

STATE OF ALABAMA

AFFIDAVIT

#538

SHELBY COUNTY

Before me, Karl C. Harrison, the undersigned authority in and for said County, in said State, personally appeared R. M. Lester, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is R. M. Lester, sometimes known as Roland Lester. I am 51 years of age and live approximately 4 miles south of Chelsea in Shelby County. I knew Nicholas E. Vanderslice quite well during the time he lived in Shelby County; in fact, he was one of my neighbors. I understand that in certain deeds and mortgages his name is sometimes shown as Nicholas C. Vanderslice, sometimes as Nicholas E. Vanderslice and sometimes as Nicholas B. Vanderslice. I know of my own knowledge that the person named is one and the same person as Nicholas E. Vanderslice and that the said person is the only Vanderslice, along with his wife Helen Vanderslice who has ever owned the following described land:

The NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 2, Township 20, South, Range 1 West, except 5 acres off the south side of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 2, Township 20 South, Range 1 West, being a strip of equal width off the south side of said forty acres sold to B. A. Glenn, as shown by deed recorded in Deed Book 132 Page 447 in the Probate Office of Shelby County, Alabama; Mineral and mining rights excepted.

Also the E $\frac{1}{2}$  of the SW $\frac{1}{4}$ ; and 10 acres more or less, in the SE $\frac{1}{4}$  of NW $\frac{1}{4}$  more particularly described as follows: "Begin where the Chelsea Road crosses the little Creek, at or near the southwest corner of said forty; thence run north along said public road 1024 feet, more or less to a drain that leads easterly from the Taylor-Quinn old house place; thence in an easterly direction along said drain to where it empties into Yellow Leaf Creek, a distance of about 200 yards; thence in a southerly direction along said Creek to the south line of said forty acres; thence west along said south line to point of beginning, all being in Section 2, Township 20, Range 1 West and containing 90 acres, more or less. The mineral rights are hereby reserved.

Affiant further says that he recalls when R. J. Mabry purchased from the Court, as shown by Register's Deed dated March 29, 1929, and recorded in Deed Book 88 Page 234, the following described land:

The SW $\frac{1}{4}$  of Section 2, Township 20, Range 1 West and also a part of the SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 2 described as follows, Beginning where the Chelsea Public Road crosses the Little Creek at or near the southwest corner of said forty acres; thence running north along said public road, 1024 feet, more or less, to a drain, that leads easterly from the Taylor Quinn old house place; thence in an easterly direction along said drain where it empties into Yellow Leaf Creek a distance of about 200 yards; thence in a southerly direction along said Creek to the south line of said forty acres; thence west along said south line to the point of beginning; containing 10 acres, more or less, all situated in Shelby County, Alabama.

Affiant knows of his own knowledge that R. J. Mabry went into immediate possession of said land and either farmed it or rented it out to tenants each and every year until he sold the surface rights to the same on March 18, 1939, to W. E. Lester, as shown by deed recorded in Deed Book 96 Page 575, in the Probate Office of Shelby County, Alabama. W. E. Lester went into immediate possession of said property and rented it out to tenants who farmed it and obtained firewood and building timber from it each and every year until he sold to Jesse George, as shown by deed recorded in Deed Book 122 Page 15 in said Probate Office, the surface rights to the following described land:

The NW<sup>1</sup>/<sub>4</sub> of the SW<sup>1</sup>/<sub>4</sub> of Section 2, Township 20 South, Range 1 West,  
Shelby County, Alabama.

The said Jesse George went into immediate possession of the same and lived on it and farmed it and obtained firewood and building timber from it each and every year until he sold the same to Nicholas E. Vanderslice and Helen Vanderslice as shown by deed dated May 10, 1950, and recorded in Deed Book 140 Page 301 in said Probate Office. The said Nicholas E. Vanderslice, whose name is shown in said deed as Nicholas C. Vanderslice and wife, Helen Vanderslice went into immediate possession of said land and lived on it and farmed it each and every year until a few months ago they moved away but have rented the same out to tenants from that time until this very day.

The said W. E. Lester, who is one and the same person as Walter E. Lester, continued in actual possession of the following described land from the time he purchased it from R. J. Mabry on March 18, 1939, as mentioned above, and rented it out to tenants each and every year, who farmed it and obtained firewood and building timber from it each and every year until the said W. E. Lester sold it to Nicholas E. Vanderslice, whose name appeared in said deed as Nicholas E. Vanderslice, on April 2, 1946, as shown by deed recorded in Deed Book 122 page 519 in said Probate Office. Said land being described as follows:

The E<sup>1</sup>/<sub>2</sub> of the SW<sup>1</sup>/<sub>4</sub>; and 10 acres, more or less, in the SE<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub> more particularly described as follows: "Begin where the Chelsea Road crosses the little Creek at or near the southwest corner of said forty; thence run north along said public road 1024 feet more or less to a drain that leads easterly from the Taylor-Quinn old house place; thence in an easterly direction along said drain to where it empties into Yellow Leaf Creek, a distance of about 200 yards; thence in a southerly direction along said creek to the south line of said forty acres; thence west along said south line to point of beginning, all lying in Section 2, Township 20, Range 1 West and containing 90 acres, more or less; situated in Shelby County, Alabama. The mineral rights are hereby reserved.

The said Nicholas E. Vanderslice went into immediate possession of said land and lived on it and farmed it and obtained firewood and building timber from it each and every year until a few months ago when he moved away, but he has rented it out to tenants continuously until this very day.

Affiant further says that Nicholas E. Vanderslice and Helen Vanderslice and their heirs and their predecessors in tile have, during all the years he has known said land, owned it, and occupied it openly, adversely, continuously and notoriously and that he has never known of anyone contesting their possession or disputing their title.

R. M. Lester

State of Alabama  
Shelby County.

Sworn to and subscribed to before me this 20th day of November, 1950.

Karl C. Harrison,  
Notary Public for State of Ala at Large

Filed in office of Judge of Probate on the 21st day of November, 1950, at two o'clock P. M., and recorded in Deed Record 143 page 133.

This the 2nd day of December, 1950.

L. C. Walker,  
Judge of Probate

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