FILED
JUN 24 1980
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF WAYNE E. TATMAN AND CONNIE D. TATMAN

Upon the Petition of	)	
WAYNE E. TATMAN,	)	Filed June 24, 1980
Petitioner-Appellant,	)	
And Concerning	)	
CONNIE D. TATMAN,	)	0-162 2-63823
Respondent-Appellee.	)	

Appeal from Buena Vista District Court - James P. Kelley, Judge.

Petitioner-husband appeals from economic provisions of the parties' dissolution of marriage decree, asserting that the trial court erred in awarding lump sum alimony of $20,000 to respondent-wife. AFFIRMED AS MODIFIED.

F. H. Becker and Michael F. Lacy, Jr., of Patterson, Lorentzen, Duffield, Timmons, Irish & Becker, Des Moines, Iowa, for petitioner-appellant.

John P. Duffy of Connell & Duffy, Storm Lake, Iowa, for respondent-appellee.

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

Petitioner-husband appeals from economic provisions of the parties' dissolution of marriage decree, asserting that the trial court erred in awarding lump sum alimony of $20,000 to respondent-wife. Pursuant to Iowa R. App. P. 4, our review is de novo.

Applying the criteria for economic determinations found in Schantz v. Schantz, 163 N.W.2d 398, 405 (Iowa 1976), without regard to fault, we find that the challenged award is excessive.

The marriage of petitioner and respondent was a short-lived, troubled marriage. When the petition for dissolution was filed on November 8, 1978, the parties had been married only 18 months. An earlier petition for dissolution had been filed by petitioner after only three months of the marriage. Petitioner is 56 years of age. Prior to his marriage to respondent, he was a farmer and feed salesman. At the time of his marriage to respondent he was the owner and operator of a mobile home park. Respondent is 46 years of age. She had two prior marriages and was divorced in 1958 and 1964, respectively. She has four children by her prior marriages, all of whom are of legal age and live outside of the State of Iowa.

During the term of the marriage, petitioner's net worth declined slightly. At the time of trial, he still had a net worth of $113,000 resulting from assets acquired prior to the marriage.[1] Respondent brought a negative net worth into the marriage. Respondent does have some health problems and only an eleventh grade education, which renders her employment situation somewhat doubtful. She did make a minimal contribution towards some of petitioner's business ventures during the marriage. Accordingly, we find that respondent is entitled to some economic award, but not to the extent ordered by the trial court.

We therefore modify the decree so as to provide that the lump sum alimony award be in the amount of $7,200. In addition, we direct that petitioner pay $500 toward respondent's attorney fees on this appeal. Other costs of appeal are divided equally between the parties. The decree of the trial court, as herein modified, is affirmed.

AFFIRMED AS MODIFIED.

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[1] Encumbrances on assets acquired by petitioner subsequent to the marriage equal or exceed their value.