

THE WIMBLEDON ASSOCIATION, INC.
POLICY REGARDING ELECTRIC VEHICLE CHARGING SYSTEMS

Adopted June 24, 2020

The following policy has been adopted by The Wimbledon Association, Inc. ("Association") pursuant to the provisions of its Policy Regarding Adoption and Amendment of Policies, at a regular meeting of the Board of Directors.

Purpose: To establish uniform procedures for the installation of Electric Vehicle Charging Systems within the Association.

WHEREAS, the Colorado Common Interest Ownership Act, in C.R.S. 38-33.3-106.8, gives all Owners the right to install Electric Vehicle Charging Stations in the Limited Common Element parking spaces assigned to their Units.

NOW, THEREFORE, IT IS RESOLVED that the Association does hereby adopt the following policy governing Electric Vehicle Charging Stations:

1. Definitions.

a. "Common Element" shall have the same meaning as set forth in the Amended and Restated Declaration of Covenants, Conditions and Restrictions of the Wimbledon Condominiums, recorded on November 23, 2009, in the real estate records of the Clerk and Recorder of Boulder County, Colorado (the "Declaration").

b. "Electric Vehicle Charging System" or "Charging System" means a device that is used to provide electricity to a plug-in electric vehicle or plug-in hybrid vehicle, is designed to ensure that a safe connection has been made between the electric grid and the vehicle, and is able to communicate with the vehicle's control system so that electricity flows at an appropriate voltage and current level. An electric vehicle charging system may be wall-mounted or pedestal style, and may provide multiple cords to connect with electric vehicles. An electric vehicle charging system must be certified by Underwriters Laboratories or an equivalent certification, and must comply with the current version of Article 625 of the National Electrical Code.

b. "Level 1" means a charging system that provides charging through a one-hundred-twenty volt ac plug with a cord connector that meets the SAE international j1772 standard or a successor standard.

c. "Level 2" means a charging system that provides charging through a two-hundred-eight to two-hundred-forty volt ac plug with a cord connector that meets the SAE international j1772 standard or a successor standard.

d. "Limited Common Element" shall have the same meaning as set forth in the Declaration.

e. "Unit" shall have the same meaning as set forth in the Declaration.

2. Installation on Common Elements or Limited Common Elements. An Owner may install a Charging System on a Common Element or Limited Common Element subject to the following:

- a. The Owner must first submit an application to the Association and receive written approval from the Association for the Charging Station; and
- b. The Owner must enter into the Agreement appended hereto as Appendix A.

3. Aesthetic Provisions and Design Specifications. Regardless of location, installation of a Charging System is subject to reasonable aesthetic provisions governing dimension, placement, and external appearance. This may include, but is not limited to, requiring placement to not interfere or impeded use of the adjacent parking spaces, drive lanes, aisles, walkways or other access; requiring Charging Systems to be installed in the least visually obtrusive location available; requiring that the Charging Systems contain a maximum of one cord capable of charging one vehicle at a time, in the parking space located immediately adjacent to the Charging System; requiring the painting of a Charging System to match its surroundings; placing restrictions on locations of cables and service lines; and compliance with any other rules, regulations, policies or restrictions contained in the Declaration or other Association Documents.

4. Assessment. The Association shall not assess the Owner for his or her installation of the Charging System, but the Owner shall be liable to the Association for the actual cost of electricity provided by the Association used by the Charging System, including any applicable network fee. The Owner installing the Charging System shall have a submeter installed on the electrical line providing electricity to the Charging System and shall report the electrical usage of the Charging System on a monthly basis, at a time determined by the Board of Directors, to the Association's Managing Agent. On a yearly basis, or at such other time as determined by the Board, the Owner shall be required to provide the Association's Managing Agent with documentation supporting the submeter readings which the Owner has provided to the Managing Agent.

5. Deviations. The Board or its agent may deviate from the procedures set forth in this policy if in its sole discretion such deviation is reasonable under the circumstances.

THE WIMBLEDON ASSOCIATION, INC.

By: Jane K. Smith
President

This policy regarding Electric Vehicle Charging Stations was adopted by the Board of Directors at a regular meeting held on the 24 day of June, 2020, and is attested to by the

APPENDIX A

Common Element Charging System Agreement

This Common Element Charging System Agreement (the "Agreement") is made and entered into this ___ day of _____, 20__ by and between The Wimbledon Association, Inc., a Colorado nonprofit corporation (the "Association") and _____ record "Owner" of the real property located at the Association with an address of: _____ (the "Property").

Now therefore, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Association and Owner agree as follows:

1. Charging System. Subject to the Association's Policy Regarding Electric Vehicle Charging Systems (the "Policy"), Owner may install a Charging System at the Limited Common Element location described and/or depicted on Exhibit A, which is attached to this Agreement and incorporated by this reference. Owner has previously submitted to the Association an application to install the Charging System, which the Association has approved. Owner's application and installation comply with the Association's aesthetic provisions and design specifications.
2. Installation. Owner shall engage the services of a duly licensed and registered electrical contractor familiar with the installation and code requirements of an Electric Vehicle Charging System to install the Charging System.
3. Costs. Owner is solely responsible for all costs related to the Charging System, including but not limited to installation costs, the costs to restore any Common Elements disturbed in the process of installing the Charging System, electricity costs as contemplated by the Association's Policy, and removal costs.
4. Insurance. Owner shall provide to the Association, within 14 days of receipt of the Association's approval of the proposed Charging System installation, a certificate of insurance that names the Association as an additional insured for any claim related to the installation, maintenance, or use of the Charging System. Owner shall reimburse the Association for the actual cost of any increased insurance premium amount to the Association which is attributable to the Charging System, within fourteen days of receiving an invoice for such increased premium. This amount shall be collectable as an Assessment against the Unit.
5. Repairs. The Owner is responsible for any costs or damages to the Charging System, and any Limited Common Element or Common Element of the Association, as well as any related fixtures or improvements, that arise or result from the installation, maintenance, repair, removal, or replacement of the Charging System until the Charging System is removed. In the event any repairs or replacements must be made to the Common Elements or Limited Common Elements by the Association, the Association shall give the Owner adequate notice to remove, at the Owner's sole expense, the Charging Station prior to commencing such repairs or

replacements.

6. Succession. The obligations of this Agreement shall run with the land as long as the Charging System is installed, and shall bind the Owner and his or her successors and assigns. The Owner shall be solely responsible for the removal of the Charging Station if a subsequent purchaser declines to purchase the Charging Station with the Unit.

7. Enforcement. In the event the Owner fails to undertake an action required by this Agreement, the Association may, upon seven (7) days written notice, undertake the action and seek reimbursement from the Owner. All expenses incurred in connection with any enforcement of this Agreement by the Association shall be collectable from the Owner as an Assessment.

8. Recording. This Agreement may be recorded in the real property records of the county in which the Association is located.