FILED
APR 20 1988
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

314

IN RE THE MARRIAGE OF JOANN R. WILLMSEN AND JOHN A. WILLMSEN

Upon the Petition of)
JOANN R. WILLMSEN,)
Petitioner-Appellant,)
And Concerning)
JOHN A. WILLMSEN,)
Respondent-Appellee.)

Filed April 20, 1988
8-94
87-974

Appeal from the Iowa District Court for Linn County (No. DM 13782), Lynne E. Brady, Judge.

Petitioner wife appeals the decree dissolving the parties' marriage. **AFFIRMED.**

Stephen B. Jackson of Hines, Pence, Jackson, Day & Charles, Cedar Rapids, for appellant.

Richard D. Raymon, Cedar Rapids, for appellee.

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

PER CURIAM

Joann Willmsen appeals the decree dissolving the parties' marriage. She asserts: (1) that her child support award is inadequate; (2) that her alimony award is inadequate; (3) that the trial court's valuation of John Willmsen's business is too low; and (4) that the trial court should have set aside to her the jewelry and figurines she received as gifts from John during the marriage. She also requests appellate attorney fees. We affirm.

We review de novo. Iowa R. App. P. 4. We give weight to the findings of the trial court but are not bound by them. Iowa R. App. P. 14(f)(7).

Three children were born of this twenty-two-year marriage. Two of the children, James, eighteen, and Christine, seventeen, live with Joann. James has a learning disability but is able to cope and intends to pursue higher education. Christine will also pursue higher education.

Joann contends the $50 per child per week award is inadequate. She argues she is not able to work at any substantial income-producing job due to her health problems, while John nets $500 per week.

We conclude $50 per child per week is adequate. One child has reached majority and another is seventeen. They both plan to pursue higher education and John's support obligation, along with his payment of educational expenses, will continue. Joann on appeal does not highlight any particular evidence to support her position, and our review of the record does not reveal any special needs of the children that would require the child support obligation to be increased. While we recognize Joann's limited earning capacity, she is able to work part-time and has done so during the marriage. We also conclude $50 is adequate since Joann is not responsible for any of the children's medical expenses. We therefore find the trial court's child support award adequate.

Joann contends the trial court should have awarded her additional alimony. She again cites her health and the length of the marriage.

It is clear alimony is necessary in this case. Joann has a limited earning capacity, no retirement or pension plan, and some health problems. An award of alimony is necessary for her support. We conclude the $500 per month awarded by the trial court is adequate in this case. Joann was awarded the homestead and a lump sum property settlement of $44,641. Her monthly needs can be taken care of by the alimony award.

Joann argues the trial court erred in not setting aside as gifted property her jewelry and some figurines. She contends these were gifts to her from John and they should not have been considered as marital assets.

Property that is received as a gift should be set aside except upon a finding that refusal to divide the property is inequitable to the other party. Iowa Code § 598.21(2) (1987); In re Marriage of Mentel, 359 N.W.2d 505, 506 (Iowa App. 1984). We conclude the trial court was correct in not setting these items aside as separate property. They were all purchased with joint assets throughout the marriage. The marriage was of a long duration with John providing most of the funds for the family and the items. We find this to be a compelling factor in characterizing the items as marital property.

Joann finally contends the trial court erred in valuing John's business. She argues the trial court ignored her expert's testimony as to value.

The trial court heard expert testimony from four witnesses. John's experts estimated the value to be from $45,000 to $178,863. Joann's expert estimated the value to be $245,000. The trial court found the value to be $100,000. This valuation is well within the range of evidence and we will not disturb it on appeal. See In re Marriage of Wiedemann, 402 N.W.2d 744, 748 (Iowa 1987); In re Marriage of Bare, 203 N.W.2d 551, 554 (Iowa 1973).

Finally, Joann has requested attorney fees for this appeal. We do not find such an award justified in this case. Costs are taxed to Joann.

AFFIRMED.