

COPY

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
STATE OF GEORGIA

VITO J. FENELLO, JR., Pro Se
and BEVERLY H. FENELLO, Pro Se

Plaintiffs,

v.

SHUPING, MORSE & ROSS, LLP; and
BANK OF AMERICA, N.A.; and THE
BANK OF NEW YORK MELLON (as
Trustee for CWALT, INC.)

Defendants.

CIVIL ACTION

FILE NO. 11CV2713EM

LIST OF EXHIBITS #2

- A. Certified Warranty Deed
- B. Certificate of Acknowledgement and Acceptance
- C. Affidavit of Notice of Revocation of Power of Attorney
- D. Certificate of Service

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2011 OCT 31 AM 9:51
PATTY BAKER, CLERK

Exhibit A

RETURN TO: BLACKBURN, WALTHER, SLOAN, & ADAIR, LLC
1570 WARSAW ROAD
ROSWELL, GEORGIA 30076
ATTN: JY / J07012

WARRANTY DEED

STATE OF GEORGIA

FULTON COUNTY

THIS INDENTURE made the 30th day of January, 2007, between

PULTE HOME CORPORATION

hereinafter called " Grantor's", and

BEVERLY H. FENELLO and VITO J. FENELLO
AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

hereinafter called "Grantee/s" (the words "Grantor/s" and "Grantee/s" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That Grantor/s, for and in consideration of TEN DOLLARS and other good and valuable considerations---(\$10.00)-----receipt of which is hereby acknowledged has/have granted, sold, transferred and conveyed, and by these presents does/do grant, sell, transfer and convey unto Grantee/s:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 1180 OF THE 15TH DISTRICT, 2ND SECTION OF CHEROKEE COUNTY, GEORGIA; BEING LOT 1616, THE WOODLANDS SUBDIVISION, UNIT A, PHASE 3, AS PER PLAT RECORDED IN PLAT BOOK 94, PAGE(S) 121-126, CHEROKEE COUNTY, GEORGIA RECORDS, WHICH PLAT IS INCORPORATED HEREIN BY REFERENCE AND MADE A PART OF THIS DESCRIPTION.

This conveyance is made subject to all covenants, easements and restrictions of record.

TO HAVE AND TO HOLD, in fee simple. And Grantor/s will warrant and forever defend the right and title to said premises unto Grantee/s against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor's/s' hand and seal have been hereunto affixed, the day and year first above written.

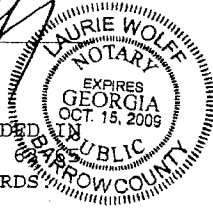
Signed, sealed and delivered in the presence of:

[Handwritten signature]
WITNESS

PULTE HOME CORPORATION

BY: *[Handwritten signature]*
ATTORNEY IN FACT

[Handwritten signature]
NOTARY PUBLIC



(AFFIX CORPORATE SEAL)

POWER ATTORNEY RECORDED IN DEED BOOK 9061, PAGE 8478, CHEROKEE COUNTY RECORDS

GEORGIA, CHEROKEE COUNTY

I, Patty Baker, Clerk Superior, State and Juvenile Courts, hereby certify that the within is a true and correct copy of the original that appears on record in our office.

Witness my hand and official seal this 28 day of

Oct, 20 11

[Handwritten signature]
PATTY BAKER, CLERK OF COURTS
CHEROKEE COUNTY, GEORGIA
[Handwritten signature] Deputy Clerk

Vito J. Fenello Jr.
289 Dalabum Circle
Woodstock, GA 30188

Exhibit B

CERTIFICATE OF ACKNOWLEDGMENT AND ACCEPTANCE

I, Beverly H. Fenello, the living woman, in the capacity of BEVERLY H. FENELLO, and I, Vito J. Fenello, Jr., the living man, in the capacity of VITO J. FENELLO, are recorded as the Grantees on the Warranty Deed for that real estate described as

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 1180 OF THE 15TH DISTRICT, 2ND SECTION OF CHEROKEE COUNTY, GEORGIA; BEING LOT 1616, THE WOODLANDS SUBDIVISION, UNIT A, PHASE 3, AS PER PLAT RECORDED IN PLAT BOOK 92, PAGE(S) 195-199, AND PLAT BOOK 93, PAGE 1, REVISED AT PLAT BOOK 94, PAGE(S) 121-126, CHEROKEE COUNTY, GEORGIA RECORDS, WHICH PLATS ARE INCORPORATED HEREIN BY REFERENCE AND MADE A PART OF THIS DESCRIPTION.

on the attached certified copy of said Warranty Deed.

It is our free will, act, and deed to Acknowledge our Acceptance of the Warranty Deed recorded in Plat Book 92, Pages 195-199, Plat Book 93, Page 1, and Plat Book 94, Pages 121-126, Cherokee County, GA and the lawful ownership of the property under the terms of the Warranty Deed.

We ask that the record on file in the Office of the Superior Court Clerk, Cherokee County, Georgia, be updated to show our Acceptance of the Warranty Deed, and to show BEVERLY H. FENELLO and VITO J. FENELLO as the lawful owner of that real estate.

This our free will, act, and deed, under our hand and seal:

[Signature]
Third Party Witness

Beverly H. Fenello
Beverly H. Fenello

[Signature]
Vito J. Fenello, Jr.

State of GEORGIA)
)
County of Cherokee)

S.S.

Deed Book **11561 Pg 402**
Filed and Recorded 10/31/2011 8:59:41 AM
28-2011-028442
Patty Baker
Clerk of Superior Court Cherokee Cty, GA

ACKNOWLEDGMENT AND ACCEPTANCE

On this 31st day of October, in the year of 2011, before me Stephen M. Levinson, a Notary Public, personally appeared Beverly H. Fenello and Vito J. Fenello, Jr., known or identified to me on the basis of satisfactory evidence to be the living woman and living man, respectively, whose names are subscribed to in the within instrument, first being duly sworn, acknowledged before me that they executed the same as their free wills, act, and deed.

SEAL

[Signature]
STEPHEN M. LEVINSON
Notary Public, Georgia
Cherokee County
My Commission Expires
February 27, 2015
My Commission Expires on _____

Exhibit C

FROM: Beverly H. Fenello and Vito J. Fenello, Jr.,

Date: October 31, 2011

Mail all correspondence to:

Vito J. Fenello, Jr.
289 Balaban Circle
Woodstock, GA 30188

TO: Bank of America Legal Department

1425 NW 62nd Street
FL 6 001 02 12
Fort Lauderdale, FL 33309

Re: Security Deed: Deed Book: 9379 Page 468, Recorded: February 6, 2007
Original Loan #: 3041807 Assignee Loan #: 147963149

**AFFIDAVIT OF NOTICE OF
REVOCATION OF POWER OF ATTORNEY**

I, Beverly H. Fenello, Affiant, a Living Being, and I, Vito J. Fenello, Jr., Affiant, a Living Being, pursuant to **United States Constitution 5th & 14th Amendments, O.C.G.A. § 10-6-141 and O.C.G.A. § 44-14-184**, do HEREBY DECLARE:

That, due to the discovery of various elements of fraud, fraudulent inducement, misrepresentation of a material fact, and intentional nondisclosure resulting in the deprivation of our property, Bank of America, N.A., its principles, agents, successors, and/or assignees, following an investigation into their various violations of Federal law and State laws (O.C.G.A § 23-2-52) of the purported Loan, Trust Agreement, and Security Deed records, I, Beverly H. Fenello, Affiant, and I, Vito J. Fenello, Jr., Affiant, do hereby refuse to knowingly accept, or otherwise participate in ANY part of fraud and other illegal actions involving the purported Promissory Note/Security Deed/Trust Instrument; and, further we do hereby revoke, rescind, and terminate all our signatures relating to any and all said deeds, notes, and agreements from their inception.

I, Beverly H. Fenello, Affiant, and I, Vito J. Fenello, Jr., Affiant, do hereby revoke, terminate, and rescind all Powers of Attorney, in-fact or otherwise, previously assigned by us, implied in law, by trust or otherwise, with or without our consent and/or knowledge, as such pertains to any property, real or personal, promissory note, security deed and mortgage signed on the date of January 30, 2007 or otherwise, under the Security Deed, and in particular the **Waiver of Borrower's Rights: Deed Book 9379 Page 485** recorded February 6, 2007, involving the property specifically addressed and identified as 289 Balaban Circle, Woodstock, GA 30188 with a legal description as follows:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 1180 OF THE 15TH DISTRICT, 2ND SECTION OF CHEROKEE COUNTY, GEORGIA; BEING LOT 1616, THE WOODLANDS SUBDIVISION, UNIT A, PHASE 3, AS PER PLAT RECORDED IN PLAT BOOK 92, PAGE(S) 195-199, AND PLAT BOOK 93, PAGE 1, REVISED AT PLAT BOOK 94, PAGE(S) 121-126, CHEROKEE COUNTY, GEORGIA RECORDS, WHICH PLATS ARE INCORPORATED HEREIN BY REFERENCE AND MADE A PART OF THIS DESCRIPTION.

Furthermore I, Beverly H. Fenello, and I, Vito J. Fenello, Jr., do hereby appoint ourselves, Beverly H. Fenello and Vito J. Fenello, Jr., as Attorneys-in-fact over the above real property.

I, Beverly H. Fenello, Affiant, and I, Vito J. Fenello, Jr., Affiant, by appellation, being first duly sworn, do hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

All Rights Reserved Without Prejudice

Beverly H. Fenello

Beverly H. Fenello, Affiant

[Signature]

Vito J. Fenello, Jr., Affiant

289 Balaban Circle

Woodstock, GA 30188

770-516-6922

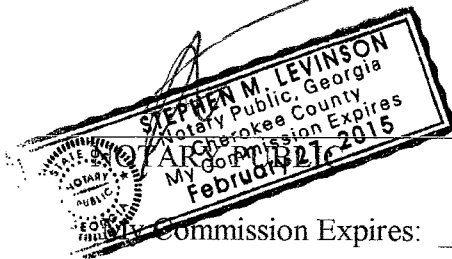
JURAT

State of Georgia

County of Cherokee

Subscribed and sworn to (or affirmed) before me on this 31 day of October, 2011,
by V. Jey Fenello + Beverly Fenello, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

SEAL:



10/31/11
DATE

Commission Expires: _____

Exhibit D

CERTIFICATE OF SERVICE

This is to certify that I, Beverly H. Fenello, and I, Vito J. Fenello, Jr., has this day served on the following party of record the foregoing REVOCATION OF POWER OF ATTORNEY, and a copy of same to the parties listed below, by depositing in the United States Mail in a properly addressed envelope with sufficient postage thereon to insure delivery, as well as by electronic delivery via fax (where so indicated):

Bank of America Legal Dept.
1425 NW 62nd Street
FL 6 001 02 12
Fort Lauderdale, FL 33309
5701 Horatio St.
Utica, NY 13502
Shuping, Morse & Ross, LLP
6259 Riverdale Road, Ste 100
Riverdale, GA 30274

Bank of America, N.A
c/o CT Corporation System
1201 Peachtree St NE
Atlanta GA 30361

Bank of New York Mellon
c/o CT Corporation System
1201 Peachtree St NE
Atlanta GA 30361

7007 0710 0002 5745 6546

Certified Mail Receipt No: _____
Fax Number: 212-548-8510

7007 0710 0002 5745 6553

Certified Mail Receipt No: _____
Fax Number: 770-994-7908

7007 0710 0002 5745 6560

Certified Mail Receipt No: _____
Fax Number: _____

7007 0710 0002 5745 6577

Certified Mail Receipt No: _____
Fax Number: _____

This 31st day of October, 2011

[Handwritten Signature]

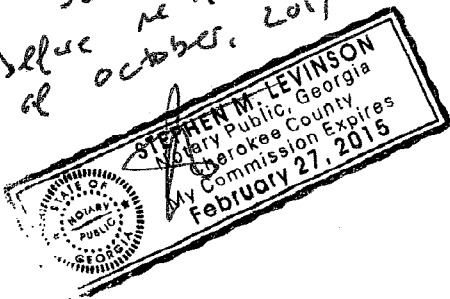
Third Party Witness Signature

All Rights Reserved Without Prejudice

[Handwritten Signature]

Beverly H. Fenello, Affiant

Sworn to and subscribed before me this 31st day of October, 2011



[Handwritten Signature]

Vito J. Fenello, Jr., Affiant