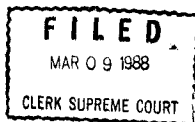


IN THE COURT OF APPEALS OF IOWA



IN RE THE MARRIAGE OF RICHARD E. HANNAH AND LA DONNA HANNAH

Upon the Petition of)

RICHARD E HANNAH,)

Petitioner-Appellant,)

And Concerning)

LA DONNA HANNAH,)

Respondent-Appellee.)

Filed March 9, 1988

8-01
86-1622

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Appeal from the Iowa District Court for Jasper County (No. DD8-220),
Michael J Streit, Judge.

Petitioner husband appeals from the decree dissolving the parties' marriage.

AFFIRMED

Eugene Knopf of Walker, Knopf & Billingsley, Newton, for appellant.

Charles F. Fairall of Fairall, Fairall, Kaplan & Hoglan, Marshalltown,
for appellee.

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

PER CURIAM

Petitioner husband appeals from the decree dissolving the parties' marriage. We affirm.

Petitioner, Richard E. Hannah, and respondent, *LaDonna Hannah*, were married in 1959. They have two grown children. During the marriage, Richard farmed and worked for grain elevator companies, among other jobs. He now earns \$55,000 per year as a grain elevator manager. *LaDonna* also worked at various jobs during the marriage, including as a bookkeeper and as a payroll clerk. She was not employed at the time of trial. During the marriage, *LaDonna's* mother gave the parties \$5,000 and Richard's mother gave Richard \$14,000 and *LaDonna* \$6,000. Richard is now fifty-eight years old; *LaDonna* is fifty-three.

In its dissolution decree, the trial court directed Richard to pay *LaDonna* \$3,000 toward her attorney fees and alimony of \$1,000 per month until Richard's retirement and \$1 per month thereafter. *The trial court awarded LaDonna the parties' house, a car, a lawn mower, household goods, life insurance, a Life Investors fund, an annuity, bank accounts, and a \$40,000 property settlement. The trial court also set aside to LaDonna a four-wheeler she bought while this action was pending. The trial court awarded Richard a farm, a pickup, two snowmobiles, a trailer, a golf cart, golf clubs, a three-wheeler, household goods, farm machinery and tools, life insurance, stock, and accounts receivable. The trial court provided for each party to receive a specified portion of Richard's monthly benefits from his grain elevator pension when he retires. Richard now appeals from the dissolution decree.*

Our scope of review is *de novo*. Iowa R. App. P. 4. We give weight to the fact findings of the trial court, especially when considering the credibility of witnesses, but we are not bound by them. Iowa R. App. P. 14(f)(7).

Richard's first contention is that the property division is inequitable in various respects. He claims the trial court failed to consider the parties' contributions to the marriage, that the trial court failed to give him credit in the property division for the gifts he received during the marriage, that the trial court incorrectly valued the various assets, that the trial court did not have sufficient evidence to allow it to value and divide his pension plan, and that the trial court should not have set the four-wheeler aside to LaDonna.

We have examined the property division in accordance with those facts set forth in section 598.21(1). See In re Marriage of Hoak, 364 N.W.2d 185, 194 (Iowa 1985). We find the trial court's distribution of the property to be just and equitable and affirm it on appeal. The valuations found by the trial court we find to be reasonable.

Richard also alleges that LaDonna's alimony award is excessive in amount and duration. The payment of alimony must be determined in light of all the circumstances. In re Marriage of Bevers, 326 N.W.2d 896, 900 (Iowa 1982). When determining the appropriateness of alimony, the trial court must consider the earning capacity of each party, present standards of living, and ability to pay balanced against the *relative needs of the other*. In re Marriage of Estlund, 344 N.W.2d 276, 281 (Iowa App. 1983). Iowa Code section 598.21(3) informs us that alimony is awarded out of fairness, according to the particular facts of each case. We think the trial court's award of alimony in this case was proper, both as to amount and duration.

Lastly, Richard contends that the trial court should not have awarded LaDonna any attorney fees. Recognizing that the trial court is vested with considerable discretion in this matter, In re Marriage of Giles, 338 N.W.2d 544, 546 (Iowa App. 1983), we are not persuaded to interfere with the trial court's decision on this issue.

LaDonna requests attorney fees on appeal. In evaluating such a request, we consider the needs of the party making the request, the ability of the other party to pay, and whether the party making the request was obligated to defend the trial court's decision on appeal. In re Marriage of Castle, 312 N.W.2d 147, 150 (Iowa App. 1981). We order Richard to pay \$1,000 toward LaDonna's appellate attorney's fees.

AFFIRMED.