

STATE OF ALABAMA

SHELBY COUNTY

# 395

Before me, L. C. Walker, Judge of the Probate Court, in and for said County, in said State, personally appeared R. M. Lester, who, being first duly sworn deposes and says as follows: That he resides in Chelsea, in Shelby County, Alabama; that for a period of forty years, last past, he has been acquainted with the location, use, possession, and ownership of the following described lands, to wit; The South Half of the Southeast Quarter of Section 33, Township 19, Range 1 West, situated in Shelby County, Alabama.

Affiant further says that when he first knew said lands the same were owned and in the possession of the Maginaw Lumber Company, and that sometime on or about the year 1909 said Company cut all of the merchantable timber on said tract of land and was in the actual, open, notorious, exclusive, and adverse possession of said lands on said date; when affiant first knew said lands there was an old homesite in the Northeast corner thereof, and a fruit orchard surrounding said home site; affiant further says that he remembers the occasion more than twenty years, last past, when W. M. Jewel purchased the above described lands from W. A. J. Blackerby and immediately went into the possession of said lands and built a residence thereon, and continued in the possession, and after his death one or more of his heirs continued in possession of said lands, cultivating portions of it each year until the year that said Jewel conveyed said property to J. T. Johnson by several deeds during the year 1935; that the said J. T. Johnson went into the immediate possession of said property and continued to cultivate said lands and to occupy the residence thereon by tenants from year to year until he conveyed the same to Fred Vogala who went into the immediate possession of said lands and built a new dwelling house thereon on the South portion of the said eighty acres, and had the lands cultivated from year to year until on or about the year 1937 at which time the said Fred Vogala sold said lands to N. A. Miller.

Affiant further says that during the year 1937 the said N. A. Miller immediately, after said purchase, as aforesaid, moved upon said lands and resided thereon and used the same as a homesite and cultivated said lands each and every year, and used the woodlands thereon for pasture and timber purposes continuously until the sale of the lands to your affiant on July 25, 1946.

Affiant further says that he has resided within two or three miles of this property all of his life, and that he has known the owners and the parties claiming said property for the past forty years, and that he has never known or heard of M. K. Busby or R. A. Busby, and knows that no persons by these names have ever resided in the Chelsea community, nor have they ever been in the possession or made any claim to said lands insofar as your affiant knows or has ever heard about.

Affiant further says that of his own personal knowledge he knows the for forty years, last past, that your affiant, R. M. Lester, and those through whom he holds title, namely, N. A. Miller, Fred Vogala J. T. Johnson, W. N. Jewel and his heirs at law, W. A. J. Blackerby, G. W. Nelson, A. A. Brasher, and

Saginaw Lumber Company, to the above described lands have been, respectively, in the open, notorious, continuous, peaceable, and adverse possession of said lands, claiming the entire interest in and to said lands as their own, respectively, against all the world, and during the time the affiant has known said lands, he knows that M. K. Busby nor R. A. Busby, nor their heirs, nor any one connected with them have been in the possession or asserted any claim to said lands, or have been in possession thereof in any manner; and that said owners, as aforesaid, have exercised acts of ownership over said lands by regularly paying taxes thereon, cultivating and residing thereon from year to year and using the cleared part of said lands for the cultivation of crops from year to year and using the woodland thereon for firewood and other repairs purposes; that your affiant has never heard the title, or those through whom he holds title, as aforesaid, to be questioned in any way.

R. M. Lester

Sworn to and subscribed before me on this the 29th day of October, 1946.

L. C. Walker

Judge of Probate, Shelby  
County, Alabama.



PROBATE COURT SEAL

Filed for registration in this office Judge of Probate on the 2nd day of November, 1946 at 3 o'clock P.M.  
and was recorded in Vol. 126 Record of Deeds page 542 on this the 4th day of November, 1946.

*no Tax Due*

L. C. Walker

Judge of Probate