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FEB 21 1984
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IN THE COURT OF APPEALS OF IOWA

337

IN RE THE MARRIAGE OF JANET M. JANSS AND HAROLD LAHN JANSS

UPON THE PETITION OF)
JANET M. JANSS,)
Petitioner-Appellant,) Filed February 21, 1984
AND CONCERNING) 3-423
HAROLD LAHN JANSS,) 83-396
Respondent-Appellee.)

Appeal from the Iowa District Court for Linn County - William R. Eads, Judge.

Petitioner wife appeals from the economic provisions of the decree dissolving the parties' marriage. AFFIRMED.

Robert C. Nelson, Nelson & Nelson, Cedar Rapids, Iowa, for petitioner-appellant.

David S. Good, Nazette, Hendrickson, Marner & Good, Cedar Rapids, Iowa, for respondent-appellee.

Heard by Schlegel, P.J., Hayden and Sackett, JJ.

SACKETT, J.

Petitioner, Janet M. Janss, appeals from the decree dissolving the parties' marriage. She asserts: (1) that the property division is inequitable; and (2) that the trial court should not have awarded respondent husband nominal alimony in the amount of $1 per year. With respect to the property division, petitioner argues that the trial court failed to take into consideration the increased value of the home which respondent inherited from his mother. We affirm.

Our review is de novo. Our duty is to examine the entire record and adjudicate anew the issues properly presented. In doing so we give weight to, but are not bound by, the findings of the trial court. In re Marriage of Steenhoek, 305 N.W. 2d 448, 452 (Iowa 1981).

Harold was 66 and Janet was 63 at the time of trial. The parties were married in 1939. Their children are now adults. Janet did not work outside the home until 1950 when the children were older. In 1969 Janet started working for the United States Postal Service. In 1971 she was appointed postmaster in Alburnett, Iowa, and at the time of trial she was earning $25,750 per year.

Harold was employed outside the home during the marriage. He retired at age 63. At the time of trial his monthly income from Social Security, pensions, interest and dividends was about $650.

I. Property Division

The trial court's decree made a fairly equal division of the assets acquired by the parties during the marriage, setting off inherited property to the party who had inherited it. The record was incomplete as to the value of pension rights of each party, but we have considered these rights in our review. The record does not support Janet's contention that she received no marital property.

Harold had inherited the home in which he was living from his mother. The home was set off to Harold in the trial court's property division. Janet contends that she should receive a portion of the value of the home because she contributed

to its increase in value. In 1977 the Iowa legislature provided that inherited property is the property of the party inheriting it and is not subject to property division except upon a finding that a failure to divide such property is inequitable to the other party or to the children of the marriage. Iowa Code §598.21(c). Section 598.21(c) is substantially a codification of the principles established by case law. In re Marriage of Thomas, 319 N.W. 2d 209, 210 (Iowa 1982).

Janet had lived in the home with Harold for a time and assisted him with some painting. We do not find her contributions to be substantial enough to justify an award of a portion of the value of Harold's inherited property to Janet.

II. Alimony

Janet challenges the trial court's award of $1.00 per year alimony to Harold. In reviewing the alimony award, we consider all of the economic provisions of a dissolution decree as an integrated whole. In re Marriage of Lattig, 318 N.W. 2d 811, 815 (Iowa 1982). We find that, under the criteria of Iowa Code section 598.21, the property division and support provisions, considered as a whole, are equitable. We therefore affirm the economic provisions of the dissolution decree.

AFFIRMED.