

GETTY REALTY CORP /MD/

Form 8-K

May 06, 2009

UNITED STATES

SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

**FORM 8-K**

**CURRENT REPORT**

**Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934**

Date of Report (Date of earliest event reported): May 5, 2009

Getty Realty Corp.

(Exact name of registrant as specified in charter)

Maryland      001-13777      11-3412575

(State of            (Commission    (IRS Employer

Organization) File Number) Identification No.)

125 Jericho Turnpike, Suite 103

Jericho, New York                                    11753

(Address of principal executive offices)      (Zip Code)

Registrant's Telephone Number, including area code: (516) 478-5400

Not Applicable

(Former name or former address, if changed since last report.)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (see General Instruction A.2. below):

Written communications pursuant to Rule 425 under the Securities Act

Soliciting material pursuant to Rule 14a-12 under the Exchange Act

Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act

Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act

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Item 2.02. Results of Operations and Financial Condition

On May 5, 2009, Getty Realty Corp. announced its financial results for the quarter ended March 31, 2009.

A copy of the press release announcing these financial results is attached as Exhibit 99.1.

Item 9.01. Financial Statements and Exhibits

(d) Exhibits

Exhibit

Number

Description

99.1 Press Release, dated May 5, 2009, issued by Getty Realty Corp.

The information contained in Item 2.02 and Exhibit 99.1 to this Current Report on Form 8-K is being furnished and shall not be deemed “filed” for the purposes of Section 18 of the Securities Exchange Act of 1934, as amended, or otherwise subject to the liabilities of that Section. Such information in this Current Report on Form 8-K shall not be incorporated by reference into any registration statement or other document pursuant to the Securities Act of 1933, as amended, except as shall be expressly set forth by specific reference in any such filing.

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SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

GETTY REALTY CORP.

Date: May 5, 2009 By: /s/ Thomas J. Stirweis

Thomas J. Stirweis  
Vice President, Treasurer and  
Chief Financial Officer

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INDEX TO EXHIBITS

Exhibit      Description

Exhibit 99.1 Press Release, dated May 5, 2009, issued by Getty Realty Corp.