

AUG 31 1978

CLERK SUPREME COURT

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IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF MARJORIE L. PETERS AND ALBERT H. PETERS

UPON THE PETITION OF:

MARJORIE L. PETERS,

Appellee,

And Concerning,

ALBERT H. PETERS,

Appellant.

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Filed August 31, 1978

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2-61018

Appeal from Black Hawk District Court - Peter Van Metre, Judge.

Respondent husband seeks reduction of lump sum alimony awarded wife claiming the trial court made an inequitable division of the marital property. -
Affirmed.

John M. Warren, Waterloo, for Appellant.

George Lindeman, of Lindeman & Yaglia, Waterloo, for Appellee.

Submitted to Donielson, Acting C.J., and Snell, Oxberger and Carter, JJ.

PER CURIAM

Respondent Albert H. Peters seeks to reduce the lump sum alimony awarded petitioner Marjorie L. Peters claiming the trial court's decree of dissolution makes an inequitable division of property. Affirmed.

Albert argues the date of separation should be the date fixed for the assessment of marital net worth. *Locke v. Locke*, 246 N.W.2d 246, 252 (Iowa 1976) decided this question adversely to him. Valuation of the parties' assets and liabilities as of the date of trial determines the net worth to be awarded in the dissolution decree. The trial court award of the lump sum of \$15,350 and other personal property to Marjorie represented approximately half of the net worth of the parties at trial time. It was a marriage of 25 years duration. We find no merit in Albert's claim that the trial court was too generous with Marjorie.

Marjorie seeks an allowance for attorney fees incurred in this appeal. She has submitted a statement of services rendered. Albert should pay \$550 toward these fees. Costs are assessed to Albert.

Affirmed.