

Bureau of Indian Affairs – Palm Springs Agency
Checklist for Commercial Leases

REVIEW	ITEMS TO CONSIDER	CROSS REFERENCE	STAFF COMMENTS / NOTES
Yes/No/NA	Lease Number	Tab 1	Comments / Notes 
Yes/No/NA	TAAMS ID Number	Tab 1	Comments / Notes 
Yes/No/NA	Lessor	Tab 1	Comments / Notes 
Yes/No/NA	Lessee	Tab 1	Comments / Notes 
Yes/No/NA	Case Initiation Letter	Tab 1	Comments / Notes 
Yes/No/NA	Project entered into TAAMS as a proposal	Tab 1	Comments / Notes 
Yes/No/NA	Administrative Fee Paid 1. Invoice Administrative Fee 2. Remit Administrative Fee 3. Process Administrative Fee Receivable	Tab 1	Comments / Notes 
Yes/No/NA	Create Lease File – Legal Instrument file	Tab 1	Comments / Notes 
Yes/No/NA	Provide 25 CFR Part 162 to Lessee	Tab 1	Comments / Notes 
Yes/No/NA	Provide Sample Lease to Lessee	Tab 1	Comments / Notes 
Yes/No/NA	NEPA Compliance	Tab 1	Comments / Notes 
Yes/No/NA	Downtown Palm Springs Environmental Assessment For leases in Sec.14, T4S, R4E, only	Tab 1	Comments / Notes 
Yes/No/NA	NEPA Handbook	Tab 1	Comments / Notes 
Yes/No/NA	Categorical Exclusion	Tab 1	Comments / Notes 
Yes/No/NA	Environmental Impact Statement	Tab 1	Comments / Notes 
Yes/No/NA	Environmental Assessment 1. Archaeological Report  2. Biological Report 3. Hydrology Report 4. Traffic Count Report 5. Geology Report	Tab 1	Comments / Notes 
Yes/No/NA	CEQUA Documents 1. Tribal Habitat Conservation 2. Fringe Toed Lizard 3. Milk Vetch	Tab 1	Comments / Notes 
Yes/No/NA	Lease submitted for review and approval	Tab 1	Comments / Notes 
Yes/No/NA	Site Plan included in lease with e-copy for recording	Tab 1	Comments / Notes 
Yes/No/NA	Rights of Way	Tab 1	Comments / Notes 
Yes/No/NA	Landowners' Appraisal 1. Appraisal Request from landowner 2. Ordered by BIA	Tab 1	Comments / Notes 

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	3. Contracted by ACBCI 4. Approved by OST's OAS		
Yes/No/NA	Certified and signed Escrow Instructions	Tab 1	Comments / Notes 
Yes/No/NA	Certified Survey(s)	Tab 1	Comments / Notes 
Yes/No/NA	Landowner's Consent	Tab 1	Comments / Notes 
Yes/No/NA	All applicable fees paid to landowner, e.g. signing bonus	Tab 1	Comments / Notes 
Yes/No/NA	County, State, City and Tribal permits	Tab 1	Comments / Notes 
Yes/No/NA	Corporate Documents for Corporations / Corp. <input type="checkbox"/> Articles of Incorporation <input type="checkbox"/> Corporate Resolution with Authority to Sign <input type="checkbox"/> Statement/List of Officers <input type="checkbox"/> Financial Statement(s) <input type="checkbox"/> Credit Report (if foreign Corp. or CA filing reports) <input type="checkbox"/> Certificate of Good Standing <input type="checkbox"/> Fictitious Name Filing	Tab 1	Comments / Notes 
Yes/No/NA	Corporate Documents for Limited Liability Company / LLC <input type="checkbox"/> Articles of Organization or Cert. of Formation <input type="checkbox"/> Evidence of Authority to Sign <input type="checkbox"/> Operating Agreement <input type="checkbox"/> Financial Statement(s) <input type="checkbox"/> Certificate of Good Standing <input type="checkbox"/> Fictitious Name Filing	Tab 1	Comments / Notes 
Yes/No/NA	Corporate Documents for Partnership / Limited Partnership <input type="checkbox"/> Partnership Agreement <input type="checkbox"/> Financial Statement(s) <input type="checkbox"/> Certificate of Limited Partnership <input type="checkbox"/> Evidence of Authority to Sign <input type="checkbox"/> Operating Agreement <input type="checkbox"/> Financial Statement(s) <input type="checkbox"/> Certificate of Good Standing <input type="checkbox"/> Fictitious Name Filing	Tab 1	Comments / Notes 
Yes/No/NA	Corporate Documents for Homeowners' Association / HOA <input type="checkbox"/> Articles of Incorporation <input type="checkbox"/> Powers of Board Members <input type="checkbox"/> Financial Statement(s) <input type="checkbox"/> Evidence of Authority to Sign <input type="checkbox"/> Operating Agreement <input type="checkbox"/> Fictitious Name Filing	Tab 1	Comments / Notes 
Yes/No/NA	Lease Term cannot exceed 99 years	Tab 1	Comments / Notes 
Yes/No/NA	No lease of Fee interest; no collect rent on behalf of any fee owners; and if subject to a life estate held in fee status, we will approve a lease of the remainder interests only if such action is necessary to preserve the value of the land or protect the interests of the Indian landowners.	Tab 1	Comments / Notes 

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Yes/No/NA	§ 162.604no lease shall be approved or granted at less than the present fair annual rental. Rental is equal to or greater than fair annual rental	Tab 1	Comments / Notes 
Yes/No/NA	No provision for preference right to future leases or renewal	Tab 1	Comments / Notes 
Yes/No/NA	Lease commences within 12 months of approval	Tab 1	Comments / Notes 
Yes/No/NA	Advance payment or buy down, if applicable, must be in the lease.	Tab 1	Comments / Notes 
Yes/No/NA	The lease contract shall contain provisions as to the dates rents shall become due and payable.	Tab 1	Comments / Notes 
Yes/No/NA	Lease contains provisions as to whether payment of rentals is to be made direct to the owner of the land or his representative or to the official of the Bureau of Indian Affairs having jurisdiction over the leased premises.	Tab 1	Comments / Notes 
Yes/No/NA	Lease contain the following provisions: While the leased premises are in trust or restricted status, all of the lessee's obligations under this lease, and the obligations of his sureties, are to the United States as well as to the owner of the land.	Tab 1	Comments / Notes 
Yes/No/NA	Lease contains the following provisions: Nothing contained in this lease shall operate to delay or prevent a termination of federal trust responsibilities with respect to the land by the issuance of a fee patent or otherwise during the term of the lease; however, such termination shall not serve to abrogate the lease. The owners of the land and the lessee and his surety or sureties shall be notified of any such change in the status of the land.	Tab 1	Comments / Notes 
Yes/No/NA	Lease contains the following provisions: The lessee agrees that he will not use or cause to be used any part of the leased premises for any unlawful conduct or purpose.	Tab 1	Comments / Notes 
Yes/No/NA	Lease contain the following provisions: In the event of the death of the owner during the term of this lease and while the leased premises are in trust or restricted status, all rentals remaining due or payable to the decedent or his representative under the provisions of the lease shall be paid to the official of the Bureau of Indian Affairs having jurisdiction over the leased premises.	Tab 1	Comments / Notes 
Yes/No/NA	Lease contains the following provision: While the leased premises are in trust or restricted status, the Secretary may in his discretion suspend the direct rental payment provisions of this lease in which event the rentals shall be paid to the official of the Bureau of Indian Affairs having jurisdiction over the leased premises.	Tab 1	Comments / Notes 
Yes/No/NA	Improvements placed on the leased land shall become the property of the lessor unless specifically excepted therefrom under the terms of the lease. The lease shall specify the maximum time allowed for removal of any improvements so excepted.	Tab 1	Comments / Notes 
Yes/No/NA	Title Report reflects no other encumbrances on the leased premises	Tab 1	Comments / Notes 
Yes/No/NA	Lessee Financial Statements 1. Income Statement 2. Balance Sheet 3. Credit Report 4. Pro Forma 5. Business Plan 6. Feasibility Analysis	Tab 1	Comments / Notes 

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Yes/No/NA	Certificate of Liability Insurance	Tab 1	Comments / Notes 
Yes/No/NA	Surety or Rental Bond	Tab 1	Comments / Notes 
Yes/No/NA	Landowners of the applicable percentage execute the lease	Tab 1	Comments / Notes 
Yes/No/NA	Lease provides for Agency pay in accordance with policy	Tab 1	Comments / Notes 
Yes/No/NA	BLM review and approval of legal description	Tab 1	Comments / Notes 
Yes/No/NA	Proposal in TAAMS converted to Lease (pending)	Tab 1	Comments / Notes 
Yes/No/NA	Realty Officer's Review and concurrence for approval	Tab 1	Comments / Notes 
Yes/No/NA	Deputy Superintendent's review and concurrence for approval	Tab 1	Comments / Notes 
Yes/No/NA	Superintendent's Review and concurrence for approval	Tab 1	Comments / Notes 
Yes/No/NA	Lease packet sent to Region for approval	Tab 1	Comments / Notes 
Yes/No/NA	Lease approved at Region	Tab 1	Comments / Notes 
Yes/No/NA	Lease approved in TAAMS	Tab 1	Comments / Notes 
Yes/No/NA	Document recorded in LTRO	Tab 1	Comments / Notes 
Yes/No/NA	Originals distributed to parties of interest	Tab 1	Comments / Notes 
Yes/No/NA	Approval pages accurately identify parties and leased premises	Tab 1	Comments / Notes 
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