



IN THE COURT OF APPEALS OF IOWA

IN RE MARRIAGE OF CAROLYN B. UCHTORFF & RICHARD E. UCHTORFF

Upon the Petition of	)	
CAROLYN E. UCHTORFF,	)	Filed March 22, 1979
Appellee,	)	
And Concerning	)	53
RICHARD E. UCHTORFF,	)	<u>2-61768</u>
Appellant.	)	

Appeal from Scott District Court - C. H. Pelton, Judge.

Respondent-husband appeals economic provisions of divorce decree. -

AFFIRMED AS MODIFIED.

Stewart R. Winstein, of Winstein, Kavensky, Wallace & Doughty, Rock Island,
Illinois, for Appellant.

Seymore M. Raben, Davenport, for Appellee.

Submitted to Oxberger, C. J., and Donielson, Snell, Carter and Johnson, JJ.

PER CURIAM

Respondent Richard Uchtorff appeals economic provisions of decree dissolving his 17 year marriage to petitioner Carolyn Uchtorff. We affirm with modification.

At the time of trial, Richard, age 49, was the executive vice-president of a family owned equipment manufacturing business. His gross income over the preceding four years was in excess of \$100,000 annually. Carolyn, age 39, has a high school education and worked for two years as a receptionist/clerk. At Richard's request, she was not employed during the marriage and instead devoted her energies to raising the parties' three children and maintaining the household. Her earning capacity is limited. Carolyn was awarded the family residence, home furnishings and personal property with a net value of \$236,000. She was also awarded alimony of \$1500 per month to continue until her remarriage or the death of either party. Richard received property valued at approximately \$363,805, consisting primarily of corporate stock in the family business.

On our de novo review, we apply the criteria enumerated in Schantz v. Schantz, 163 N.W.2d 398, 405 (Iowa 1968), except fault. In re Marriage of Williams, 199 N.W.2d 339, 345 (Iowa 1972). The high standard of living enjoyed by the parties is due in part to gifts received from Richard's family. Carolyn is nevertheless entitled to a fair share of the assets acquired during the marriage. In re Marriage of Beeh, 214 N.W.2d 170, 175 (Iowa 1974). We find trial court's division of property affected an equitable distribution. Although property rights and alimony have different purposes, they are not subject to evaluation in isolation from each other. In re Marriage of McFarland, 239 N.W.2d 175, 179 (Iowa 1976). In Beeh, the court noted that a woman may be entitled to alimony even though she is capable of obtaining outside employment. 214 N.W.2d at 174. "More important, these children are not accustomed to a working mother. . . . Termination of this marriage will be traumatic enough without having their home routine disrupted by full-time job demands on their mother." Id. Accordingly, we hold that the alimony payments of \$1500 monthly to Carolyn shall continue until the youngest child reaches the age of eighteen. At that time, they shall be reduced to \$750 per month. These payments plus the sizeable property award plus whatever income she can earn in the labor

force will permit Carolyn to maintain the standard of living to which she has become accustomed. The trial decree is affirmed in all other respects.

Carolyn claims that Richard should pay the full amount of her attorney fees on appeal. We allow her the sum of \$1200 to apply on those fees. In re Marriage of Rose, 228 N.W.2d 88, 91 (Iowa 1975). Costs of appeal are taxed against Richard.

Affirmed as modified.