CHECK LIST FOR HOMESITE LEASE APPLICATION

(USE BLACK INK TO FILL OUT APPLICATION/NO WHITEOUT)
Incomplete application will not be accepted.

1. Required Clearance by the Applicant:

A. Rural / Grazing Areas:

- 1. Contact your local Chapter Grazing Committee Member
- 2. Grazing Committee Member fills out Homesite Field Clearance Certification
- 3. Obtain consent from Grazing Permit holder(s) per Field Clearance Certification
- 4. Submit to Navajo Land Department with all supporting documents

B. Farm Areas:

- 1. Field clearance report from BIA/Natural Resources.
- 2. Attend Land/Farm Board Meetings.
- 3. Farm Board Member fills out Homesite Field Clearance Certification per BIA Field Clearance report.
- 4. Obtain consent from Farm/Land Use permit holder(s) per Field Clearance Certification completed by BIA/Natural Resource's office.
- 5. Submit to Navajo Land Department with all supporting documents.

CHECK LIST BEFORE SUBMITTING TO NAVAJO LAND DEPARTMENT

	CR 1101 DESCRIPTION OF THE PROPERTY OF THE PRO	
☐ Attach an	updated original Certificate of Indian Blood (Can be obtained from t	he Agency
	undable \$15.00 money order for filing fee is attached. er payable to: THE NAVAJO NATION P.O. Box 9000 WINDOW ROCK, ARIZONA 86515	
Lease App. Signature correspon	(3) Signature pages are to be signed and witnessed upon submission of clication at your Area Agency Land Department (s), name(s), age, and census number(s) on the homesite lease applicates with the information shown on the Certificate of Indian Blood. Colicants, check choice of Co-Tenancy and sign Form-JT06.	
Location by applic Field Cle Land/Farm Consent F	on map must show direction to exact location of proposed homesite. (To cant) and acknowledged by Grazing or Land/Farm Board official. FORM-HE BOARD CERTIFICATION FORM filled out and acknowledged by the Grazing a Board official. FORM-FCC06 Forms signed by Grazing or Land/Farm permit holder(s) and acknowledge ing or Land/Farm Board official. FORM-CONO6	or arma
	A company of the comp	

Money Order of \$32.50 for Biological Clearance, payable to Navajo Nation, is required from Fish & Wildlife Department, (928-871-7065) Submit with homesite lease application.

<u>Environmental Assessment</u> form to be complete and submit with homesite application. (Environmental Protection Agency). NEPA Compliance is Federal Requirements to process Homesite Lease.

<u>Payment receipt</u> is required to submit your application to Navajo Land Department. Navajo Nation Archeology Department charges (\$294.00) to be paid in advance by Cashier's Check or Money Order payable to: Navajo Nation. Telephone: 928-871-6540

<u>Payment Receipt</u> is required from <u>Private Land Surveyor</u> (Must be Registered with state of Arizona, New Mexico, Utah) See attached Private Land Surveyors Listing

(1). Customer or Private Surveyor must provide N.L.D. with the <u>Certified Survey Plat</u> and <u>Quad Map</u>.

<u>Tsaile & Wheatfields Chapter</u>: Letter of Recommendation is required from Navajo Nation Forestry Dept.

Contact Michael Yazzie @ 928-729-4007

PLEASE SUBMIT YOUR APPLICATION WITH THE REQUIRED DOCUMENTS IN PERSON TO:

LAND DEPARTEMENT OFFICE: CHINLE, TUBA CITY, WINDOW ROCK, SHIPROCK, CROWNPOINT.
CHINLE NAVAJO LAND DEPARTMENT, TELEPHONE: 928-674-2056, 2057, 2058

NAVAJO LAND DEPARTMENT WEBSITE: www.dinehbikevah.org

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF INDIAN AFFAIRS NAVAJO AGENCY AND NAVAJO NATION

Field Cle			ent	OFFICE USE (e		of Indian Blood
		HOME	SITE L	EASE APPLIC	CATION	FORM	
DATE:							
NAME:				CENSU	JS NO.		AGE:
NAME:							
ADDRESS:					*****		
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lease from t	he Nava sixty-f	jo Nation ive (65)	for the	e purpose of ithin: SECT	develo	ping a priv	or a homesite ate dwelling for RANGE
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GRAZING DIST							·
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LOCAL G	RAZING	OFFICIAL/	FARM BO	ARD MEMBER		ī	DATE

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- 1. You must be an enrolled member of the Navajo Tribe or a non-member that meets the requirements set forth under Section V Part (C) (i) (ii) of the Homesite Lease Policy &Procedures.
- 2. You must be eighteen (18) years of age or older.

ACKNOWLEDGEMENT

I, (We), acknowledge and understand that the following conditions apply to a Homesite Lease:

- 1. The Homesite Lease is intended for residential purposes only and not to be used for any other purpose, i.e. police quarters or educational instructor quarters.
- 2. A Homesite Lease is not a business site lease.
- 3. A Homesite Lease is not a grazing permit.
- 4. No Homesite Lease Application shall be considered by the local Grazing or Land/Farm Board Officer when it has been determined that such lands have been formerly withdrawn or otherwise obligated for community purposes, e.g. subdivision plans, zoning, existing community projects.
- 5. Written Authorization from the District Grazing Committee is required if the proposed homesite is within a half a mile of a government or tribally developed permanent livestock watering point. (3 N.T.C. 714 e t seq.)
- 6. There is a non-refundable one dollar (\$1.00) annual fee for the lease that must be paid to the Navajo Nation each year in advance following the date of execution for term of the lease.
- 7. The Navajo Nation advises that all applicants do not disturb or construct on any proposed sites before final release of Homesite Lease Application. Be advised that Federal Laws may restrict or null Application.
- 8. A finalized homesite lease authorizes a lessee to encumber the leasehold interest of a homesite lease for building improvements.

FOR JOINT APPLICANTS ONLY

We have selected one of the following Cotenancy. We acknowledge and understand the difference. (For information, contact Navajo Land Department.)

Joint Tenancy with right of Survivorship: is held by two or more persons jointly, with equal rights to possession and enjoyment during their lives. It is distinguished from other forms of cotenancy by the right of survivorship. Under the doctrine of survivorship, the entire estate, upon the death of one of the joint tenants, goes to the survivor, (or, in the case of more than two joint tenants, to the survivors, and so on to the last survivor); the estate of the deceased joint tenant has no interest, and because there is no interest for a testamentary will to transmit, a joint tenancy may not devise his or her interest in the joint tenancy.

In community property jurisdictions, including the Navajo Nation, it is possible for spouses to hold property in joint tenancy, but such property is separate and not subject to the court's distribution upon divorce, nor is it subject to probate upon the death of one spouse.

Absence of a valid contrary contractual agreement among or between the joint tenants, each joint tenant may unilaterally sever the joint tenancy by conveying or encumbering his/her fractional interest. The grantee then becomes a tenant in common (see below) with other joint tenant or tenants and the right of survivorship is destroyed. The fractional interest of each joint tenant can also be taken in satisfaction of debts; such taking severs the joint tenancy. NO PROBATE REQUIRED, HOMESITE GOES TO SURVIVING PERSON.

Tenancy in Common: is identical to a joint tenancy in all but one significant attribute - it lacks the right of survivorship. When a cotenant in common dies, the surviving cotenant(s) does not succeed to the decedent's interest. Rather, the decedent's fractional interest in the property must be probated. PROBATE REQUIRED, COURT WILL MAKE DECISION, ATTORNEY FEES INVOLVED.

Community Property: By statute. The Navajo Nation is a community property jurisdiction (see 9 N.T.C. §205). If a married couple does not elect to hold their homesite in community property, then community property principles will govern the distribution of the marital property upon dissolution of marriage, and upon the death of one spouse, one half of the community property (the decedent's share) must be probated in accordance with Navajo law. PROBATE REQUIRED, COURT WILL MAKE DECISION, ATTORNEY FEES INVOLVED.

The above mentioned cotenancy has been explained to us. We acknowledge and understand the difference.

Signed this day cf	, 20
Applicant	Census No.
Applicant	Census No.

24. of this Lease	EFFECTIVE DATE. by Secretary.	This lease shall take effect on the date of approval		
		the navajo nation, lessor		
	Date	By:		
WITNESSE	S:	••		
		LESSEE		
		LESSEE		
APPROVED Pursuant to 209 DM 8,	o Secretarial Redelegat 230 DM 1 and 3 IAM 4	ion Order		
Regional Di Bureau of I	irector, Navajo Region ndian Affairs			