FILED
MAR 31 1986
CLERK SUPREME COURT

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IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF SHIRLEY EILEEN WIEGERT
AND LAWRENCE HENRY WIEGERT

Upon the Petition of)
SHIRLEY EILEEN WIEGERT,)
Peitioner/Appellant/Cross-Appellee,)
And Concerning)
LAWRENCE HENRY WIEGERT, a/k/a)
LAURENCE HENRY WIEGERT,)
Respondent/Appellee/Cross-Appellant.)

Filed March 31, 1986

6-04
84-1892

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Appeal from the Iowa District Court for Warren County (No. DM 6-5) - Michael J. Streit, Judge.

Petitioner appeals and respondent cross appeals from trial court's order dividing their assets in a dissolution action. **AFFIRMED.**

Stephen A. Hall, Indianola, for petitioner/appellant/cross-appellee.

Clair A. Patin, of Elgin, Hoyman, Clogg & Patin, Indianola, for respondent/appellee/cross-appellant.

Considered by Donielson, P.J., and Snell, and Sackett, JJ.

SACKETT, J.

The parties were married in 1950 and have seven children now grown. Both entered the marriage with minimal assets. Both are currently employed at minimum wage. The parties owned a garbage collection business. They both had been involved in the business. Petitioner wanted to keep the garbage business while respondent wanted it sold.

The trial court valued the assets of the parties at $80,950 and the debts at $39,435 for a net worth of $41,515. The court allocated $8,749 to petitioner for her inheritance and made an award which resulted in petitioner receiving substantially all assets and liabilities and being ordered to pay respondent $21,883 in five annual installments with interest at 10 percent. The respondent was ordered to pay a debt of the parties in the amount of $5,024, leaving him with a net of $16,833 of one-half on the assets remaining after the $8,749 inheritance was allocated to petitioner.

Petitioner challenges the property award. She complains basically that the payments she must make are too high and she should have been awarded more property and the interest rate of 10 percent is too high.

Respondent claims the trial court undervalued the garbage collection business and the cash amount petitioner pays him should be increased.

The court shall divide the property of the parties considering the factors of Iowa Code section 598.21(1). See In re Marriage of Johnson, 350 N.W.2d 199 (Iowa 1984).

We reject any rule based on a percentage division of assets. See In re Marriage of Callenius, 309 N.W.2d 510 (Iowa 1981).

The award made was equitable.

Petitioner also complains about a $500 attorney fee she was ordered to pay for respondent's attorney. We will not disturb the trial court's award.

We award no appellate attorney fees.

AFFIRMED.