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

B. Memorandum dated November 1, 2021 from Basbas’ Inc, regarding “Basbas’ Inc.: Request for Department of Economic Development Assistance in processing Consent to Assignments” and BASHAS’, INC, Navajo Nation Corporation Code Certificate of Good Standing are attached as Exhibit 3.

C. Lease Number CH-00-117, “PINON SHOPPING CENTER LEASE, BASHAS’ INC. LESSEE, NAVAJO NATION LESSOR, December 15, 1993-November 30, 2028” is attached hereto as Exhibit 4.

D. The document ASSIGNMENT OF BUSINESS SITE LEASE NAVAJO NATION Lease 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.

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

Section Three. Approval of Assignment

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