FILED
APR 30 1985
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CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF
MARION JANE WILSON AND KENNETH RAYMOND WILSON

Upon the Petition of	)	
MARION JANE WILSON,	)	
Petitioner-Appellee,	)	Filed April 30, 1985
And Concerning	)	
KENNETH RAYMOND WILSON,	)	5-147 / 84-877
Respondent-Appellant.	)	

Appeal from the Iowa District Court for Black Hawk County - George L. Stigler, Judge.

Respondent-husband appeals from the decree dissolving the parties' marriage. AFFIRMED AS MODIFIED.

Stanford J. Patterson, Waterloo, Iowa, for respondent-appellant.

William H. Gilliam, Waterloo, Iowa, for petitioner-appellee.

Considered by Oxberger, C.J., Donielson, and Hayden, JJ.

HAYDEN, J.

Respondent-husband (Kenneth) claims that the trial court's alimony award to petitioner-wife (Marion) is excessive. We agree. Marion requests attorney fees on appeal.

Petitioner Marion Jane Wilson and respondent Kenneth Raymond Wilson were married in 1958. They have two children, both of whom are now grown. Marion is now 46 years old. She has a prosthetic eye, and she suffers from long-term psychological disorders. During the marriage, she was the one primarily responsible for the children and the house; she also worked at various low-paying jobs. She is now earning about $230 per month net as a newspaper carrier. Kenneth is 51 years old. He has bursitis in his right leg, and he is a recovering alcoholic. He has worked at John Deere since before the parties were married and has accrued considerable pension rights there. In the year before the trial, he earned about $23,800 gross.

The trial court awarded Marion $120 per week alimony until she remarried, secured a job at substantially that amount per week, or died, or until Kenneth retired. When the latter event occurred, Marion was to receive 45% of Kenneth's pension benefits. The trial court awarded Marion one of the parties' two houses and the furnishings in it, a small chainsaw, a push lawnmower, a rototiller, two cars, a bank account and a life insurance policy. The trial court awarded Kenneth the other of the parties' houses, the furnishings in it, a large chainsaw, a riding lawn tractor, a pickup truck, a bank account, and a credit union account. The trial court directed Marion to pay four specified debts and Kenneth to pay the parties' other debts, which are not contested on appeal.

Our scope of review is de novo. Iowa R. App. P. 4. When considering the credibility of witnesses, this court gives weight to the fact findings of the trial court, but is not bound by them. Iowa R. App. P. 14(f)(7).

We modify the alimony award to Marion as follows: $120 per week for four years from the date of filing of the decree, April 10, 1984, and $1 per year thereafter. The alimony shall terminate in any event upon Marion's remarriage or death or upon Kenneth's death, whichever should first occur. Marion is awarded $400 to apply upon her attorneys fees on appeal.

AFFIRMED AS MODIFIED.