

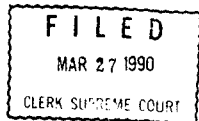
IN THE COURT OF APPEALS OF IOWA

No. 0-18 / 89-247

GERRY FORD and CAROL S. FORD,

Appellants,

vs.

LARRY LAVERTY, d/b/a/ LAVERTY PERFORMANCE CENTER, a/k/a
LAVERTY PERFORMANCE, and MERCHANTS MUTUAL BONDING COMPANY,

Appellees.

Appeal from the Iowa District Court for Polk County,
Ray A. Fenton, Judge.

Appellants appeal from a district court ruling in an
action on a motor vehicle dealer's bond. **AFFIRMED.**

Ted Breckenfelder, Davenport, and Scot M. Halverson,
Leon, for appellants.

Marc S. Harding, Des Moines, for appellees.

Heard by Hayden, P.J., and Sackett and Habhab, JJ.

PER CURIAM

Appellants appeal from a district court ruling in an action on a motor vehicle dealer's bond. We affirm.

In 1979, appellee Larry Lavery purchased a "rolling chassis" for a 1963 Corvette.¹ In 1983, Lavery traded the 1963 Corvette, again in rolling chassis form, for a 1977 Corvette, which appellant Gerry Ford had a one-half interest. Appellant subsequently obtained the remaining interest in the 1963 Corvette and thereafter made extensive modifications on it. On July 3, 1985, the 1963 Corvette was seized and later sold by the Iowa Department of Transportation because the Vehicle Identification Numbers did not match.

Appellants later brought suit against appellees for breach of contract. The district court awarded appellants damages of \$6,000, the value of the 1977 Corvette that was traded for the 1963 Corvette rolling chassis. Appellants assert on appeal that this amount of damages is inadequate. Our review in this matter is on assigned errors. Iowa R. App. P. 4.

The underlying purpose of damages is to put the innocent party back in the same financial position the party enjoyed prior to his loss. See Vothman v. Keith E. Myers Enterprises, 296 N.W.2d 772, 777 (Iowa 1980). The appropriate measure of damages for breach of warranty is

1. A "rolling chassis" is a motor vehicle less the engine, transmission, and interior features.

the loss directly and naturally flowing from the breach. See id. After reviewing the record in this case, we find the trial court's award of damages to appellants in the sum of \$6,000 is supported by substantial evidence. As such, the trial court's award is affirmed.

AFFIRMED.