

VIRGIN, UTAH  
Resolution No. R2026-

**A RESOLUTION APPROVING A GATE IMPROVEMENT AND ENCROACHMENT  
AGREEMENT BETWEEN VIRGIN TOWN AND THE RIO DE SION HOMEOWNERS  
ASSOCIATION (“HOA”)**

**WHEREAS**, in 2023 the Rio de Sion Homeowners Association (“HOA”) requested that Virgin Town allow the construction of an entrance gate to the Rio de Sion neighborhood; and

**WHEREAS**, the HOA has stated that benefits of the proposed gate include enhanced neighborhood security and traffic calming; and

**WHEREAS**, Town Attorney Heath Snow has prepared a Gate Agreement outlining the design, ownership, maintenance, and operational requirements of the proposed gate; and

**WHEREAS**, the proposed Gate Agreement requires, among other provisions, that:

1. The gate shall automatically and freely open when a vehicle drives over a pressure pad, ensuring access to the general public;
2. A turnaround shall be constructed prior to the gate to allow drivers to safely and conveniently change direction;
3. The HOA shall construct, operate, and maintain the gate at its sole expense;
4. The HOA shall indemnify and hold harmless the Town from liability associated with the gate; and
5. The gate design has been modified to provide improved pedestrian access around each end in response to concerns expressed by members of the Town Council; and

**WHEREAS**, the Town Council finds that approval of the Gate Agreement is in the best interest of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF VIRGIN, UTAH, THAT:**

**1. Approval of Agreement**

The Gate Agreement between Virgin Town and the Rio de Sion Homeowners Association, subject to any revisions approved by the Town Attorney, is hereby approved.

**2. Authorization to Execute**

The mayor is authorized to execute the final Gate Agreement upon completion of legal review and mutual approval by the HOA.

**3. Effective Date**

This Resolution shall take effect immediately upon adoption.

Resolution R2026-  
Adopted: February 17, 2026

**PASSED AND ADOPTED** by the Town Council of Virgin, Utah, this February day of 17, 2026.

By: \_\_\_\_\_  
Jean Krause, Mayor

Attest: \_\_\_\_\_  
Krystal Percival, Town Clerk/Recorder

<u>Vote</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
Jean Krause, Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paul Luwe, Council Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Wenz, Council Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
April McKeon, Council Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Kietzman, Council Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RECORDED this \_\_\_\_\_ day of \_\_\_\_\_ 2026

PUBLISHED or POSTED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING**

In accordance with Utah Code Annotated §63G-30-102 as amended, I, the Town Clerk/Recorder of Virgin, Utah, hereby certifies that the foregoing Ordinance was duly passed and published or posted via Class A Notice at:

- 1) Utah Public Notice website
- 2) Virgin Town website, [www.virgin.utah.gov](http://www.virgin.utah.gov)
- 3) Virgin Town Hall

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Krystal Percival, Town Clerk/Recorder  
Virgin Town, Utah