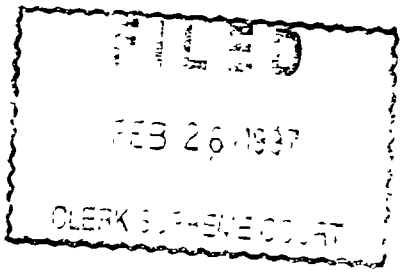
IN THE COURT OF APPEALS OF IOWA

No. 6-708 / 95-2024

J00035



IN RE THE MARRIAGE OF JOHN T. BLINKS AND KAY A. BLINKS

Upon the Petition of JOHN T. BLINKS,

Petitioner-Appellee,

And Concerning KAY A. BLINKS,

Respondent-Appellant.

Appeal from the Iowa District Court for Linn County, Thomas M. Horan, Judge.

Kay Blinks appeals from the economic provisions of the parties' dissolution decree. **AFFIRMED.**

Richard L. Boresi of King, Smith & Boresi, Cedar Rapids, for appellant.

Guy P. Booth, Cedar Rapids, for appellee.

Considered by Sackett, P.J., Cady and Streit, JJ.

PER CURIAM

This is an appeal by Kay Blinks claiming the dissolution decree inappropriately awards the marital residence to John. She also disputes the values the district court placed upon the residence and her Thrift Savings Plan. We affirm on appeal by memorandum opinion pursuant to Iowa Supreme Court Rule 9.

Kay and John Blinks were married in 1977. This is the second marriage for both parties. Kay had six children from a previous marriage; John had five. Three of Kay's children lived with her and John during the marriage. Kay did not receive alimony or child support from her former husband. In 1981 Kay's former husband deeded a property, 286 McClelland Road, Mount Vernon, Iowa, to Kay "in lieu of child support." That property had been purchased by Kay and her first husband in 1968 for $7000.

Kay and John moved into the McClelland Road residence in 1987, after having rented it out for several years. Over the next few years Kay and John extensively remodeled the house, built a garage, and built a large workshop for John's carpentry work. The money used for these projects came from the parties' joint checking account and from John's inheritance upon his mother's death. John and his sons provided much of the labor. In 1989 the property was deeded in both Kay and John's name.

At the time of the dissolution proceedings in 1995 John was sixty-six and Kay was fifty-eight years of age. John receives social security benefits. Kay works full-

time at the Linn County Farm Service Agency. John is also a self-employed carpenter working out of the workshop noted above.

The district court valued the McClelland Road property at $66,000 and Kay's Thrift Savings Plan at $29,000 at the time of trial. The property division as ordered by the court awarded John assets of about $93,400. He was awarded the McClelland Road property subject to a $25,000 lien and judgment for Kay's interest in it. Kay was awarded assets valued at $68,700.

Kay appeals. She notes that "when the value of the home is 'netted out', the respective property awards as determined by the trial court are virtually equal." She contends, however, the district court erred in awarding John the homestead because she brought the house into the marriage. Kay also claims the homestead's fair market value is $64,500 and that the $7000 that she and her first husband paid for it should be subtracted from this amount for a "true" value of $57,500. Kay also contends her Thrift Savings Plan was worth $20,629.64 on the date the parties separated and this is the figure that should be used in the division of assets, as John did not contribute to it post-separation.

The partners to a marriage are entitled to a just and equitable share of the property accumulated through their joint efforts. *In re Marriage of Russell*, 473 N.W.2d 244, 246 (Iowa App. 1991). Our review is de novo. Iowa R. App. P. 4. We give weight to the findings of the trial court, especially when considering the credibility of the witnesses, but are not bound by them. Iowa R. App. P. 14(f)(7).

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Kay proposes a property division that offsets to her the value of contributions she brought to the marriage. Her proposal does not, however, similarly offset to John the $49,000 inheritance he received. Under the circumstances presented, we do not believe Kay's proposal would be equitable.

We find the value placed by the trial court on the McClelland property and on Kay's Thrift Savings plan to be well within the permissible range of evidence and will not disturb them on appeal. *See In re Marriage of Bare*, 203 N.W.2d 551, 554 (Iowa 1973); *In re Marriage of Griffin*, 356 N.W.2d 606, 608 (Iowa App. 1984).

We also refuse to disturb the property division made by the trial court. The property was rented for several years and then the renovated residence was used by the parties as their home. The parties' joint efforts and contributions were used to increase the value of the property. There sits a workshop made by and for John. John's inheritance was used to benefit the couple and helped pay off the workshop construction. We do not believe the trial court erred in awarding the residence to John, subject to a lien in Kay's favor. We affirm.

AFFIRMED.