FILED
JAN 29 1985
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF JOYCE ANN TRIMBLE AND JOHN KENYON TRIMBLE

Upon the Petition of	)	
JOYCE ANN TRIMBLE,	)	
Petitioner-Appellee,	)	**Filed January 29, 1985**
And Concerning	)	
JOHN KENYON TRIMBLE,	)	**4-469** **83-1654**
Respondent-Appellant.	)	

Appeal from the Iowa District Court for Polk County - M. C. Herrick, Judge.

Respondent husband appeals from the district court's ruling on his application to modify the decree which dissolved the parties' marriage. On appeal, respondent husband asserts (1) that the district court should have allowed him to satisfy petitioner wife's lien on his house by paying her half the net proceeds from the sale of the house remaining after he deducts certain of his expenses; and (2) that the district court should not have provided that any part of petitioner wife's lien remaining unpaid after the sale is to be personal judgment against respondent husband. Petitioner wife requests attorney fees on appeal. AFFIRMED.

James R. Van Dyke, Carroll, for respondent-appellant.

Gary R. Hassel of Roehrick & Hassel, P.C., Des Moines, for petitioner-appellee.

Considered by Donielson, P.J., and Snell and Hayden, JJ.

PER CURIAM

The 1973 decree dissolving the marriage of petitioner Joyce Ann Trimble and respondent John Kenyon Trimble awarded John the parties' house (subject to a mortgage) but gave Joyce the right to occupy the house for five years. The decree also imposed on John child support and other financial obligations. John fell behind in his payments, and in 1976 the parties entered into a stipulation providing that Joyce would deem John's financial obligations through April 20, 1976, satisfied if John would (1) grant her a $4,800 lien on the house, and (2) complete his pending sale of the house to a third party, or, if the sale fell through, attempt to sell the house to someone else. The district court approved this stipulation and made it part of the dissolution decree.

In 1983, John applied for a modification of the decree; he asked the district court to order that his house be sold at auction, that certain expenses be deducted from the proceeds of the sale, that the net proceeds be equally divided between the parties, and that Joyce's lien be cancelled. John asserted as the change in circumstances since the decree that the house had decreased in value from $14,000 at the time of the stipulation to $8,000 now. Joyce resisted John's application for modification, and trial was held.

The district court ordered that the house was to be sold at auction, that only the current taxes and expenses of the sale and one of John's debts were to be deducted from the proceeds of the sale, that the net proceeds were to be applied to Joyce's lien, and that any unpaid part of the lien would be a personal judgment against John. John has appealed.

The action of the district court was an interpretation of the stipulation entered into in 1976. This interpretation of the 1976 stipulation followed John's request for such an interpretation.

Our review is de novo and we find the court's action to be equitable.

Appellant is ordered to pay $300 to apply to attorney fees incurred by appellee.

The findings of the trial court are affirmed.

AFFIRMED.