

Bureau of Indian Affairs – Palm Springs Agency  
Checklist for Commercial Lease Extension

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	Parties submit no less than 4 originals of the lease extension to the Agency for review and approval	Tab 1	Comments / Notes
Yes/No/NA	Create Lease Extension File – Legal Instrument file	Tab 1	Comments / Notes
Yes/No/NA	Request reconciliation from BIA Accounting and ensure lessee cures any monetary defaults		
Yes/No/NA	Provide 25 CFR Part 162 to Parties	Tab 1	Comments / Notes
Yes/No/NA	Provide Sample Lease Extension to Parties	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	CEQA Documents 1. Tribal Habitat Conservation 2. Fringe Toed Lizard 3. Milk Vetch	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

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Yes/No/NA	Landowners' Appraisal 1. Appraisal Request from landowner	Tab 1	Comments / Notes
Yes/No/NA	Landowners' Appraisal 2. Ordered by BIA	Tab 1	Comments / Notes
Yes/No/NA	Landowners' Appraisal 3. Contracted by ACBCI	Tab 1	Comments / Notes
Yes/No/NA	Landowners' Appraisal 4. Approved by OST's OAS	Tab 1	Comments / Notes
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 has not been extended previously	Tab 1	Comments / Notes
Yes/No/NA	Extension does not exceed 25 years	Tab 1	Comments / Notes
Yes/No/NA	Total lease term does not exceed 99 years	Tab 1	Comments / Notes

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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
Yes/No/NA	§ 162.604 ...no 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

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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
Yes/No/NA	Determine if there are any unapproved Deeds of Trust encumbering the leasehold	Tab 1	Comments / Notes
Yes/No/NA	Review all approved Deeds of Trust to determine if lender consent to a lease amendment/extension is required.	Tab 1	Comments / Notes
Yes/No/NA	Review all approved Deeds of Trust to ensure the prior DOT's have been reconveyed and lease encumbrances do not exceed 100% loan to value	Tab 1	Comments / Notes
Yes/No/NA	Certificate of Liability Insurance if required under the lease	Tab 1	Comments / Notes
Yes/No/NA	Surety or Rental Bond if required under the lease	Tab 1	Comments / Notes
Yes/No/NA	Landowners of the applicable percentage execute the lease extension	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 is updated to reflect the new lease extension date. (pending)	Tab 1	Comments / Notes
	Prepare approval pages that accurately identify parties and lease extension.		
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	Proposal in TAAMS is updated to reflect the approved lease extension date.		Comments / Notes
Yes/No/NA	Complete a modification in TAAMS Business under the lease to reflect the approved extension	Tab 1	Comments / Notes
Yes/No/NA	Realty Officer approves the modification in TAAMS		Comments / Notes
Yes/No/NA	Document recorded in LTRO	Tab 1	Comments / Notes
Yes/No/NA	Originals distributed to parties of interest 1 original to lessor 1 original to lessee 1 original retained for Trust File 1 original retained for recording in LTRO	Tab 1	Comments / Notes
Yes/No/NA		Tab 1	Comments / Notes
Yes/No/NA		Tab 1	Comments / Notes
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