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GETTY REALTY CORP /MD/  
Form 8-K  
February 03, 2004

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): February 2, 2004

Getty Realty Corp.

-----  
(Exact name of registrant as specified in charter)

|                            |                             |                                      |
|----------------------------|-----------------------------|--------------------------------------|
| Maryland                   | 001-13777                   | 11-3412575                           |
| -----                      | -----                       | -----                                |
| (State of<br>Organization) | (Commission<br>File Number) | (IRS Employer<br>Identification No.) |

|  |            |
|--|------------|
| 125 Jericho Turnpike, Suite 103<br>Jericho, New York | 11753      |
| -----  | -----      |
| (Address of principal executive offices)             | (Zip Code) |

Registrant's Telephone Number, including area code: (516) 478-5400  
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Former name or former address, if changed since last report: Not Applicable

Item 7. Financial Statements and Exhibits

(c) Exhibits

| Exhibit<br>Number | Description   |
|-------------------|---|
| -----             | -----   |
| 99.1              | Press Release, dated February 2, 2004, issued by Getty Realty Corp. |

Item 12. Results of Operations and Financial Condition

On February 2, 2004, Getty Realty Corp. announced its earnings for the quarter and year ended December 31, 2003. A copy of the press release announcing these earnings is attached as Exhibit 99.1.

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The information in this Current Report 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. The information in this Current Report 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.

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 thereunto duly authorized.

Getty Realty Corp.  
(Registrant)

Date: February 2, 2004

By: /s/Thomas J. Stirnweis

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

INDEX TO EXHIBITS

| Exhibit      | Description   |
|--------------|---|
| -----        | -----   |
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