

## BMW XM BY KITH PRE-ORDER PROGRAM TERMS

Welcome to the BMW XM by KITH Vehicle Pre-Order Program ("XM KITH Pre-Order Program"). Before you pre-order your vehicle, you must carefully review and accept the Terms below. Under the KITH Pre-Order Program, the limited production BMW XM by KITH vehicle is available on a first-come, first-order basis for customers who complete the Pre-Order Process as outlined below.

BMW of North America, LLC ("BMW NA") offers you an opportunity to pre-order the BMW XM by KITH vehicle from an authorized, participating BMW Dealer ("Dealer"). By completing the Pre-Order Process, you will be pre-ordering a BMW vehicle with model year and options to be confirmed at the time of configuration subject to availability and production restrictions. The vehicle you configure is referred to as the "Vehicle". This XM KITH Pre-Order Program offers a unique opportunity to be among the few to order the BMW XM by KITH and finalize a price through your Dealer as described in the terms below.

- Expected delivery of the BMW XM by KITH is December 2025. Delivery date is subject to change.
- The XM KITH Pre-Order Program is open to all legal US residents.
- The XM KITH Pre-Order Program opens on Friday December 6<sup>th</sup>, 2024 at 11:00am Eastern Standard Time and closes on Friday December 13<sup>th</sup>, 2024 at 11:59pm Eastern Standard time.
- The XM KITH Pre-Order Program is NOT a vehicle purchase. You will still be required to contact an authorized BMW Dealer to discuss final transaction pricing and trade-in if relevant, arrange any necessary financing, and complete your purchase through the Dealer. Your Pre-Order secures your approximate priority for taking delivery of your vehicle. Participation in the XM KITH Pre-Order Program does not guarantee you a vehicle delivery.
- The Manufacturer's Suggested Retail Price, excluding tax, title, licensing and delivery fees, for the BMW XM by KITH is \$199,000.00 USD. Your Pre-Order does NOT guarantee a set price for the Vehicle. **PLEASE BE AWARE THAT DEALER SETS THE ACTUAL PRICE WHICH MAY DIFFER FROM THE MANUFACTURER'S SUGGESTED RETAIL PRICE ("MSRP"). The MSRP does not include taxes, title, transportation, other options and other dealer fees and charges.**
- To complete the Pre-Order Process, you will be required to perform all of the following steps:
  1. On Friday December 6<sup>th</sup>, 2024 at 11:00am Eastern Standard Time, access the BMW USA Pre-Order Page [www.BMWXMbyKITH.com](http://www.BMWXMbyKITH.com) directly or through the corresponding link on BMWUSA.com
  2. Complete the provided lead form in its entirety
  3. Select a participating Dealer from which to purchase the Vehicle
  4. Submit requested information to BMW of North America, LLC and the Dealer
  5. Pay a refundable deposit of \$10,000.00 ("Pre-Order Deposit") via one of the available methods presented by the Dealer on or before Friday January 10<sup>th</sup>, 2025.
- Once you complete the online form you will receive a submission confirmation email. The BMW XM by KITH is available on a first-come, first-order basis. If your entry is selected, you will be contacted by BMW NA to finalize subsequent steps and select your preferred BMW Dealer. The Dealer will contact you to collect the deposit, configure the vehicle, finalize the selling price of the vehicle, and secure your order. You may either purchase, finance, or lease the Vehicle from the Dealer. Vehicle option availability is subject to change.
- The XM KITH Pre-Order Program does NOT require you to complete a vehicle purchase, finance, or lease. If you change your mind, you may cancel your Pre-Order by following the process outlined below under the "ORDER CANCELLATIONS" section.
- Pre-order eligibility requirements are below:
  - a) The XM KITH Pre-Order Program is available only to individuals residing in the United States who are 18 years of age or older.
  - b) The XM KITH Pre-Order Program is available to businesses or corporate entities provided that you can validate your ownership of, or employment by, the relevant business or corporate entity upon BMW NA's request.
  - c) The deposit of \$10,000 must be provided on or before January 10<sup>th</sup>, 2025, through an authorized participating BMW Dealer in the United States during the Dealer's business hours. Contact your chosen BMW Dealer for operating hours. Failure of providing deposit on or before January 10<sup>th</sup>, 2025, will result in order cancellation.

- d) Vehicles must be purchased from and delivered through an authorized, participating BMW Dealer in the United States.
- e) Only one BMW XM by KITH Pre-Order per customer is permitted and a maximum of two per household is permitted. A Pre-Order may be transferred within a household provided you can provide adequate proof, as determined by BMW NA, in its sole discretion, that the Pre-Order holder and the transferee are part of the same household.
- f) Employees of BMW NA, its affiliates, agencies, and dealers, and each of their respective family members, are not eligible to participate in the Pre-Order Program. None of the above are eligible to place Pre-Orders on behalf of themselves, the dealership, dealership employees, or customers.
- g) If BMW NA determines that a Pre-Order has been placed by a non-eligible person or entity, then BMW NA reserves the right to cancel the Pre-Order and cancel shipment of the Vehicle. The Vehicle will then be made available to the next individual who has completed the Pre-Order Process and who has a similarly configured vehicle.

## **ORDER CANCELLATIONS**

It is the Customer's responsibility to arrange the cancellation of the pre-order and the refund of the Pre-Order deposit directly with the Dealer. Please note that all cancellations are final - you lose your priority to purchase one of the limited edition units once the order is canceled.

## **PRIVACY**

The information collected on the Pre-Order website during your Pre-Order Process will be shared with BMW NA and the Dealer you select in order for us to confirm and process your Pre-Order. The handling of this information is governed by the BMW NA Privacy Policy which is available at [my.bmwusa.com/privacypolicy](https://my.bmwusa.com/privacypolicy). Although you will be on a BMW NA website, you will provide your payment information for the Pre-Order Fee directly to the Dealer through one of the payments methods the Dealer accepts. BMW NA never receives or holds your payment information. BMW NA is not responsible for any information you submit to the Dealer.

## **PROGRAM CANCELLATION**

BMW NA, in its sole discretion at any time for any reason, reserves the right to cancel or change the Pre-Order Program. If you have additional questions regarding the Pre-Order Program, please contact BMW Customer Service at 1-800-831-1117.