIZONA LLC, an Arizona
26 limited liability company." The Executive Summary further states that "Business Site
27 Lease No. FD-88-134 was approved by U.S. Department of the Interior, Bureau of
28 Indian Affairs on September 8, 1988 for a term of 40 years to G.B. Investment
29 Company and Bashas' Inc. for the purpose of operating a General Food Market
30 business. Said business is located in Window Rock, Arizona. By letter dated

1 November 1, 2021, the Purchase and Sale Agreement has been executed between the
2 parties and are seeking Lease Assignment approval from the Navajo Nation, Lessor
3 and U.S. Department of Interior, Bureau of Indian Affairs. BASHAS INC. is in
4 compliance with the Navajo Nation Laws:" The Regional Business Development
5 Office Executive Summary is attached as **Exhibit 2**.

6 B. Memorandum dated November 1, 2021 from Bashas' Inc, regarding "Bashas' Inc.:
7 Request for Department of Economic Development Assistance in processing Consent
8 to Assignments" and BASHAS, INC, Navajo Nation Corporation Code Certificate of
9 Good Standing are attached as **Exhibit 3**.

10 C. Lease Number FD-88-134, "The Ground Lease, Window Rock, Arizona, by and
11 between THE NAVAJO NATION, Landlord and G.B. INVESTMENT COMPNAY,
12 Tenant" dated August 11, 1988 is attached hereto as **Exhibit 4**.

13 D. The Assignment of Lease No. FD-88-134 from BASHAS' INC., an Arizona
14 Corporation, to RALEY'S, ARIZONA, LLC, an Arizona limited liability company
15 attached hereto as **Exhibit 1**.

16 E. The Executive Official Review Document No. 017608 is attached as **Exhibit 5**.
17 Executive Official Review Document No. 017608 includes reviews by the Division of
18 Economic Development and the Office of the Attorney General dated November 8,
19 2021 and November 9, 2021, respectively, in which each office found the review
20 "Sufficient."
21

22 **Section Three. Approval of Assignment**

23 A. The Navajo Nation hereby approves the assignment of the BASHAS' INC., an
24 Arizona Corporation, Lease No. FD-88-134 to RALEY'S, ARIZONA, LLC, an
25 Arizona limited liability company. The ASSIGNMENT OF BUSINESS SITE
26 LEASE, NAVAJO NATION, Lease Number FD-88-132 is attached hereto as **Exhibit**
27 **1**.

28 B. The Resources and Development Committee of the Navajo Nation Council hereby
29 authorizes the President of the Navajo Nation to execute any and all documents
30 necessary to affect the intent and purpose of this resolution.