

EXHIBIT E

ASSIGNMENT AND ASSUMPTION AGREEMENT

THIS ASSIGNMENT AND ASSUMPTION AGREEMENT is dated as of _____, 20__, and is entered into between _____ a _____ ("Assignor") and _____ a _____ ("Assignee").

WHEREAS, the Village of Downers Grove and _____ ("Owner") and _____ ("Developer") entered into the _____ Subdivision Improvement Agreement, dated _____, 20__, (as it may be amended, modified or supplemented from time to time, the "Agreement"), regarding the real property or a portion of the real property described on the attached Exhibit A, which Agreement was recorded by the DuPage County Recorder of Deeds on _____, 20__, as Document No. _____; and

WHEREAS, Assignor became a party to the Agreement pursuant to an Assignment and Assumption Agreement dated as of _____, 20__, which Assignment and Assumption Agreement was recorded by the DuPage County Recorder of Deeds on _____, 20__, as Document No. _____; and

WHEREAS, Assignor desires to assign all or a portion of its right, title and interest in and to the Agreement to Assignee and Assignee desires to accept said assignment and assume all or a portion of Assignor's liabilities and obligations related to or arising under the Agreement.

NOW, THEREFORE, in consideration of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, (a) Assignor does hereby assign, transfer, and convey unto Assignee all or the portion as set forth in Exhibit A hereto, of Assignor's right, title and interest in and to the Agreement and any benefits hereafter derived

thereunder and (b) Assignee does unconditionally hereby assume and promise to pay and perform in full, from and after 12:01 a.m. on the date first written above, all, or the portion as set forth in Exhibit A hereto, of the obligations and liabilities of Assignor related to or arising under the Agreement.

This Agreement shall be governed by the laws of the State of Illinois.

IN WITNESS WHEREOF, this Assignment and Assumption Agreement is executed as of the date first written above.

ASSIGNOR:

By: _____
Its: _____

ASSIGNEE:

By: _____
Its: _____

CONSENT AND RELEASE

The undersigned, being the remaining parties to the Agreement referred to above, do hereby consent to the above Assignment and Assumption Agreement and forever releases the above Assignor (together with its successors, assigns, heirs and personal representative, as the case may be, other than Assignee) from the liabilities and obligations related to or arising under the Agreement as set forth in Exhibit A.

Executed this ____ date of _____, 20__.

By: _____
Its: _____

By: _____
Its: _____