

IN THE COURT OF APPEALS OF IOWA

No. 6-199 / 95-1134

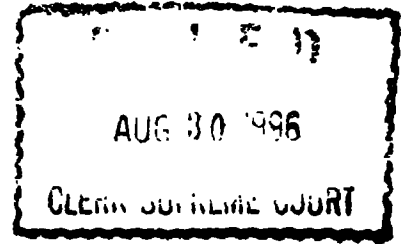
**IN RE THE MARRIAGE OF MAXINE A. HANSON
AND KIM A. HANSON**

Upon the Petition of
MAXINE A. HANSON,

Appellee,

And Concerning
KIM A. HANSON,

Appellant.



Appeal from the Iowa District Court for Union County, J.W. Jordon, Judge.

Kim appeals from the portion of the parties' dissolution of marriage decree
awarding Maxine alimony. **AFFIRMED.**

Arnold O. Kenyon, III, Creston, for appellant.

Robert W. Reynoldson of Reynoldson, Van Werden, Kimes, Reynoldson,
Lloyd & Cheers, L.L.P., Osceola, for appellee.

Considered by Sackett, C.J., Habhab, and Huitink, JJ. Streit, J., takes no part.

PER CURIAM

This is an appeal by a husband claiming the district court awarded the wife an excessive amount of alimony in the parties' dissolution decree. We affirm on appeal by memorandum opinion pursuant to Iowa Supreme Court Rule 9.

Maxine and Kim Hanson were married in 1971. They have three children, two of whom are minors, these being Kim (Casey) born in 1979, and Brandon, born in 1981. Kim is employed as the manufacturing manager of GITS Manufacturing Company in Creston. Kim's base salary is \$39,800. In the last several years he has received a bonus, which increased his income to about \$62,000. Maxine works about thirty-six hours per week at Casey's, where she has annual income of \$9,360. She also works about six hours per week for A. C. Nielsen, where she has annual income of \$1,872, which gives her total annual income of \$11,232.

The district court issued a dissolution decree for the parties on May 19, 1995. The parties were granted joint legal custody of the minor children, with Maxine having primary physical care. Kim was ordered to pay child support of \$630 per month, plus a percentage of his annual bonus. The court awarded Maxine alimony of \$800 per month until she becomes sixty-two years old, remarries, or the death of either party, whichever occurs first. Maxine was awarded property worth \$79,945 and Kim was awarded property worth \$85,177.

Kim has appealed the award of alimony, claiming it is excessive. He states Maxine is employed full-time and does not need permanent alimony. He also states

that after his payments of child support and alimony his net monthly income will be less than that of Maxine. He asks us to reduce the award of alimony to \$500 per month for a period of four years.

Alimony is not an absolute right; an award depends upon the circumstances of each particular case. *In re Marriage of Whelchel*, 476 N.W.2d 104, 110 (Iowa App. 1991). When we determine the appropriateness of alimony, we consider the earning capacity of each party. *In re Marriage of Oler*, 451 N.W.2d 9, 13 (Iowa App. 1989). We consider property division and alimony together is evaluating their individual sufficiency. *In re Marriage of Russell*, 473 N.W.2d 244, 246 (Iowa App. 1991).

In the present case, the district court pointed out the vast difference between the parties' earning capacities. We find it is unlikely Maxine will ever earn much more than minimum wage. On the other hand, Kim has an excellent job and has been reimbursed accordingly. Based on the facts in this case, we agree that Maxine is entitled to traditional alimony.

Maxine seeks attorney fees for this appeal. We determine Kim should pay \$500 towards her appellate attorney fees.

We affirm the decision of the district court awarding alimony to Maxine. Costs of this appeal are assessed to Kim.

AFFIRMED.