FILED
JAN 31 1978
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF DELORIS JEAN LOURENS and ARNOLD C. LOURENS

Upon the Petition of

DELORIS JEAN LOURENS,

Appellant,

And Concerning

ARNOLD C. LOURENS,

Appellee.

Filed January 31, 1978

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2-59596

Appeal from Dallas District Court - Van Wifvat, Judge.

Petitioner appeals from economic provisions of a dissolution decree. Affirmed as modified.

James E. Van Werden, of Adel, for appellant.

Chester R. Chickering, of Winterset, for appellee.

Heard by Allbee, C.J., Donielson, Snell and Carter, JJ. Oxberger, J., not participating in decision.

Petitioner Deloris Lourens, appeals from the economic determinations contained in the trial court's decree dissolving her marriage of approximately 11 years to respondent Arnold Lourens. We apply the criteria for economic determinations in dissolution matters which were set forth in Schantz v. Schantz, 163 N.W.2d 398 (Iowa 1968), without regard to fault. Upon application of these criteria we affirm the trial court's decree with certain modifications.

I. Property division. Upon our de novo review of the evidence we find it equitable that the lump sum cash award payable to Deloris as property settlement, under the trial court's decree, be increased from $50,000 to $100,000. One-half of this sum shall be paid to Deloris by Arnold on or before July 1, 1980; all of said sum shall be paid by July 1, 1981. The unpaid balance of this $100,000 award shall draw interest at the legal rate from the date of the trial court's original decree. This award shall be secured by a lien on respondent's real estate as provided in the trial court's decree.

II. Alimony. With respect to Deloris's contention on appeal that she should be awarded alimony from Arnold, we conclude upon an ad hoc determination under the facts of this case that alimony should be paid by Arnold to Deloris at the rate of $225 per month through the month of June, 1980, unless she sooner remarries or dies.[1]

III. Attorney fees. Upon review of the record we affirm the amount of Deloris's attorney fees which Arnold was required to pay in the trial court's decree. We direct, however, that all of said sum be paid within 120 days of the issuance of the procedendo on this appeal. In addition, Arnold shall pay the sum of $2000 to apply upon Deloris's attorney fees for this appeal. The latter sum shall be paid within 240 days of the issuance of the procedendo. Costs on appeal are assessed to Arnold.

This case is remanded to the trial court for the entry of a decree consistent herewith.

MODIFIED AND REMANDED.

[1] Alimony payable at this rate should commence as of the date procedendo issues on this appeal. In addition, Deloris shall have judgment for alimony from the date of the original decree herein at the rate of $175 per month until the date of the procedendo, without interest.