

1784

STATE OF ALABAMA-

BOOK 158 PAGE 139

SHELBY COUNTY

Personally came and appeared before me, S.A. Lokey, a notary public for State of Alabama at Large in and for said County, in said State, Roy Lester, who is personally known to me and who, after being by me first duly sworn according to law to speak the truth deposes and says:

My full name is Roy Burke Lester. I am 65 years of age. I was born and reared in Shelby County, Alabama, near Lesters Chapel and also near the hereinafter described real estate. I am a son of Burke A. Lester and Sarah L. Lester.

My mother, Sarah L. Lester very often signed her name, S.L. Lester and much of her business was transacted as S.L. Lester. My father at the time of his death owned and was in possession of the hereinafter described land with other lands and by Will, devised all of his property to the said Sarah L. Lester.

My mother departed this life on February 4, 1902, leaving surviving her as her sole heirs at law, the following children; Thomas W. Lester; Walter E. Lester; Rufus A. Lester, Mrs. Alice Wingard; Miss Phebe E. Lester; Henry A. Lester; Martha Lenora Lester; Emma Lester and affiant. The said Emma Lester departed this life intestate about the age of 19 without ever having married, and soon after my mother's death.

About the year, 1906, all the heirs of my mother's estate joined in a deed to Robert A. Farr conveying the Northwest Quarter of Southwest Quarter of Section 11, and the Northeast Quarter of Southeast Quarter of Section 10, Township 20, Range 1 West, and on December 5, 1906, by deed recorded in Deed Book 34 at page 473, R.A. Farr, who was one and the same person as the said Robert A. Farr and his wife M.L. Farr attempted to reconvey said property, but the deed was made to the S.L. Lester estate and the said Robert A. Farr delivered possession of the land to the executor of said estate and has not since been in possession or made any claim to any of said property.

On March 7, 1907, by deed recorded in the office of the Judge of Probate of Shelby County, Alabama, in Deed Book 37 at page 374, T.W. Lester, who is one and the same person as the above named Thomas W. Lester; Rufus A. Lester and wife L.J. Lester; Mrs. C.A. Wingard and husband Irwing Wingard, the said C.A. Wingard being one and the same person as the above named Alice Wingard; Walter E. Lester; Henry A. Lester and wife Florence Lester; M.L. Lester, who is one and the same person as the above named Martha Lenora Lester; P.E. Lester, who is one and the same person as the above named Phebe E. Lester and Roy B. Lester, affiant, together with the executors of the S.L. Lester estate and the guardian of Roy B. Lester, a minor, conveyed the above described land to Samuel R. Lester and the said Samuel R. Lester went into immediate possession of said property. The said T.W. Lester; Walter E. Lester; M.L. Lester; P.E. Lester and Roy B. Lester were unmarried on March 7, 1907, at the time of the execution of said deed. The above described real estate did not constitute any part of the homestead of any of the above grantors on the 7th day of March, 1907.

On January 24, 1908, the said Samuel R. Lester and wife Annie V. Lester conveyed the North half of Southwest Quarter of Section 11, Township 20, Range 1 West to M.L. Lester, who was one and the same person as the above named Martha Lenora Lester, by deed recorded in Deed Book 43 at page 44 in the office of the Judge of Probate of Shelby County, Alabama. On said 24th day of January, 1908 above described land was no part of the homestead of said Samuel R. Lester. The said M.L. Lester went into immediate possession of said land and had it cultivated by the agency of tenants who paid her rents. The land lay out for some years, but when it was in cultivation, it was cultivated by tenants of the said M.L. Lester, and when it was not cultivated by her tenants, it was not cultivated or occupied by anyone, and she retained possession and control over it continuously from 1908 until she executed a deed to R.M. Lester on August 13, 1949, conveying a part

of above described land, said deed being recorded in the office of the Judge of Probate of Shelby County, Alabama, in Deed Book 137 at page 523. The said R.M. Lester went into immediate possession of said land under said deed and has since been and is now in possession thereof. At no time since 1906, has the said Robert A. Farr or anyone holding under him been in possession of above described land nor have I ever known or heard of the said Robert A. Farr, or anyone claiming under him, making any claim to any right, title or interest in or to the above described land, and the possession of the said R.M. Lester, M.L. Lester and Samuel R. Lester has been since 1906, continuous, actual, exclusive, peaceful, quite, open, notorious, adverse, hostile and under color of title and claim of ownership.

The above described land is not included in the 160 acres constituting the homestead devised by my mother, the said Sarah L. Lester, as most contiguous to the dwelling house which was selected by her daughters, Phebe E. Lester, Martha L. Lester and Emma Lester as a homestead, devised to them by said Will to be used for their support and maintenance.

Roy B. Lester

Sworn to and subscribed before me on this 28th day of November, 1952.

S. G. Loney
Notary Public

Filed in the office of the Probate Judge on the 24 day of Feb 1953 at 10:30 clock A. M.
and recorded in Deed Book 138 Page 129 this 25 day of Feb 1953.
Deed Tax _____ Mortgage Tax _____ has been paid.
L.C. Walker, Judge of Probate