FILED
OCT 25 1994
CLERK SUPREME COURT

**IN THE COURT OF APPEALS OF IOWA**

No. 4-335 / 93-1013

**IN RE THE MARRIAGE OF ANNETTE FAY PETERSON AND THOMAS LAVERN PETERSON**

Upon the Petition of
**ANNETTE FAY PETERSON,**

Petitioner-Appellee,

And Concerning
**THOMAS LAVERN PETERSON,**

Respondent-Appellant.

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Appeal from the Iowa District Court for Cerro Gordo County, John S. Mackey, Judge.

Thomas appeals from the property division provisions of the parties' dissolution decree, contending the division is inequitable. **AFFIRMED AS MODIFIED.**

M. Wayne Oltrogge of Oltrogge Law Office, P.C., Clear Lake, for appellant.

Richard N. Tompkins, Jr., Mason City, for appellee.

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

**PER CURIAM**

This appeal challenges the economic provisions of a decree dissolving a marriage of over twenty years. We affirm as modified.

Respondent-appellant Thomas Lavern Peterson and petitioner-appellee Annette Fay Peterson were married in 1969. They had two daughters, who are now adults. Annette is a beautician, and Thomas is an employee of U.S. West. The issues at trial were all economic. The trial court valued property and, based on its valuations, allocated property of about $50,000 to Annette and property in a like amount to Thomas. The balance of the property was ordered sold with the proceeds to be evenly divided. The parties had borrowed about $15,000 to pay the college expense of one of their daughters. The trial court allocated this debt twenty percent to Annette and eighty percent to Thomas.

Thomas appeals contending: (1) the valuations of the trial court were not correct, (2) the trial court failed to consider a $2,000 property interest that went to Annette, (3) he should have been given a gun that belonged to his grandfather, and (4) and it was not equitable to allocate a greater portion of the debt incurred for college expenses to him. We affirm as modified.

The partners in the marriage are entitled to a just and equitable share of the property accumulated through their joint efforts. In re Marriage of Russell, 473 N.W.2d 244,

246 (Iowa App. 1991). Iowa courts do not require an equal division or percentage distribution. Id. The determining factor is what is fair and equitable in each circumstance. Id. The distribution of the property should be made in consideration of the criteria codified in Iowa Code section 598.21(1) (1991). In re Marriage of Estlund, 344 N.W.2d 276, 280 (Iowa App. 1983).

Our review is de novo. Iowa R. App. P. 4. We give weight to the fact findings of the trial court, especially when considering the credibility of witnesses. Iowa R. App. P. 14(f)(7). We are not bound by these determinations, however. Id. Prior cases have little precedential value, and we must base our decision primarily on the particular circumstances of the parties presently before us. In re Marriage of Weidner, 338 N.W.2d 351, 356 (Iowa 1983).

Thomas first contends the trial court did not correctly value the assets. Thomas next contends the trial court failed in the property division to consider the value of improvements made to a residential property by Annette. We find the value placed on the assets by the trial court to be well within the permissible range of evidence and will not disturb them on appeal. See In re Marriage of Bare, 203 N.W.2d 551, 554 (Iowa 1973); In re Marriage of Griffin, 346 N.W.2d 606, 608 (Iowa App. 1984).

Thomas's second contention is he should have been awarded his grandfather's gun. At oral argument, Annette's

attorney stated she had no problem with Thomas receiving his grandfather's gun. We determine such an allocation is equitable and modify the decree to provide Thomas shall have his grandfather's gun.

Thomas next contends it was not equitable to allocate to him a larger portion of debt than was allocated to Annette.

Thomas's wages in 1992 were about $38,000. Annette's were about $6500. The evidence indicates they both would expect similar wages in the future. This was a long-term marriage. No alimony was awarded. Under the circumstances of this case, we find no inequity in the property division. We affirm the trial court. Thomas shall pay the costs on appeal. Annette has requested attorney fees on appeal. We direct Thomas pay $250 toward Annette's attorney fees.

**AFFIRMED AS MODIFIED.**