



**In the Missouri Court of Appeals
Eastern District
DIVISION TWO**

SARAH GROENINGS,)	No. ED90180
)	
Appellant,)	
)	Appeal from the Circuit Court of
vs.)	St. Louis County
)	
WILLIAM A. GROENINGS, SR.,)	Honorable Dale W. Hood
)	
Respondent.)	FILED: December 2, 2008

Sarah Groenings (hereinafter, “Wife”) appeals from the trial court’s judgment dissolving her marriage to William Groenings (hereinafter, “Husband”). Wife raises eight points on appeal with respect to the characterization and division of marital property, the allocation of marital debt, the award of attorneys’ fees at trial and on appeal, and the absence of a legal description for the real properties divided at trial.

AFFIRMED IN PART; REVERSED AND REMANDED IN PART.

Division II Holds: The trial court erred and misapplied the law when it set aside the entire purchase price of the parties’ marital residence as Husband’s separate property in that the evidence presented at trial demonstrated Husband transmuted his separate property into marital property at the time of the purchase and Husband failed to rebut this conclusion by clear and convincing evidence. Moreover, the trial court erred when it set aside other separate contributions attributable to Husband that did not take into account Wife’s marital contributions nor the increase in value of those separate contributions during the marriage.

The trial court’s determination that the parties were indebted to a trust, the trial court’s allocation of the marital debt, and the award of attorneys’ fees was supported by competent and substantial evidence on the record and did not amount to an abuse of discretion.

In addition to addressing the findings of error in this opinion, the trial court must correct the judgment below by including the legal descriptions of the properties at issue therein.

Opinion by: George W. Draper III, Judge

Roy L. Richter, P.J. and Lawrence E.
Mooney, J., concur