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CAPITAL AUTOMOTIVE REIT
Form 8-K
August 03, 2001

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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): August 2, 2001

CAPITAL AUTOMOTIVE REIT
(Exact name of registrant as specified in its charter)

Maryland
(State or Other Jurisdiction
of Incorporation)

000-23733
(Commission File Number)

(IRS Emp

1420 Spring Hill Road, Suite 525, McLean, Virginia

(Address of Principal Executive Offices)

(703) 288-3075

(Registrant's telephone number, including area code)

Not Applicable

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

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ITEM 7. FINANCIAL STATEMENTS, PRO FORMA FINANCIAL INFORMATION AND EXHIBITS.

(c) Exhibits

The exhibits listed in the following index relate to the Registration Statement on Form S-3 (No. 333-73181) of the registrant and are filed herewith for incorporation by reference in such Registration Statement.

Exhibit No.

Description

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| | |
|-------|---|
| 1.01 | Underwriting Agreement dated as of August 2, 2001, among Capital Automotive REIT, Capital Automotive L.P. and Credit Suisse First Bost representative of the several underwriters named therein |
| 4.01 | First Amendment to Second Amended and Restated Partnership Agreement Capital Automotive L.P. |
| 5.01 | Opinion of Shaw Pittman LLP as to the legality of the securities being by the registrant |
| 8.01 | Opinion of Shaw Pittman LLP regarding certain material tax issues relating the registrant |
| 23.01 | Consent of Shaw Pittman LLP (included in its opinions filed as Exhibits and 8.01) |

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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.

CAPITAL AUTOMOTIVE REIT

By: /s/ David S. Kay

David S. Kay
Vice President and Chief Financial Officer
(Principal Financial and Accounting Officer)

Dated: August 3, 2001

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EXHIBIT INDEX

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