

**IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE

DENISE FELDERMAN (formerly Denise Zweifel),

Respondent,

v.

LEE ZWEIFEL, Trustee of the "Lee Zweifel Revocable Trust" Dated July 7, 2008,

Appellant.

DOCKET NUMBER WD72687

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

DATE: August 9, 2011

APPEAL FROM

The Circuit Court of Gentry County, Missouri
The Honorable Roger M. Prokes, Judge

JUDGES

Division Four: Hardwick, C.J., Pfeiffer, J., and Schieber, Sp.J.

CONCURRING.

ATTORNEYS

Jerold L. Drake
Grant City, MO

Attorney for Respondent,

David B. Parman
Albany, MO

Attorney for Appellant.



MISSOURI APPELLATE COURT OPINION SUMMARY
MISSOURI COURT OF APPEALS, WESTERN DISTRICT

DENISE FELDERMAN (formerly Denise)
Zweifel),)
)
)
 Respondent,)
v.)
)
LEE ZWEIFEL, Trustee of the "Lee)
Zweifel Revocable Trust" Dated July 7,)
2008,)
)
 Appellant.)

OPINION FILED:
August 9, 2011

WD72687

Gentry County

Before Division Four Judges: Lisa White Hardwick, Chief Judge, Presiding, Mark D. Pfeiffer, Judge, and Robert M. Schieber, Special Judge

Lee Zweifel appeals the Judgment of the Circuit Court of Gentry County, Missouri, on Denise Felderman’s petition for partition of real property owned by the parties. The trial court found that Zweifel had donative intent in conveying one-half interest in the property to Felderman as a joint tenant with right of survivorship. The trial court ordered the property sold and ordered that each party was to receive fifty percent of the proceeds.

AFFIRMED.

Division Four holds:

Zweifel attempted to rebut the presumption that co-tenants hold equal ownership in property in the face of an otherwise silent deed by presenting evidence that Zweifel purchased the property with no contribution from Felderman; however, the unequal contribution to the purchase price was explained by evidence that Zweifel intended the disparity as an enforceable gift.

Opinion by: Mark D. Pfeiffer, Judge

August 9, 2011

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