FILED
FEB 26 1986
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF MELVIN L. MOORE AND SHARON ANN MOORE

153

Upon the Petition of	)	
MELVIN L. MOORE,	)	Filed February 26, 1986
Petitioner-Appellee,	)	
And Concerning	)	
SHARON ANN MOORE,	)	5-703 85-517
Respondent-Appellant.	)	

Appeal from the Iowa District Court for Polk County (46-27407) - Harry Perkins, Judge.

Respondent wife appeals from the decree dissolving the parties' marriage. **AFFIRMED.**

John R. Hearn, Des Moines, Iowa, for respondent-appellant.

Rick L. Olson, Des Moines, Iowa, for petitioner-appellee.

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

The parties were married in 1960. They have six children, one of whom, Biff, age 16, is a minor. Another child, William, age 18, is living at home while attending college. Melvin is a railroad engineer; he earned $45,011.86 gross per year. Sharon works for the U.S. Post Office; she earns $26,675.16 gross per year.

The trial court awarded Sharon custody of Biff and $400 per month child support for that child; the parties' house, which we value at $30,000 net equity; the household furnishings; her personal property; two vehicles; her IRA account; her vested retirement pension (present value is $2,106); and $10 per year alimony. Melvin was directed to pay William's college tuition, book costs, and fees. Melvin was awarded his personal property, two vehicles, a boat, his coin collection, his life insurance policies, and his unvested retirement plan (present value is $17,000).

Sharon was awarded a $1,000 judgment against Melvin to apply upon her attorney fees.

Sharon's claims on appeal are: 1) she should have been awarded a share of the difference between the parties" respective retirement plans; 2) more alimony and attorney fees; and 3) child support for their son, William, who lives with her while attending college.

Our review is de novo. Iowa R. App. P. 4.

We find: 1) the trial court considered the difference in each party's retirement pensions in the division of the marital assets. We agree with Melvin that an award to Sharon of the marital residence with an equity value of $30,000 more than compensates as an offset against the difference of $15,000 between the value of the parties' retirement pensions; 2) the alimony and attorney fee awards to Sharon are not inadequate; and 3) that Melvin should not be required

to pay Sharon child support in addition to the college expenses he is required to pay for William.

Each party shall pay their own attorney fees on appeal. Costs of appeal are taxed to the appellant.

AFFIRMED.

Sackett, J., concurs; Oxberger, C.J., dissents.

During most of the 25 year marriage, Sharon stayed home and raised the parties six (6) children. Therefore, she has not had the same career opportunities William has.

I would award Sharon $400.00 a month alimony for 10 years, her remarriage or her death whichever event occurs first.

I would order William to pay Sharon $200 a month boarding expenses for William until he is 22, finishes college, or moves out of her home whichever event occurs first.