FILED
APR 22 1987
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF BETTY JEAN UPAH AND ROBERT MARVIN UPAH

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Upon the Petition of	)	
BETTY JEAN UPAH,	)	Filed April 22, 1987
Petitioner-Appellee,	)	
And Concerning	)	7-122 86-892
ROBERT MARVIN UPAH,	)	
Respondent-Appellant.	)	

Appeal from the Iowa District Court for Tama County (CD 762), Thomas L. Koehler, Judge.

Respondent husband appeals from the decree dissolving the parties' marriage. **AFFIRMED.**

Marie A. Condon, Marshalltown, Iowa, for appellant.

Donald G. Juhl, Nevada, Iowa, for appellee.

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

PER CURIAM

The scope of review in this equity case is de novo. Iowa R. App. P. 4.

We determine the property division and award to the parties by the trial court is just and equitable. We reject any rule based on a percentage division of the assets and must determine what is equitable under the specific facts of this case. In re Marriage of Lattig, 318 N.W.2d 811, 814 (Iowa App. 1982). Division of property is based on each marital partner's right to a just and equitable share of the property accumulated as the result of their joint efforts. In re Marriage of Hitchcock, 309 N.W.2d 432, 437 (Iowa 1981).

We do not disturb the seven percent interest impressed by the trial court upon the $11,471.50 judgment awarded to Robert. This amount of interest, although not the rate of ten percent per annum stated in section 535.3 of the Iowa Code, is considered as achieving an equitable property division. See In re Marriage of Callenius, 309 N.W.2d 510, 515 (Iowa 1981).

Robert shall pay $500 to Betty to apply upon her attorney fees on appeal.

AFFIRMED.