

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0249-21_

SPONSOR: Wilson C. Stewart, Jr.

TITLE: An Action Relating to Resources and Development; Approving the Assignment of Business Site Lease No. CH-00-117 from BASHAS' INC. to RALEY'S, ARIZONA, LLC

Date posted: November 22, 2021 at 5:41PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0249-21

DATE: November 19, 2021

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE ASSIGNMENT OF BUSINESS SITE LEASE NO. CH-00-117 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. CH-00-117 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: V8redhorse
Website Posting Time/Date:
Posting End Date: November 27, 2021
Eligible for Action: November 28, 2021

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

INTRODUCED BY


(Prime Sponsor)

TRACKING NO. 0249-21

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE
ASSIGNMENT OF BUSINESS SITE LEASE NO. CH-00-117 FROM BASHAS' INC.
TO RALEY'S, ARIZONA LLC

BE IT ENACTED:

Section One. Authority

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

Section Two. Findings

- A. The Regional Business Development Office Executive Summary states that “[t]his Legislation is requesting Assignment of Business Site Lease No. CH-00-117 from BASHAS’ INC., an Arizona Corporation to RALEY’S ARIZONA LLC, an Arizona limited liability company. Business Site Lease No. CH-00-117 was approved on April 10, 2000 by U.S. Department of the Interior, Bureau of Indian Affairs for a term of 35 with no option to extend the term of this Lease. Lessee agrees to use the Leased premises for the purpose of conducting a General Food Market business. Said business is located in Pinon, Navajo Nation, Arizona. By letter dated November 1, 2021, the

1 Purchase and Sale Agreement has been executed between the parties and [they] are
2 seeking Lease Assignment approval from the Navajo Nation, Lessor and U.S.
3 Department of Interior, Bureau of Indian Affairs. BASHAS INC., an Arizona
4 Corporation is in compliance with the Navajo Nation Laws; therefore, the Navajo
5 Nation recommends approval of the Lease Assignment of Business Site Lease No. CH-
6 00-117 from Assignee, BASHAS' INC. to Assignor, RALEY'S ARIZONA LLC, an
7 Arizona limited liability company." The Regional Business Development Office
8 Executive Summary is attached as **Exhibit 2**.

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

13 C. Lease Number CH-00-117, "PINON SHOPPING CENTER LEASE, BASHAS' INC.
14 LESSEE, NAVAJO NATION LESSOR, December 15, 1993-November 30, 2028" is
15 attached hereto as **Exhibit 4**.

16 D. The document ASSIGNMENT OF BUSINESS SITE LEASE NAVAJO NATION
17 Lease Number CH-00-117 from BASHAS' INC., an Arizona Corporation, to
18 RALEY'S, ARIZONA, LLC, an Arizona limited liability company is attached hereto
19 as **Exhibit 1**.

20 E. The Executive Official Review Document No. 017606 is attached as **Exhibit 5**.
21 Executive Official Review Document No. 017606 includes reviews by the Division of
22 Economic Development and the Office of the Attorney General dated November 8,
23 2021 and November 9, 2021, respectively, in which each office found the review
24 "Sufficient."

25 26 **Section Three. Approval of Assignment**

27 A. The Navajo Nation hereby approves ASSIGNMENT OF BUSINESS SITE LEASE
28 NAVAJO NATION Lease Number CH-00-117 from BASHAS' INC., an Arizona
29 Corporation, to RALEY'S, ARIZONA, LLC, an Arizona limited liability company.
30 The ASSIGNMENT OF BUSINESS SITE LEASE NAVAJO NATION Lease

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Number CH-00-117 from BASHAS' INC., an Arizona Corporation, to RALEY'S, ARIZONA, LLC, an Arizona limited liability company is attached hereto as **Exhibit 1**.

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