

Report of Organizational Actions Affecting Basis of Securities

OMB No. 1545-0123

► See separate instructions.

Part I Reporting Issuer

| | | | |
|---|----------------------------|--|----------------------|
| 1 Issuer's name | | 2 Issuer's employer identification number (EIN) | |
| KIMCO REALTY CORPORATION | | 13-2744380 | |
| 3 Name of contact for additional information | 4 Telephone No. of contact | 5 Email address of contact | |
| DAVE BUJNICKI | 516-869-2087 | DBUJNICKI@KIMCOREALTY.COM | |
| 6 Number and street (or P.O. box if mail is not delivered to street address) of contact | | 7 City, town, or post office, state, and ZIP code of contact | |
| 500 N BROADWAY | | JERICO, NY 11753 | |
| 8 Date of action | | 9 Classification and description | |
| 12/31/2019 | | REDEMPTION CLASS J PREFERRED | |
| 10 CUSIP number | 11 Serial number(s) | 12 Ticker symbol | 13 Account number(s) |
| 49446R-778 | N/A | KIM.PRJ | N/A |

Part II Organizational Action Attach additional statements if needed. See back of form for additional questions.

14 Describe the organizational action and, if applicable, the date of the action or the date against which shareholders' ownership is measured for the action ► On December 31, 2019, Kimco Realty Corporation ("Kimco") redeemed all 9,000 shares of its issued and outstanding 5.500% Class J Cumulative Redeemable Preferred Stock (the "Class J Preferred Stock") and 9,000,000 depository shares representing the Class J Preferred Stock (the "Class J Depository Shares"). The Class J Preferred Stock was redeemed at the redemption price of \$25,000.00 per share, plus \$290.278 in accrued and unpaid dividends on each share, and the Class J Depository Shares were redeemed at the redemption price of \$25.00 per depository share, plus \$0.29028 in accrued and unpaid dividends on each share.

15 Describe the quantitative effect of the organizational action on the basis of the security in the hands of a U.S. taxpayer as an adjustment per share or as a percentage of old basis ► The shareholder will generally recognize gain or loss equal to the difference between the redemption price of \$25,000.00 and \$25.00 per share of the Class J Preferred Stock and Class J Depository Shares, respectively, and the shareholder's tax basis in the redeemed shares. Shareholders should consult their tax advisor for treatment to the extent they actually own or are treated as owning, as a result of constructive ownership rules under the tax code, other outstanding shares of Kimco.

16 Describe the calculation of the change in basis and the data that supports the calculation, such as the market values of securities and the valuation dates ► See #15 above.

Part II Organizational Action (continued)

17 List the applicable Internal Revenue Code section(s) and subsection(s) upon which the tax treatment is based ►
Internal Revenue Code Section 301 & 1001.

18 Can any resulting loss be recognized? ► **Yes, to the extent the shareholders basis in the security exceeds \$25,000.00 and \$25.00 per share of the Class J Preferred Stock and Class J Depositary Shares, respectively.**

19 Provide any other information necessary to implement the adjustment, such as the reportable tax year ► **N/A**

Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Signature ►

Date ►

Print your name ► **HARVEY WEINREB**

Title ► **VICE PRESIDENT**

**Paid
Preparer
Use Only**

Print/Type preparer's name

Preparer's signature

Date

Check ☐ if self-employed

PTIN

STEPHEN J. BERTONASCHI

1/14/20

P00747384

Firm's name ► **FTI CONSULTING, INC.**

Firm's EIN ► **52-1261113**

Firm's address ► **56 LIVINGSTON AVE, 4TH FLOOR, ROSELAND, NJ 07068**

Phone no. **973-852-8100**

Send Form 8937 (including accompanying statements) to: Department of the Treasury, Internal Revenue Service, Ogden, UT 84201-0054