FILED
JAN 30 1981
CLERK SUPREME COURT

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IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF MARY E. HOSKINS AND KENNETH NEAL HOSKINS

Upon the Petition of)
MARY E. HOSKINS,) Filed January 30, 1981
Petitioner-Appellant,)
And Concerning) 0-393
KENNETH NEAL HOSKINS,) 2-64214
Respondent-Appellee.)

Appeal from Marion District Court - M. J. V. Hayden, Judge.

Petitioner-wife appeals from property division provisions of the parties' dissolution decree. AFFIRMED AS MODIFIED.

Bert A. Bandstra, Knoxville, for petitioner-appellant.

Gerald R. Ralph of Holmes, Ralph & Kutmus, Des Moines, for respondent-appellee.

Considered by Oxberger, C.J., and Donielson, Snell, Carter, and Johnson, JJ.

PER CURIAM

Petitioner-wife appeals from property division provisions of the parties' dissolution decree. Our review is de novo. Iowa R. App. P. 4.

Kenneth and Mary Hoskins were married on February 24, 1975 after living together since June of 1974. Their marriage was dissolved by decree on August 15, 1979. Mary was awarded a 1972 automobile and the household furnishings owned by her at the time of the marriage, or, at her option, a total of $1300 in cash in lieu thereof. Title to the homestead situs was awarded to Kenneth who was also made responsible for the indebtedness thereon. Mary was awarded a $4,000 lien on the homestead to represent her share in the equity; Kenneth is to pay off the lien at $1,000 per year with seven percent interest accruing on the unpaid balance. Mary perfected this appeal contesting only the property division.

She claims that the division of property is inadequate and fails to represent her contributions to the marriage; specifically, her care for Kenneth's four daughters by a previous marriage and her contributions to paying off the debt on property formerly owned by Kenneth. After considering the relevant factors as found in Schantz v. Schantz, 163 N.W.2d 398, 405 (Iowa 1968), excluding fault,[1] we agree. We find that the equity in the homestead acquired during the marriage is at least $25,000. It is not shown that Kenneth's contribution thereto by means of premarriage monies or property exceeds $5,000. Mary assisted in fixing up and maintaining the property during the marriage. Accordingly, we find that Mary's share of the equity in the homestead is higher than was recognized in the trial court's decree. We therefore increase the amount awarded in paragraph 7 of the decree from $4,000 to $10,000, payable in installments of not less than $2,000 per year with interest on the unpaid balance at the rate of twelve percent (12%) per annum. Costs on appeal are assessed to Kenneth. Each party shall pay his or her own attorney fees on appeal.

AFFIRMED AS MODIFIED.

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[1]Mary's claim that the trial court somehow considered fault in its decree is devoid of any support in the record.