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DELTA REPORT

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10-K - DECEMBER 31, 2023 COMPARED TO 10-K - DECEMBER 31, 2022

The following comparison report has been automatically generated

TOTAL DELTAS 2471

 CHANGES 373

 DELETIONS 1034

 ADDITIONS 1064

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549
FORM 10-K

(Mark One)

ANNUAL REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the fiscal year ended **December 31, 2022** **December 31, 2023**
or

TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the transition period from _____ to _____
Commission File Number **1-12386**

LXP INDUSTRIAL TRUST

(Exact name of registrant as specified in its charter)

Maryland

13-3717318

(State or other jurisdiction of incorporation or organization)

(I.R.S. Employer Identification No.)

One Penn Plaza, Suite 4015, New York, NY 10119-4015

(Address of principal executive offices) (zip code)

(212) 692-7200

(Registrant's telephone number, including area code)

Securities registered pursuant to Section 12(b) of the Act:

<u>Title of each class</u>	<u>Trading Symbol</u>	<u>Name of each exchange on which registered</u>
Shares of beneficial interest, par value \$0.0001 per share, classified as Common Stock	LXP	New York Stock Exchange
6.50% Series C Cumulative Convertible Preferred Stock, par value \$0.0001 per share	LXPPRC	New York Stock Exchange

Securities registered pursuant to Section 12(g) of the Act: None

Indicate by check mark if the registrant is a well-known seasoned issuer, as defined in Rule 405 of the Securities Act. Yes No

Indicate by check mark if the registrant is not required to file reports pursuant to Section 13 or Section 15(d) of the Act. Yes No

Indicate by check mark whether the registrant: (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the Registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes No

Indicate by check mark whether the registrant has submitted electronically and posted on its corporate website, if any, every Interactive Data File required to be submitted pursuant to Rule 405 of Regulation S-T (\$232.405 of this chapter) during the preceding 12 months (or for such shorter period that the registrant was required to submit and post such files). Yes No

Indicate by check mark whether the registrant has filed a report on and attestation to its management's assessment of the effectiveness of its internal control over financial reporting under Section 404(b) of the Sarbanes-Oxley Act (15 U.S.C. 7262(b)) by the registered public accounting firm that prepared or issued its audit report. Yes No

Indicate by check mark whether the registrant is a large accelerated filer, an accelerated filer, a non-accelerated filer, a smaller reporting company or an emerging growth company. See the definitions of "large accelerated filer", "accelerated filer", "smaller reporting company" and "emerging growth company" in Rule 12b-2 of the Exchange Act.

Large accelerated filer Accelerated filer Non-accelerated filer Smaller reporting company Emerging growth company

If securities are registered pursuant to Section 12(b) of the Act, indicate by check mark whether the financial statements of the registrant included in the filing reflect the correction of an error to previously issued financial statements. Yes No

Indicate by check mark whether any of those error corrections are restatements that required a recovery analysis of incentive-based compensation received by any of the registrant's executive officers during the relevant recovery period pursuant to \$240.10D-1(b). Yes No

Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Act). Yes No

The aggregate market value of the shares of beneficial interest, par value \$0.0001 per share, classified as common stock ("common shares") of LXP Industrial Trust held by non-affiliates as of **June 30, 2022** **June 30, 2023**, which was the last business day of the registrant's most recently completed second fiscal quarter, was **\$2,963,617,542** **\$2,797,660,954** based on the closing price of the common shares on the New York Stock Exchange as of that date, which was **\$10.74** **\$9.75** per share.

Number of common shares outstanding as of **February 14, 2023** **February 13, 2024** was **292,554,149** **294,289,569**.

DOCUMENTS INCORPORATED BY REFERENCE

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Introduction Defined Terms

Unless stated otherwise or the context otherwise requires, the "Company," the "Trust," "LXP," "we," "our," and "us" refer collectively to LXP Industrial Trust and its consolidated subsidiaries. All of the Company's interests in properties are held, and all property operating activities are conducted, through special purpose entities, which we refer to as property owner subsidiaries or lender subsidiaries and are separate and distinct legal entities, but in some instances are consolidated for financial statement purposes and/or disregarded for income tax purposes.

When we use the term "REIT," we mean real estate investment trust. All references to 2023, 2022 2021 and 2020 2021 refer to our fiscal years ended December 31, 2022 December 31, 2023, December 31, 2021 December 31, 2022 and December 31, 2020 December 31, 2021, respectively.

When we use the term "GAAP," we mean United States generally accepted accounting principles in effect from time to time.

When we use the term "common shares," we mean our shares of beneficial interest par value \$0.0001, classified as common stock. When we use the term "Series C Preferred Shares," we mean our beneficial interest classified as 6.50% Series C Convertible Preferred Stock.

When we use the term "base rent," we mean GAAP rental revenue and ancillary income, but excluding billed tenant reimbursements and lease termination income.

When we use the term "Annualized Cash Base Rent," ("ABR") we mean the period end cash base rent multiplied by 12. For leases with free rent periods or that were signed prior to the end of the quarter year but have not commenced, the first cash base rent payment is multiplied by 12.

When we use "Stabilized Portfolio," we mean all real estate properties other than acquired or developed properties that have not achieved 90% occupancy within one-year of acquisition or **substantial completion**, **cessation of major construction activities**. Non-stabilized, substantially completed development projects are classified within investments in real estate under construction.

The terms "FFO," "Adjusted Company FFO," and "NOI" are defined in "Management's Discussion and Analysis of Financial Condition and Results of Operations" in Part II, Item 7 of this Annual Report.

Cautionary Statements Concerning Forward-Looking Statements

This Annual Report, together with other statements and information publicly disseminated by us, contain certain forward-looking statements within the meaning of Section 27A of the Securities Act of 1933, as amended, or the Securities Act, and Section 21E of the Securities Exchange Act of 1934, as amended, or the Exchange Act. We intend such forward-looking statements to be covered by the safe harbor provisions for forward-looking statements contained in the Private Securities Litigation Reform Act of 1995 and include this statement for purposes of complying with these safe harbor provisions. Forward-looking statements, which are based on certain assumptions and describe our future plans, strategies and expectations, are generally identifiable by use of the words "believes," "expects," "intends," "anticipates," "estimates," "projects," "may," "plans," "predicts," "will," "will likely result" or similar expressions. Readers should not rely on forward-looking statements since they involve known and unknown risks, uncertainties and other factors which are, in some cases, beyond our control and which could materially affect actual results, performances or achievements. In particular, among the factors that could cause actual results, performances or achievements to differ materially from current expectations, strategies or plans include, among others, those risks discussed below under "Risk Factors" in Part I, Item 1A of this Annual Report and under "Management's Discussion and Analysis of Financial Condition and Results of Operations" in Part II, Item 7 of this Annual Report. Except as required by law, we undertake no obligation to publicly release the results of any revisions to these forward-looking statements which may be made to reflect events or circumstances after the date hereof or to reflect the occurrence of unanticipated events. Accordingly, there is no assurance that our expectations will be realized.

PART I.

Item 1. Business

General

We are a Maryland real estate investment trust, qualified as a REIT for federal income tax purposes, focused on **investing in** single-tenant warehouse/distribution real estate investments. A majority of our properties are subject to net or similar leases, where the tenant bears all or substantially all of the costs, including cost increases, for real estate taxes, utilities, insurance and ordinary repairs. However, certain leases provide that the landlord is responsible for certain operating expenses.

As of **December 31, 2022** **December 31, 2023**, we had equity ownership interests in approximately **116** **115** consolidated real estate properties, located in **21** **18** states and containing an aggregate of approximately **54.0 million** **54.6 million** square feet of space, approximately **99.5%** **99.8%** of which was leased.

History and Current Corporate Structure

We became a Maryland REIT in December 1997. Prior to that, our predecessor was organized in the state of Delaware in October 1993 upon the rollup of two partnerships focused on **the investment** **investments** in diversified net-leased assets. Primarily all of our business is conducted through wholly-owned subsidiaries, but **historically** **we** **conduct** **conducted** a portion of our business through an operating partnership subsidiary, Lepercq Corporate Income Fund L.P., which we refer to as LCIF.

Historically, On December 31, 2023, we merged LCIF enabled with and into us, to acquire properties by issuing limited partner interests in with us as the surviving entity. As a result of the merger 0.7 million LCIF which we refer to as OP units, to sellers of property, as a form of consideration in exchange for the property. The outstanding OP partnership units not **held** **already** **owned** by LXP are generally redeemable **us** **were** **converted** on a 1 for 1.126 basis into 0.8 million of our common shares **on** **for** **a** **one** **OP** **unit** for approximately 1.13 common shares basis, or, at our election in certain instances, cash. As total value of **December 31, 2022**, there were approximately 0.7 million OP units outstanding, other than OP units held by LXP, which were convertible into approximately 0.8 million common shares, assuming redemptions are satisfied entirely with common shares. **\$7.8 million.**

Since December 31, 2015 through **December 31, 2022** **December 31, 2023**, we transitioned our portfolio from approximately 16% warehouse/distribution assets to approximately **98%** **99.7%** warehouse/distribution assets. As of **December 31, 2022** **December 31, 2023**, our portfolio consisted of **109** **112** warehouse/distribution facilities and **seven** **three** other properties.

Strategy

General. Our business strategy is focused on growing our portfolio with attractive warehouse/distribution properties in target markets while maintaining a strong, flexible balance sheet to allow us to act on opportunities as they arise. We acquire and develop warehouse/distribution properties in markets with strong income and growth characteristics that we believe provide an optimal balance of income and capital appreciation.

We provide capital to merchant builders by providing construction financing and/or a takeout for build-to-suit projects and speculative development properties. We believe our development strategy has the potential to provide us with higher returns than we could obtain by acquiring fully-leased buildings. We also believe our strategy mitigates against certain development risks and overhead costs because we partner with merchant builders, who are generally responsible for typical cost overruns. However, we are constantly exploring ways to be more efficient and earn higher returns.

We believe our current strategy mitigates against unexpected costs and the cyclical nature of many asset classes and investment strategies and provides shareholders with a secure dividend. We believe our strategy is more conservative than most industrial REITs. We believe our strategy provides defensive attributes for investors in the industrial sector and better growth potential for investors compared to the net lease sector.

Target Markets. We focus our investment strategy on growing markets where we believe there are advantages to building a geographic concentration.

Our **We** target markets **are where** **that** **we** **believe** **there** **are** **have** strong growth prospects for us to build a concentration of assets. Strong growth prospects are generally determined by:

- Expanding transportation and logistics networks;

- Distances to major population centers;
- Population growth;
- Physical and regulatory constraints;
- Labor cost and availability;
- Utility costs;
- Land cost and availability; and
- Re-tenanting opportunities and costs.

We focus our investments in the Sunbelt and Midwest. Our current target markets consist of the following:



We expect to grow in these markets by executing on our development pipeline, including through build-to-suits, and opportunistically acquiring facilities in these markets.

The following markets are where we are currently invested, but we own no more than two assets, the markets do not meet enough of our investment criteria, and we do not expect to build our concentration:

- Detroit, MI;
- Kansas City, MO;
- St. Louis, MO;
- Cleveland, OH;
- Champaign-Urbana, IL;
- Erwin, NY;
- New York/New Jersey; and
- Philadelphia, PA.

We expect to opportunistically exit these markets, dispose of properties outside of our target markets as opportunities and the need for liquidity arise.

Building Type. We target general purpose warehouse/distribution facilities that are versatile, easily leased to alternative users and have other attractive features, including some or all of the following features:

- Clear heights generally ranging from 28 feet for smaller buildings to 40 feet for larger buildings;
- Wide column spacing and speed bays;
- Efficient loading dock ratios;
- Deep truck courts;
- Cross docking for larger facilities; and
- Ample trailer and employee parking.

The average age of our warehouse/distribution properties as of December 31, 2022 December 31, 2023, was approximately 8.89.5 years.

Tenants. We believe we have a diversified tenant base and are not dependent upon any one tenant. While we invest primarily in single-tenant facilities, we believe our tenant credit strength mitigates somewhat against binary risk in occupancy. As of December 31, 2022 December 31, 2023, our largest tenant represented 6.8% 6.9% of our ABR and 54.2% 49.9% of our ABR were was from tenants with investment grade credit ratings (either tenant, guarantor or parent/ultimate parent). See "Item 2—Properties—Tenant Diversification."

Institutional Fund Management. We also provide advisory services and co-invest with high-quality institutional investors in non-consolidated entities. Two One of these institutional joint ventures, for NNN Office JV L.P. ("Office JV"), in which there are no future commitments, are invested we have a 20% interest, was formed in non-industrial assets.

The third 2018 upon our disposition of a portfolio of office assets and has seven office properties and a land parcel remaining. Another one of these institutional joint venture, ventures, NNN MFG Cold JV L.P. ("MFG Cold JV"), owns in which we have a 20%

interest, was formed in 2021 upon our disposition of a portfolio of 22 special purpose industrial assets comprised properties outside of manufacturing and cold storage facilities in which we held a 20% interest as of December 31, 2022. our core warehouse/distribution strategy.

MFG Cold JV has additional equity commitments of \$250 million, of which our proportionate share is \$50 million, for the acquisition of special purpose industrial properties outside of our core warehouse/distribution focus. We believe investing in special purpose industrial properties in a joint venture structure allows us to mitigate the risk of investing in these types of industrial assets while earning certain fees related to the operation and growth of the joint venture. MFG Cold JV did has not made any acquisitions in 2022, since its original formation transaction.

Our institutional joint ventures use non-recourse mortgage loans to finance their investments.

Insurance

We maintain comprehensive property, liability and pollution insurance policies with limits and deductibles that we believe are appropriate for our portfolio. Our property insurance policy includes business interruption, windstorm coverage and windstorm coverage, terrorism coverage, subject to certain exclusions. The premiums for our property, liability and pollution insurance are generally reimbursed by our tenants. We also maintain Directors and Officers, Crime, Fiduciary Liability, Employment Practices Liability, Cyber and Miscellaneous Professional Liability insurance.

Regulation

We are subject to various laws, ordinances and regulations, including:

REIT. We elected to be taxed as a REIT under Sections 856 through 860 of the Internal Revenue Code of 1986, as amended, which we refer to as the Code, commencing with our taxable year ended December 31, 1993. We intend to continue to qualify as a REIT. If we qualify for taxation as a REIT, we generally will not be subject to federal corporate income taxes on our net taxable income that is currently distributed to our common shareholders. We conduct certain taxable activities through our taxable REIT subsidiary, Lexington Realty Advisors, Inc.

Americans with Disabilities Act. Our properties must comply with the Americans with Disabilities Act of 1990, as amended, or the Americans with Disabilities Act, to the extent that such properties are "public accommodations" as defined under the Americans with Disabilities Act. Although we believe that our properties in the aggregate substantially comply with current requirements of the Americans with Disabilities Act, and we have not received any notice for correction, we have not conducted a comprehensive audit or investigation of all of our properties to determine whether we are in compliance.

Environmental Matters. Under various federal, state and local environmental laws, statutes, ordinances, rules and regulations, an owner of real property may be liable for the costs of removal or remediation of certain hazardous or toxic substances at, on, in or under such property as well as certain other potential costs relating to hazardous or toxic substances.

As of December 31, 2023, we are not aware of any environmental conditions or material costs of complying with environmental or other government regulations that would have a material adverse effect on our overall business, financial condition, or results of operations. However, it is possible that we are not aware of, or may become subject to, potential environmental liabilities or material costs of complying with government regulations that could be material. See "Risks Related to Our Business" in Item 1A. "Risk Factors" for further information regarding our risks related to government regulations.

Competition

There are numerous developers, real estate companies, financial institutions, such as banks and insurance companies, and other investors with greater financial or other resources that compete with us in seeking properties for acquisition and tenants who will lease space in these properties.

Operating Segments

We manage our operations on an aggregated, single segment basis for purposes of assessing performance and making operating decisions, and accordingly, have only one reporting and operating segment. While we have target markets, we do not allocate capital by market or operate properties in specific markets independent of our overall portfolio.

Human Capital

While our investment focus is on physical assets, human capital is critical to our success. We believe investing in our team will result in value creation for our shareholders. We strive to maintain a supportive work atmosphere that values community and

promotes professional and personal growth, work autonomy and health and wellness. We rely on our employees and the employees of our contractors and vendors to operate our business and implement our strategy.

Employees. As of December 31, 2022 December 31, 2023, we had 66 64 full-time employees and one part-time employee, employees. None of our employees are covered by a collective bargaining agreement. Each of our employees work in one or more of the following departments: Investments, Asset Management, Accounting, Tax, Corporate, Legal and Information Technology.

Other than certain members of our executive officers, we do not believe that any one employee is material to our operations, but we believe that all of our employees are important for our operations.

On at least an annual basis, our Chief Executive Officer submits a management succession plan that provides for the ordinary course and emergency succession for our Chief Executive Officer and other key members of management, which is reviewed by the Nominating and ESG Committee of our Board of Trustees and, ultimately, our Board of Trustees.

Most of our employees continue to work remotely or on a hybrid basis. We hold in person employee events, but also regularly engage with our employees through company-wide video-conference meetings and social events.

Attraction & Retention of Talent. We attract compete for talent by maintaining a positive and good culture and providing competitive compensation and benefits. benefits and by working to maintain aculture that is supportive and collaborative and that provides opportunities for both personal and professional growth. Some of our benefit highlights are:

- The compensation for employees with the title Assistant Vice President and above a certain level generally includes long-term equity awards, giving them ownership in us in an effort to retain their services.
- Medical insurance with a portion of the premiums paid by us. The minimum employee portion of premium to participate in one of the medical insurance plans for a single employee making less than \$100,000 in base salary per year is \$1 per month.
- Dental and vision benefits at no cost to all of our employees.
- A minimum of 14 paid time off, or PTO, days for first year employees, which increases to 19 PTO days in the third and fourth year of employment and 24 PTO days in the fifth year of employment.
- A 401(k) plan where all employees can defer a portion of their compensation and receive matching and profit sharing contributions from the Company.
- Flexible working arrangements where employees are able to work from home on specified days per workweek.
- Professional development policy providing full reimbursement for career-relevant trainings and classes and professional organizations and other resources.
- Employee stock purchase plan where all employees can defer a portion of their salary to purchase Company stock at a discount.
- Semi-annual performance reviews and an online platform to provide real-time feedback.
- Anniversary bonuses for employees who have reached certain tenure amounts.

Due to the small size of our employee base, our turnover is generally low. In 2022, six 2023, three employees voluntarily or involuntarily separated service from us and we hired 10 employees one employee for a net change of four two employees.

Demographics. We believe there are many benefits to diversity in our employee base. Of our 66 64 full-time employees at December 31, 2022 December 31, 2023, 59.1% 57.8% were female and 45.5% 46.9% were non-white. Of our 11 eight executive employees at December 31, 2022 December 31, 2023, 18.2% 25.0% were female and 9.1% 12.5% were non-white.

In 2020, our employees formed a Diversity, Equity and Inclusion Committee, or the DEIC. The mission of the DEIC is to actively promote diversity, equity and inclusion Company-wide as well as for and among our current and future stakeholders. To that end, the DEIC maintains programs and initiatives to motivate and empower LXP to make a positive difference, including programs focused on recruiting. Furthermore, we We maintain a diversity, equity and inclusion policy that acknowledges our commitment to cultivating a culture of diversity, equity and inclusion and related initiatives and provides a process for employees to report violations of the policy.

Training and Development. In addition to our professional development policy, we maintain a variety of training programs for our employees, including annual trainings for sustainability, accounting, cybersecurity, human rights, harassment (for managers and non-managers) and anti-corruption/bribery. During 2022, 2023, none of our employees violated our anti-corruption/bribery policies and we did not pay any fines for violating anti-corruption/bribery laws or regulations.

Employee Engagement. We regularly engage our employees through the following methods:

- During 2022, 2023, we conducted a mid-year performance review for our non-executive employees and a year-end performance review for all of our employees. The year-end performance review consisted of a 180-degree review where non-executive employees reviewed their immediate supervisor. We believe this 180-degree review provides an objective measurement of our employees' performance. Our executive The performance of each of our executive-titled employees are reviewed by our Chief Executive Officer, which is presented to, and discussed by, the Compensation Committee of our Board of Trustees.
- During 2022, 2023, we engaged our employees with several surveys, including an employee satisfaction survey. The participation rate for the employee satisfaction survey was 60% 88% and we achieved an 84% 86% overall satisfaction rate.

Human Rights. We believe respect for human rights and well-being is essential. We maintain an enterprise level human rights policy that acknowledges our efforts to promote human rights in accordance with the UN Guiding Principles on Business and Human Rights and the UN Universal Declaration of Human Rights. We respect freedom of association in our employment practices.

Vendors and Contractors. We outsource the following material functions:

- *Information Technology*. We use TetherView, LLC engaged a third-party provider of virtual desktop and digital workspaces for managed IT services and BDO USA, LLC a national accounting firm through its digital product line, for virtual chief technology officer services, including cybersecurity, as our chief information security officer, or CISO.
- *Internal Audit*. We use Ernst & Young LLP for engaged a "big-four" accounting firm to assist with our internal audit function.
- *Property Management*. We primarily use engage CBRE, Cushman & Wakefield and Jones Lang LaSalle for the management of our properties where we have operating responsibilities. We also use the management affiliates of the developer/sellers of properties we acquire and develop for the management of such properties if we have operating responsibilities and we believe it is important for such management affiliates to continue to manage the property.
- *ESG*. We use engaged RE Tech Advisors (formerly Lord Green Real Estate Strategies, Inc.) to assist us with our environmental, social and governance, or ESG, initiatives. The 2022 energy, GHG emissions, water and waste data in our corporate responsibility report was independently verified by Lucideon CICS, a private limited company providing in verification and certification services.

We maintain a supplier code of conduct for our vendors and contractors.

Summary of 2022 Transactions

The following summarizes certain of our transactions during 2022, including transactions disclosed elsewhere and in our other periodic reports.

Leasing Activity

- During 2022, we entered into new leases and lease extensions encompassing 4.1 million square feet. The average fixed rent on these extended leases was \$5.36 per square foot compared to the average fixed rent on these leases before extension of \$4.26 per square foot. The weighted-average cost of tenant improvements and lease commissions was \$7.82 per square foot for new leases and \$0.91 per square foot for extended leases.
- Leased approximately 100 acres of industrial development land in the Phoenix, Arizona market for 20 years.

Investments

- Acquired three warehouse/distribution facilities for an aggregate cost of \$131.2 million.
- Completed and placed into service a 0.8 million square foot warehouse/distribution facility in the Greenville/Spartanburg, South Carolina market.
- Commenced development of two warehouse/distribution facilities in the Central Florida market.
- Invested an aggregate of \$298.2 million in development activities, including \$204.4 million in six ongoing development projects and 60 acres of developable land.

Capital Recycling

- Disposed of our interests in 10 properties and one land parcel for an aggregate gross disposition price of \$197.0 million.
- NNN Office JV L.P. disposed of six properties for an aggregate disposition price of \$354.9 million and satisfied an aggregate of \$229.5 million of non-recourse variable rate debt. We own 20% of the joint venture and we received aggregate proceeds of \$28.1 million.

Debt

- Amended our revolving credit facility and the 2025 term loan to provide for a new revolving credit facility and the continuation of the 2025 term loan (the "2022 Credit Agreement"). The 2022 Credit Agreement, among other things: (i) extended the maturity date of the revolving portion from February 2023 to July 2026, with two six-month extension options, subject to certain conditions, (ii) reduced the applicable margin for the revolving portion of the credit facility by five basis points to a range from

0.725% to 1.40%, and allows for further reductions upon the achievement of to-be-determined sustainability metrics, (iii) amended the debt covenants by reducing the capitalization rate for determining asset value and (iv) transitioned the facility to SOFR. Simultaneously, we converted the interest rate swap agreements to Term SOFR, which resulted in a new fixed interest rate of 2.722% on the 2025 term loan.

Equity.

- Increased the availability under the share repurchase program by 10.0 million shares.
- Repurchased and retired 12.1 million common shares for an average price of \$10.78 per common share.
- Settled 16.0 million common shares previously sold on a forward basis as part of an underwritten equity offering for an aggregate settlement price of \$183.4 million.
- Settled 3.6 million common shares previously sold on a forward basis for net proceeds of \$38.5 million.

Corporate Responsibility

Due to the properties in our portfolio primarily being subject to net leases where tenants are responsible for maintaining the buildings and are in control of their energy usage and environmental sustainability practices, our ability to implement ESG+R initiatives throughout our portfolio may be limited.

We understand the importance of aligning with our stakeholders on environmental, social, governance, and resilience, or ESG+R, matters. Our goal is to continue building a sustainable ESG+R platform that enhances both our company and shareholder value. We are committed to implementing sustainability measures across our organization, from the way in which we assess investment decisions to the business practices we promote at both the corporate and property levels. We believe our publicly disclosed ESG+R objectives will continue to evolve as our platform grows and contribute to our ongoing long-term success on behalf of our stakeholders, including our shareholders, employees, tenants, suppliers, creditors, and local communities.

We find that communicating and engaging with our stakeholders to learn their needs enhances our knowledge and enables us to take actions that we believe may increase the value of our assets. We understand that each stakeholder has a specific point-of-view and unique needs. We seek to continuously identify avenues to engage with our stakeholders to better understand those needs, and we maintain a stakeholder engagement policy. During 2022|2023, we held various meetings with our shareholders and tenants. We held townhall meetings with our employees, we completed questionnaires from shareholders and industry groups, and we engaged our tenants and employees with satisfaction surveys.

Due to the properties in our portfolio primarily being subject to net leases where tenants are responsible for maintaining the buildings surveys and are in control of their energy usage and environmental sustainability practices, our ability to implement ESG+R initiatives throughout our portfolio may be limited. newsletters.

The Nominating and ESG Committee of our Board of Trustees oversees our ESG+R strategy and initiatives.

Environmental, Sustainability and Climate Change

Developing strategies that reduce our environmental impact and operational costs is a critical component of our ESG+R program. When feasible, we will implement base building upgrades and provide tenants with improvement allowance funds to complete sustainability efforts.

Actions:

- Track and monitor all landlord-paid utilities, and track tenant utility data wherever possible.
- Strategically implement green building certifications to highlight sustainability initiatives and pursue ENERGY STAR certification for eligible properties annually.
- Annually review and evaluate opportunities to improve efficiency, reduce operating costs, and reduce our properties' environmental footprint.
- Evaluate the opportunity opportunities to increase renewable energy usage across the portfolio.

Performance:

- Benchmarked landlord paid energy, water, waste, and recycling across the portfolio and working to expand tenant-paid utility data coverage.
- Completed a Greenhouse Gas (GHG) Inventory of our 2022 Scope 1, 2, and 3 GHG Emissions.
- Obtained green building certifications for six eight properties and submitted ENERGY STAR certification applications for five six properties in our portfolio during 2022|2023.
- Circulated and maintained sustainability-focused resources for tenants and property managers, including a Tenant Fit-Out Guide and an Industrial Tenant Sustainability Guide.
- Evaluated sustainability and efficiency initiatives across the portfolio in an effort to reduce energy consumption and drive down greenhouse gas emissions.

- Included ESG+R ~~into~~ in metrics for executive cash incentive awards.

Social

We believe that actively engaging with stakeholders is critical to our business and ESG+R efforts, providing valuable insight to inform strategy, attract and retain top talent, and strengthen tenant relationships.

Actions:

- Routinely engage with our tenants to understand leasing and operational needs at our assets and provide tools and resources to promote sustainable tenant operations.
- Collaborate with tenants and property managers on health and well-being focused initiatives.
- Assess our tenant and employee satisfaction and feedback through annual surveys.
- Circulate ESG+R focused newsletter to tenants and maintain a tenant portal with ESG+R resources.
- Provide our employees with periodic trainings, industry updates and access to tools and resources related to ESG+R.
- Provide our employees with health and well-being resources focused on physical, emotional and financial health.
- Track and highlight the diversity and inclusion metrics of our employees, board and executive management team.
- Support and engage with local communities through philanthropic and volunteer events, focusing on food insecurity and diversity, equity and inclusion initiatives.
- Incorporate sustainability clauses into tenant leases, allowing collaboration on our ESG+R initiatives.

Performance:

- Conducted a tenant feedback survey through Kingsley Associates and achieved a satisfaction score in excess of the Kingsley Associates average.
- Engaged with our employees through regular surveys, including an employee satisfaction survey.
- Organized employee volunteer opportunities at non-profit organizations on Company time and held clothing and food drives.
- Maintained a paid-time-off policy for employees to volunteer in their local communities.
- Organized step and other health-related challenges for our employees.
- Invited our employees to donate to non-profit organizations within the local communities of our office locations.
- Provided an employee assistance program with 24/7 unlimited access to referrals and resources for all work-life needs, including access to face-to-face and telephonic counseling sessions, legal and financial referrals and consultations.
- Awarded as a **2022 2023** Best Company to Work for in New York.
- ~~Formed~~ Maintained a women's mentorship program, where female employees are paired with female mentors for career related advice and support.
- Named 2023 Green Lease Leader with Gold recognition by the Institution for Market Transformation and the U.S. Department of Energy's Better Buildings Alliance.

Governance

Transparency to our stakeholders is essential. We pride ourselves on providing our stakeholders with regular reports and detailed disclosures on our operational and financial health and ESG+R efforts.

Actions:

- Strive to implement best governance practices, mindful of the concerns of our shareholders.
- Increase our ESG+R transparency and disclosure by providing regular ESG updates to shareholders and other stakeholders and aligning with appropriate reporting frameworks and industry groups, including GRESB, SASB, GRI and TCFD.
- Monitor compliance with applicable benchmarking and disclosure legislation, including utility data reporting, audit and retro-commissioning requirements, and greenhouse gas emission laws.

- Ensure employees operate in accordance with the highest ethical standards and maintain the policies outlined in our Code of Business Conduct and Ethics.

Performance:

- Updated and disclosed our Code of Business Conduct and Ethics, which includes a whistleblower policy, and provided annual training.
- Performed enterprise risk assessments and management succession planning.
- Participated in the GRESB Real Estate Assessment:
 - Placed 3rd in the U.S. Industrial Distribution/Warehouse listed peer group;
 - Achieved an overall Real Estate Benchmark score of 69, an 74, a five-point increase compared to 2021; 2022; and,
 - Received Public Disclosure Score of A, 96 (A), above the comparison group and global average, and placed first in the U.S. Industrial Peer Group.
- Published our 2021 2022 Corporate Responsibility Report, aligned with GRI, SASB, SDGs and TCFD.
- Maintained a Stakeholder Engagement Policy to disclose our process when working with our key stakeholders, including investors, property management teams, and tenants.
- Continued to support the UN Women's Empowerment Principles and the CEO Action for Diversity & Inclusion.
- Conducted annual ESG+R training for asset managers, lease administrators and property managers.

Resilience

We believe that our resilience to climate change-related physical and transition risks is critical to our long-term success.

Actions:

- Align our resilience program with the TCFD framework.
- Evaluate physical and transition climate-related risks as part of our acquisition due diligence process.
- Utilize climate analytics metrics to (1) identify physical risk exposure across the portfolio, (2) identify high risk assets and (3) implement mitigation measures and emergency preparedness plans.
- Assess transition risks and opportunities arising from the shift to a low-carbon economy, including market, reputation, policy, legal, and technology.

Performance:

- Engaged a third-party consultant to conduct ESG+R assessments on all new acquisitions.
- Continued to be a supporter of the TCFD reporting framework.
- Engaged a climate analytics firm to evaluate physical risk due to climate change across our portfolio.

Information Technology/Cybersecurity

We believe we maintain an information technology and cybersecurity program appropriate for a company our size taking into account our operations. We outsource our IT managed services to Tetherview LLC, which provides customized private cloud solutions featuring virtual desktops and servers in the Digital Bunker™. The Digital Bunker™ is a zero-trust environment with 24/7 monitoring and is built to the NIST/ISO framework and is SOC 2 Type 2 Compliant.

We engage BDO USA, LLC to provide virtual Chief Technology Officer services, which includes cybersecurity advisory. We also maintain cybersecurity insurance providing coverage for certain costs related to security failures and specified cybersecurity-related incidents that interrupt our network or networks of our vendors, in all cases up to specified limits and subject to certain exclusions.

The Audit and Cyber Risk Committee of our Board of Trustees oversees our information technology and cybersecurity strategy and initiatives. One of the members of the Audit and Cyber Risk Committee of our Board of Trustees is an information technology/cybersecurity expert. Our management and BDO USA, LLC report to the Audit and Cyber Risk Committee on at least a quarterly basis.

Corporate Information

Principal Executive Offices. Our principal executive offices are located at One Penn Plaza, Suite 4015, New York, New York 10119-4015; our telephone number is (212) 692-7200.

Web Site. Our Internet address is www.lxp.com. We make available, free of charge, on or through the Investors section of our web site or by contacting our Investor Relations Department, our Annual Reports on Form 10-K, Quarterly Reports on Form 10-Q and Current Reports on Form 8-K and amendments to those reports filed or furnished pursuant to Section 13(a) or 15(d) of the Exchange Act, as well as proxy statements, as soon as reasonably practicable after we electronically file such material with, or furnish it to, the Securities and Exchange Commission, or SEC. Also posted on our web site, and available in print upon request of any shareholder to our Investor Relations Department, are our declaration of trust and by-laws, charters for the Audit and Cyber Risk Committee, Compensation Committee and Nominating and ESG Committee of our Board of Trustees, our Corporate Governance Guidelines, and our Code of Business Conduct and Ethics governing our trustees, officers and employees (which contains our whistleblower procedures). Within the time period required by the SEC and the NYSE, we will post on our web site any amendment to the Code of Business Conduct and Ethics and any waiver applicable to any of our trustees or executive officers or other people performing similar functions, and that relate to any matter enumerated in Item 406(b) of Regulation S-K. In addition, our web site includes information concerning purchases and sales of our equity securities by our executive officers and trustees as well as disclosure relating to certain non-GAAP financial measures (as defined in the SEC's Regulation G) that we may make public orally, telephonically, by webcast, by broadcast or by similar means from time to time. The SEC maintains an internet site that contains reports, proxy and information statements and other information regarding LXP at <http://www.sec.gov>. Information contained on our web site or the web site of any other person is not incorporated by reference into this Annual Report or any of our other filings with or documents furnished to the SEC.

Our Investor Relations Department can be contacted at LXP Industrial Trust, One Penn Plaza, Suite 4015, New York, New York 10119-4015, Attn: Investor Relations, by telephone: (212) 692-7200, or by e-mail: ir@lxp.com.

NYSE CEO Certification. Our Chief Executive Officer made an unqualified certification to the NYSE with respect to our compliance with the NYSE corporate governance listing standards in [2022](#), [2023](#).

Item 1A. Risk Factors

Set forth *In addition to the other information in our Annual Report on Form 10-K, you should consider the risks described below that we believe may be material to investors in evaluating the Company. This section contains forward-looking statements, and in considering these statements, you should refer to the qualifications and limitations on our forward-looking statements that are material factors that may adversely affect our business and operations, described on page four above.*

Risks Related to Our Business

We are subject to risks related to defaults under, or termination or expiration of, our leases.

We focus our **acquisition** **investment** activities on industrial real estate properties that are generally net leased to single tenants, and certain of our tenants and/or their guarantors constitute a significant percentage of our rental revenues. Therefore, the financial failure of, or other default by, a single tenant under its lease is likely to cause a significant or complete reduction in the operating cash flow generated by the property leased to that tenant and might decrease the value of that property and result in a non-cash impairment charge. If the tenant represents a significant portion of our rental revenues, the impact on our financial position may be material. Further, in any such event, **our property owner subsidiary** we will be responsible for 100% of the operating costs following a vacancy at a single-tenant building.

Under current bankruptcy law, a tenant can generally assume or reject a lease within a certain number of days of filing its bankruptcy petition. If a tenant rejects the lease, a landlord's damages, subject to availability of funds from the bankruptcy estate, are generally limited to the greater of (1) one year's rent and (2) the rent for 15% of the remaining term of the lease, not to exceed three years.

Our property owner subsidiaries may not be able to retain tenants in any of our properties upon the expiration of leases. Upon the expiration or other termination of current leases, our property owner subsidiaries may not be able to re-let all or a portion of the vacancy, or the terms of re-letting (including the cost of concessions to tenants and leasing commissions) may be less favorable than current lease terms or market rates. If one of our property owner subsidiaries is unable to promptly re-let all or a substantial portion of the vacancy, or if the rental rates a property owner subsidiary receives upon re-letting are significantly lower than current rates, our earnings and ability to satisfy our debt service obligations and to make expected distributions to our shareholders may be adversely affected due to the resulting reduction in rent receipts and increase in property operating costs.

Certain of our leases may permit tenants to terminate the leases to which they are a party.

Certain of our leases contain tenant termination options or economic discontinuance options that permit the tenants to terminate their leases. While these options generally require a payment by the tenants, in most cases, the payments will be less than the total remaining expected rental revenue. The termination of a lease by a tenant may impair the value of the property. In addition, we will be responsible for 100% of the operating costs following the termination by any such tenant and subsequent vacating of the property, and we will incur re-leasing costs.

Our ability to fully control the maintenance of our net-leased properties may be limited.

The tenants of our net-leased properties are responsible for maintenance and other day-to-day management of the properties or their premises. If a property is not adequately maintained in accordance with the terms of the applicable lease, we may incur expenses for deferred maintenance or other liabilities once the property is no longer leased. We

generally visit our properties on an annual basis, but these visits are not comprehensive inspections and deferred maintenance items may go unnoticed. While our leases generally provide for recourse against the tenant in these instances, a bankrupt or financially-troubled tenant may be more likely to defer maintenance, and it may be more difficult to enforce remedies against such a tenant.

You should not rely on the credit ratings of our tenants.

Some of our tenants, guarantors and/or their parent or sponsor entities are rated by certain rating agencies. In certain instances, we may disclose the credit ratings of our tenants or their parent or sponsor entities even though those parent or sponsor entities are not liable for the obligations of the tenant or guarantor under the lease. Any such credit ratings are subject to ongoing evaluation by these credit rating agencies and we cannot assure you that any such ratings will not be changed or withdrawn by these rating agencies in the future if, in their judgment, circumstances warrant. If these rating agencies assign a lower-than-expected rating or reduce or withdraw, or indicate that they may reduce or withdraw, the credit rating of a tenant, guarantor or its parent entity, the value of our investment in any properties leased by such tenant could significantly decline.

Our assets may be subject to impairment charges.

We periodically evaluate our real estate investments and other assets for impairment indicators. The judgment regarding the existence of impairment indicators is based on GAAP, which includes a variety of factors such as market conditions, the status of significant leases, the financial condition of major tenants and other factors that could affect the cash flow or value of an investment. Based on this evaluation, we may, from time to time, take non-cash impairment charges. These impairments could have a material adverse effect on our financial condition and results of operations. If we take an impairment charge on a property subject to a non-recourse secured mortgage and reduce the book value of such property below the balance of the mortgage on our balance sheet, upon foreclosure or other disposition, we may be required to recognize a gain on debt satisfaction.

Our real estate development activities are subject to additional risks.

Development activities generally require various government and other approvals, which we may not receive. We rely on third-party construction managers and/or engineers to monitor certain construction activities. If we engage or partner with a developer, we rely on the developer to monitor construction activities and our interests may not be aligned. In addition, development activities, including speculative development and redevelopment and renovation of vacant properties, are subject to risks including, but not limited to:

- unsuccessful development opportunities could cause us to incur direct expenses;
- construction costs of a project may exceed original estimates, possibly making the project less profitable than originally estimated or unprofitable;
- time required to complete the construction of a project or to lease up the completed project may be greater than originally anticipated, thereby adversely affecting our cash flow and liquidity;
- legal action to compel performance of contractors, developers or partners may cause delays and our costs may not be reimbursed;
- we may not be able to find tenants to lease the space built on a speculative basis or in a redeveloped or renovated building, which will impact our cash flow and ability to finance or sell such properties;
- there may be gaps in warranty obligations of our developers and contractors and the obligations to a tenant;
- occupancy rates and rents of a completed project may not be sufficient to make the project profitable; and
- favorable financing sources to fund development activities may not be available.

In addition, our development activities are subject to risks related to supply-chain disruptions and inflation, which increase costs and may delay completion.

A tenant's bankruptcy proceeding may result in the re-characterization of related sale-leaseback transactions or in the restructuring of the tenant's payment obligations to us, either of which could adversely affect our financial condition.

We have entered and may continue to enter into sale-leaseback transactions, whereby we purchase a property and then lease the same property back to the person from whom we purchased it or a related person. In the event of the bankruptcy of a tenant, a transaction structured as a sale-leaseback may be re-characterized as either a financing or a joint venture. As a result of the foregoing, the re-characterization of a sale-leaseback transaction could adversely affect our financial condition, cash flow and the amount available for distributions to our shareholders.

If the sale-leaseback were re-characterized as a financing, we might not be considered the owner of the property, and as a result, would have the status of a creditor in relation to the tenant. In that event, we would no longer have the right to sell or encumber our ownership interest in the property. Instead, we would have a claim against the tenant for the amounts owed under the lease, with the claim arguably secured by the property. The tenant/debtor might have the ability to propose a plan restructuring the term, interest rate and amortization schedule of the claims outstanding balance. If confirmed by the bankruptcy court, we could be bound by the new terms and prevented from foreclosing our lien on the property. If the sale-leaseback were re-characterized as a joint venture, our tenant and we could be treated as co-venturers with regard to the property. As a result, we could be held liable, under some circumstances, for debts incurred by the tenant relating to the property.

A significant portion of our leases are long-term and do not have fair market rental rate adjustments, which could negatively impact our income and reduce the amount of funds available to make distributions to shareholders.

A significant portion of our rental income comes from long-term net leases, which generally provide the tenant greater discretion in using the leased property than ordinary property leases, such as the right to freely sublease the property, to make alterations in the leased premises and to terminate the lease prior to its expiration under specified circumstances. Furthermore, net leases typically have longer lease terms and, thus, there is an increased risk that contractual rental increases in future years will fail to result in fair market rental rates during those years. If we do not accurately judge the potential for increases in market rental rates when negotiating these long-term leases or if we are unable to obtain any increases in rental rates over the terms of our leases, significant increases in future property operating costs, to the extent not covered under the net leases, could result in us receiving less than fair value from these leases. As a result, our income and distributions to our shareholders could be lower than they would otherwise be if we did not engage in long-term net leases.

In addition, increases in interest rates may also negatively impact the value of our properties that are subject to long-term leases. While a significant number of our net leases provide for annual escalations in the rental rate, the increase in interest rates may outpace the annual escalations.

Interests in loans receivable are subject to delinquency, foreclosure and loss.

While loan receivables are not a primary focus, we make loans to purchasers of our properties and developers. Our interests in loans receivable are generally non-recourse and secured by real estate properties owned by borrowers that were unable to obtain similar financing from a commercial bank. These loans are subject to many risks including delinquency. The ability of a borrower to repay a loan secured by a real estate property is typically and primarily dependent upon the successful operation of such property rather than upon the existence of independent income or assets of the borrower. If a borrower were to default on a loan, it is possible that we would not recover the full value of the loan as the collateral may be non-performing or impaired.

Our inability to carry out our growth strategy could adversely affect our financial condition and results of operations.

Our growth strategy is based on the acquisition and development of additional industrial properties and related assets. In the context of our business plan, "development" generally means an expansion or renovation of an existing property or the financing and/or acquisition of a newly constructed build-to-suit or speculative property and/or the development of a land parcel. For newly constructed properties, we may (1) provide a developer with either a combination of financing for the construction of a property or a commitment to acquire a property upon completion of construction of a property and commencement of rent from the tenant, (2) acquire a property subject to a lease and engage a developer to complete construction of a property as required by the lease, or (3) partner with a developer to acquire and develop or acquire on our own and engage a developer to develop land and pursue development opportunities.

Our plan to grow through the acquisition and development of new properties could be adversely affected by trends in the real estate and financing businesses. The consummation of any future acquisitions For example, our ability to grow will be subject to satisfactory completion influenced by the relationship between our expected returns on available acquisition and development opportunities in our target markets and our cost of an extensive valuation analysis and due diligence review and to the negotiation of definitive documentation, available capital. Our ability to implement our strategy may also be impeded because we may have difficulty finding new properties and investments at attractive prices opportunities that meet our investment criteria, negotiating in addition, our acquisitions and developments may fail to perform in accordance with new or existing tenants or securing acceptable financing expectations, including operating and leasing expectations. If we are unable to carry out our growth strategy, our financial condition and results of operations could be adversely affected. Acquisitions of additional properties entail the risk that investments will fail to perform in accordance with expectations, including operating and leasing expectations.

Some of our acquisitions and developments may be financed using short-term financing, such as our line of credit, with the proceeds expectation of periodic providing permanent financing in the future, such as through an equity or debt offerings, lines of credit or other forms of secured or unsecured financing that may result in a risk that permanent financing for newly acquired projects might not be available or would be available only on disadvantageous terms, offering. If permanent debt or equity financing is not available on acceptable attractive terms to refinance acquisitions undertaken without permanent this short-term financing, further acquisitions and developments may be curtailed, or cash available to satisfy our debt service obligations and distributions to shareholders may be adversely affected.

Our investment and disposition activity may lead to dilution.

Our strategy is to increase our investment in general purpose, well located warehouse/distribution assets and reduce our direct exposure to all other asset types. We believe this strategy will lessen capital expenditures over time and mitigate revenue reductions on renewals and re-tenanting. To implement this strategy, we have been selling non-industrial assets and recapitalizing special purpose industrial assets, which generally have higher capitalization rates, and buying warehouse and distribution properties, which in the current market, generally have lower capitalization rates. We also may sell industrial properties outside of our target markets at capitalization rates higher than we expect to reinvest in our target markets. This strategy adversely impacts growth returns and cash flows in the short-term period, short-term. There can be no assurance that the implementation of our strategy will lead to improved results or that we will be able to execute our strategy as contemplated or on terms acceptable to us.

Investment activities may not produce expected results and may be affected by outside factors.

The demand for industrial space in the United States is generally related to the level of economic output and consumer demand. Accordingly, reduced economic output and/or consumer demand may lead to lower occupancy rates for our properties. The concentration of our investments, among other factors, in industrial assets may expose us to the risk of economic downturns specific to industrial assets to a greater extent than if our investments were diversified.

Investment in commercial properties entail certain risks, such as (1) underwriting assumptions, including occupancy, rental rates and expenses, may differ from estimates, (2) the properties may become subject to environmental liabilities that we were unaware of at the time we acquired the property despite any environmental testing, (3) we may have difficulty obtaining financing on acceptable terms or paying the operating expenses and debt service associated with acquired properties prior to sufficient occupancy and (4) projected exit strategies may not come to fruition due to a variety of factors such as market conditions and/or tenant credit conditions at the time of dispositions.

We may not be successful in identifying suitable real estate properties or other assets that meet our investment criteria. We may also fail to complete investments on satisfactory terms. Failure to identify or complete investments could slow our growth, which could, in turn, have a material adverse effect on our financial condition and results of operations.

Properties where we have operating responsibilities and multi-tenant properties expose us to additional risks.

Properties where we have operating responsibilities involve risks not typically encountered in real estate properties which are fully operated by a single tenant. The ownership of properties which are not fully operated by a single tenant expose us to the risk of potential "CAM slippage," which may occur when the actual cost of taxes, insurance and maintenance at the property exceeds the operating expenses paid by tenants and/or the amounts budgeted. Depending on the tenant's leverage in the lease negotiation, the tenant may be successful in negotiating for caps on certain operating expenses and we are responsible for any amounts in excess of any cap.

Multi-tenant properties are also subject to the risk that a sufficient number of suitable tenants may not be found to enable the property to operate profitably and provide a return to us. Moreover, tenant turnover and fluctuation in occupancy rates, could affect our operating results. This risk may be compounded by the failure of existing tenants to satisfy their obligations due to various factors. These risks, in turn, could cause a material adverse impact to our results of operations and business.

Uninsured losses or a loss in excess of insured limits could adversely affect our financial condition.

We carry comprehensive liability, property, fire, extended coverage and rent loss insurance on certain of the properties in which we have an interest, with policy specifications and insured limits that we believe are customary for similar properties. However, with respect to those properties where the leases do not provide for abatement of rent under any circumstances, we generally do not maintain rent loss insurance. In addition, certain of our leases require the tenant to maintain all insurance on the property, and the failure of the tenant to maintain the proper insurance could adversely impact our investment in a property in the event of a loss. Furthermore, there are certain types of losses, such as losses resulting from wars, terrorism or certain acts of God, that generally are not insured because they are either uninsurable or not economically insurable. Should an uninsured loss or a loss in excess of insured limits occur, we could lose capital invested in a property as well as the anticipated future revenues from a property, while remaining obligated for any mortgage indebtedness or other financial obligations related to the property. Any loss of these types could adversely affect our financial condition and results of operations.

Cybersecurity risks In addition, the cost of property and cyber related coverage insurance has increased significantly in recent years due to the rise in construction costs and property values and the decrease in capacity in the insurance market.

Cybersecurity incidents may adversely affect our business by causing a disruption to our operations, a compromise or corruption of our confidential information, misappropriation of assets and/or damage to our business relationships, all of which could negatively impact our financial results.

Cybersecurity incidents may result in disrupted operations, including as a result of the loss of access to our information systems, misstated or unreliable financial data, liability for stolen assets or information, increased cybersecurity protection and insurance costs, litigation and damage to our tenant, investor and/or vendor relationships. As our reliance on technology has increased, so have the risks posed to our information systems, both internal and those we have outsourced. Although we have implemented processes, procedures and internal controls that to mitigate these risks, we implement, as well as our increased awareness of have in the nature past and extent of a risk of a cyber incident, do not guarantee that our financial results, operations, business relationships or confidential information will not may in the future be negatively impacted by such an incident. Subject to cybersecurity incidents.

Insider or employee cyber and security threats We are increasingly a concern for all companies, including ours. In addition, social engineering and phishing are a particular concern for companies with employees. Also subject to third-party cybersecurity incident risks. As a landlord, we are also susceptible to cyber attacks on our tenants and their payment systems. We In addition, we outsource the maintenance of our information technology systems to third party vendors. We are also continuously working to provide employee awareness training around phishing, malware and other cyber risks to ensure that we are protected, to the greatest extent possible, against cyber risks and security breaches. However, such outsource partners and training may not be sufficient to protect us from all risks.

As a smaller company, we use third-party vendors to maintain our network and information technology requirements. While we carefully select these third-party vendors, we cannot control their actions. Any problems caused by these third parties, including those resulting from breakdowns or other disruptions in communication services provided by a vendor, failure of a vendor to handle current or higher volumes, cyber attacks and security breaches at a vendor could adversely affect our operations.

Further information relating to cybersecurity risk management is discussed in Item 1C. "Cybersecurity" in this Annual Report.

Competition may adversely affect our ability to purchase properties.

There are numerous other companies and individuals with greater financial and other resources and lower costs of capital than we have that compete with us in seeking investments and tenants. This competition may result in a higher cost for properties and lower returns and impact our ability to grow.

We may have limited control over our joint venture investments.

Our joint venture investments involve risks not otherwise present for investments made solely by us, including the possibility that our partner might, at any time, become bankrupt, have different interests or goals than we do, or take action contrary to our expectations, its previous instructions or our instructions, requests, policies or objectives, including our policy with respect to maintaining our qualification as a REIT. Other risks of joint venture investments include impasses on decisions, such as a sale, because neither we nor our partner may have full control over the joint venture. Also, there is no limitation under our organizational documents as to the amount of funds that may be invested in joint ventures.

Our ability to change our portfolio is limited because real estate investments are illiquid.

Investments in real estate are relatively illiquid and, therefore, our ability to change our portfolio promptly in response to changed conditions is limited. Our Board of Trustees may establish investment criteria or limitations as it deems appropriate, but currently does not limit the number or type of properties in which we may seek to invest or on the concentration of investments in any one geographic region.

Our Board of Trustees may change our investment policy without shareholders' approval.

Subject to our fundamental investment policy to maintain our qualification as a REIT, our Board of Trustees will determine our investment and financing policies, growth strategy and our debt, capitalization, distribution, acquisition, disposition and operating policies.

Our Board of Trustees may revise or amend these strategies and policies at any time without a vote by shareholders. Changes made by our Board of Trustees may not serve the interests of debt or equity security holders and could adversely affect our financial condition or results of operations, including our ability to satisfy our debt service obligations, distribute cash to shareholders and qualify as a REIT. Accordingly, shareholders' control over changes in our strategies and policies is limited to the election of trustees.

Industry and Economic Risks

The outbreak of highly infectious or contagious diseases, Public health emergencies could adversely impact or cause disruption to our business, financial condition, results of operations and cash flows. Further, any such outbreak may disrupt U.S. and global financial markets and could potentially create widespread business continuity issues.

In recent years, the outbreaks of a number of diseases, public health emergencies, including Avian Bird Flu, H1N1, and COVID-19, have increased caused significant and widespread damage to the risk of a pandemic, economy and the financial markets.

The COVID-19 pandemic coincided with contributed to labor shortages, and increased staffing costs for many companies operating in the United States. COVID-19 related disruptions to the international supply chain issues, including transportation and distribution delays, longer lead times for construction materials and increased construction costs, have resulted in shortages of certain goods capital markets disruptions and inflationary conditions. These developments, as well as other geopolitical factors have resulted in prolonged inflationary conditions that have had a detrimental impact on our tenant base, our ability Future public health emergencies, and the steps governments take to lease vacant space and our ability to grow through development and acquisition. This has also resulted in market volatility and large decreases in global stock prices. These potential

risks have also negatively impacted access to capital, which negatively impacts liquidity and our ability to execute our strategic plans.

The impacts of the outbreak could, among other things, control them, may negatively affect (i) the operation of our properties, (ii) the effectiveness of our strategic decision making, (iii) the operation of an effective cyber security function, (iv) the operation of our key information systems, (v) (iv) our ability to make timely filings with the SEC and (vi) (v) our ability to maintain an effective control environment.

The rapid development and fluidity of any outbreak precludes any prediction as to the ultimate adverse impact of such outbreak. Nevertheless, future pandemics could have, a significant adverse impact on economic and market conditions of economies around the world, including the United States, the results of which have and would present material uncertainty and risk with respect to our performance, financial condition, results of operations and cash flows.

Disruptions in the financial markets and uncertain economic conditions could adversely affect our ability to obtain debt financing on reasonable terms, the value of our real estate investments, and have other adverse effects on us.

Concerns over possible economic recession, high interest rates, bank failures, the COVID-19 pandemic, interest rate increases, policy priorities of the upcoming U.S. presidential administration, elections, geopolitical issues, including military conflicts, trade wars, labor shortages, or inflation may contribute to increased volatility and diminished expectations for the economy and markets and have caused the spreads on prospective debt financings to widen considerably. Additionally, concern over geopolitical issues may also contribute to prolonged financial market volatility and instability. For example, the conflict between Russia and Ukraine has led to disruption, instability and volatility in global markets and industries. The U.S. government and other governments in jurisdictions have imposed severe economic sanctions, export controls and other against Russia and Russian interests, and have threatened additional sanctions and controls. The full impact of these measures, as well as potential responses to them by Russia, is unknown. volatility.

The United States credit financial markets have periodically experienced significant dislocations and liquidity disruptions due to a variety of factors, including those enumerated above. These circumstances may materially impact liquidity in the debt markets, making financing terms for borrowers less attractive, and in certain cases may result in the unavailability of certain types of debt financing factors. Uncertainty in the credit financial markets may negatively impact our ability to access additional debt financing on reasonable terms, which may negatively affect our ability to make acquisitions. A prolonged downturn in the credit markets may cause us to seek alternative sources of potentially less attractive financing and may require us to adjust execute our business plan accordingly. growth strategy. In addition, these factors may make it more difficult for us to sell properties or may adversely affect the price we receive for properties that we do sell, as prospective buyers may experience increased costs of capital or difficulties in obtaining capital. These events in the credit Volatile financial markets may also have an adverse effect on other financial markets in the United States, which may make it more difficult or costly for us to raise capital through the issuance of our common shares or preferred shares. These disruptions in the financial markets may have other adverse effects on us, our tenants or the economy in general.

These circumstances could also impact real estate fundamentals and result in lower occupancy, lower rental rates, and declining values in our real estate portfolio and in the real estate collateral securing any indebtedness. As a result, the value of our property investments could decrease below the amounts paid for such investments, the value of real estate collateral securing any indebtedness could decrease below the outstanding principal amounts of such indebtedness, and revenues from our properties could decrease due to fewer and/or delinquent tenants or lower rental rates. This could significantly harm our revenues, results of operations, financial condition, business prospects and our ability to make distributions to our shareholders, tenants.

Natural disasters could adversely impact our results.

We invest in properties on a nationwide basis. Natural disasters, including earthquakes, storms, tornados, floods and hurricanes, could impact our properties in these and other areas in which we operate. Incurring losses, costs or business interruptions related to natural disasters may adversely affect our operating and financial results.

We are exposed to the potential direct and indirect impacts of future climate change.

We are exposed to potential physical risks from possible future changes in climate. Our properties, especially the properties near seaports, may be exposed to rare catastrophic weather events, such as severe storms, drought, earthquakes, floods, wildfires or other extreme weather events. If the frequency of extreme weather events increases, our exposure to these events could increase and could impact our tenants' operations and their ability to pay rent. We carry comprehensive insurance coverage to mitigate our casualty risk, in amounts and of a kind that we believe are appropriate for the markets where each of our properties and their business operations are located given climate change risk.

We may be adversely impacted in the future by potential impacts to the supply chain or stricter energy efficiency standards or greenhouse gas regulations for the commercial building sectors. Compliance with new laws or regulations relating to climate change, including compliance with "green" building codes, may require us to make improvements to our existing properties or result in increased operating costs that we may not be able to effectively pass on to our tenants. Any such laws or regulations could also impose substantial costs on our tenants, thereby impacting the financial condition of our tenants and their ability to meet their lease obligations and to lease or re-lease our properties. We cannot give any assurance that other such conditions do not exist or may not arise in the future. The potential impacts of future climate change on our real estate properties could adversely affect our ability to lease, develop or sell such properties or to borrow using such properties as collateral.

Risks Related to our Indebtedness

We have a substantial amount of indebtedness.

We have a substantial amount of debt. Our substantial indebtedness could adversely affect our financial condition and our ability to fulfill our obligations under the documents governing our unsecured indebtedness and otherwise adversely impact our business and growth prospects.

We may be more leveraged than certain of our competitors. We have incurred, and may continue to incur, direct and indirect indebtedness in furtherance of our activities. Neither our declaration of trust nor any policy statement formerly adopted by our Board of Trustees limits the total amount of indebtedness that we may incur, and accordingly, we could become even more highly leveraged. As of December 31, 2022 December 31, 2023, our total consolidated indebtedness was approximately \$1.5 billion \$1.8 billion and we had approximately \$600.0 million available for borrowing under our principal credit agreement, subject to covenant compliance.

Our substantial indebtedness could adversely affect our financial condition and results of operations and have important consequences to us and our debt and equity security holders. For example, it could:

- make it more difficult for us to satisfy our indebtedness and debt service obligations and adversely affect our ability to pay distributions;
- increase our vulnerability to adverse economic and industry conditions;
- require us to dedicate a substantial portion of our cash flow from operations to the payment of interest on and principal of our indebtedness, thereby reducing the availability of cash to fund working capital, capital expenditures and other general corporate purposes;
- limit our ability to borrow money or sell stock to fund our development projects, working capital, capital expenditures, general corporate purposes or acquisitions;
- restrict us from making strategic acquisitions or exploiting business opportunities;

- place us at a disadvantage compared to competitors that have less debt; and
- limit our flexibility in planning for, or reacting to, changes in our business and the industry in which we operate.

In addition, the agreements that govern our current indebtedness contain, and the agreements that may govern any future indebtedness that we may incur may contain, financial and other restrictive covenants, which may limit our ability to engage in activities that may be in our long-term best interests. Our failure to comply with those covenants could result in an event of default that, if not cured or waived, could result in the acceleration of our debt.

Furthermore, our growth strategy is dependent on speculative development of properties. Development activities do not produce current income that can be used to pay debt service obligations.

Market interest rates could have an adverse effect on our borrowing costs, profitability and the value of our fixed-rate debt securities.

We have exposure to market risks relating to increases in interest rates due to our variable-rate debt. Interest rates rose significantly in 2022 and 2023. An increase in interest rates may increase our costs of borrowing on existing variable-rate indebtedness, leading to a reduction in our earnings. As of December 31, 2022 December 31, 2023, we had \$129.1 million of trust preferred securities that mature in April 2037 that is LIBOR are SOFR indexed. In addition, we have a \$300.0 million unsecured term loan which matures January 2025 2027 that is Term SOFR indexed and is subject to interest rate swap agreements through January 2025. Also, our unsecured revolving credit facility is subject to a variable interest rate. The level of our variable-rate indebtedness, along with the interest rate associated with such variable-rate indebtedness, may change in the future and materially affect our interest costs and earnings. In addition, our interest costs on our fixed-rate

indebtedness may increase if we are required to refinance our fixed-rate indebtedness upon maturity at higher interest rates. Also, fixed-rate debt securities generally decline in value as market rates rise because the premium, if any, over market interest rates will decline.

Recent inflationary pressures have resulted in higher interest rates, which have a negative impact on our business.

Rising inflation and elevated U.S. budget deficits and overall debt levels, including as a result of federal pandemic relief and stimulus legislation and/or economic or market and supply chain conditions, have put upward pressure on interest rates and could be among the factors that could lead to higher interest rates in the future. Higher interest rates could also adversely affect our overall business, income, and our ability to pay dividends, including by reducing the fair value of many of our assets and adversely affecting our ability to obtain financing on favorable terms or at all, and negatively impacting the value of properties and the ability of prospective buyers to obtain financing for properties we intend to sell. This may affect our earnings results, reduce our ability to sell our assets, or reduce our liquidity. Furthermore, our business and financial results may be harmed by our inability to accurately anticipate developments associated with changes in, or the outlook for, interest rates.

The LIBOR index rate may not be available in the future.

On March 5, 2021, the Financial Conduct Authority announced that it intends to stop compelling banks to submit rates for the calculation of one, three and six month LIBOR after June 30, 2023. It is unclear whether new methods of calculating such LIBOR periods will be established such that they continue to exist after June 30, 2023. It is not possible to predict the effect of these changes, other reforms or the establishment of alternative reference rates in the United States or elsewhere. The Alternative Reference Rates Committee (or ARRC) has proposed that the Secured Overnight Financing Rate (or SOFR) is the rate that represents best practice as the alternative to USD-LIBOR for use in derivatives and other financial contracts that are currently indexed to USD-LIBOR. ARRC has proposed a paced market transition plan to SOFR from USD-LIBOR and organizations are currently working on industry wide and company specific transition plans as it relates to derivatives and cash markets exposed to USD-LIBOR. Our trust preferred securities do not provide for a clear alternative to USD-LIBOR.

The transition from LIBOR to an alternative reference rate could result in higher all-in interest costs on our trust preferred securities, which could impact our financial performance.

We have engaged and may engage in hedging transactions that may limit gains or result in losses.

We have used derivatives to hedge certain of our variable-rate liabilities. As of December 31, 2022 December 31, 2023, we had aggregate interest rate swap agreements on \$300.0 million of borrowings. borrowings until January 31, 2025. The counterparties of these arrangements are major financial institutions; however, we are exposed to credit risk in the event of non-performance or default by the counterparties. Further, additional risks, including losses on a hedge position, may reduce the return on our investments. Such losses may exceed the amount invested in such instruments. We may also have to pay certain costs, such as transaction fees or breakage costs, related to hedging transactions.

Covenants in certain of the agreements governing our debt could adversely affect our financial condition, investment activities and/or operating activities.

Our unsecured revolving credit facility, unsecured term loan and indentures governing our senior notes contain certain cross-default and cross-acceleration provisions as well as customary restrictions, requirements and other limitations on our ability to incur indebtedness and consummate mergers, consolidations or sales of all or substantially all of our assets. Our ability to borrow under our unsecured revolving credit facility is also subject to compliance with certain other covenants. In addition, failure to comply with our covenants could cause a default under the applicable debt instrument and we may then be required to repay such debt with capital from other sources. Under those circumstances, other sources of capital may not be available to us or be available only on unattractive terms. Additionally, our ability to satisfy current or prospective lenders' insurance requirements may be adversely affected if lenders generally insist upon greater insurance coverage than is available to us in the marketplace or on commercially reasonable terms.

We rely on debt financing, including borrowings under our unsecured revolving credit facility, unsecured term loan, debt securities, and debt secured by individual properties, for working capital, including to finance our investment activities. If we are unable to obtain financing from these or other sources, or to refinance existing indebtedness upon maturity,

our financial condition and results of operations could be adversely affected.

The documents governing our non-recourse indebtedness contain restrictions on the operations of our property owner subsidiaries and their properties. Certain activities, like leasing and alterations, may be subject to the consent of the applicable lender. In addition, certain lenders engage third-party loan servicers that may not be as responsive as we would be or as the leasing market requires.

We face risks associated with refinancings.

Some of the properties in which we have an interest are subject to a mortgage or other secured notes with balloon payments due at maturity. In addition, our corporate level borrowings require interest only payments with all principal due at maturity.

Our ability to make the scheduled balloon payments on any corporate recourse note will depend on our access to the capital markets, including our ability to refinance the maturing note. Our ability to make the scheduled balloon payment on any non-recourse mortgage note will depend upon (1) in the event we determine to contribute capital, our cash balances and the amount available under our unsecured credit facility, and (2) the property owner subsidiary's ability either to refinance the related mortgage debt or to sell the related property. If the property owner subsidiary is unable to refinance or sell the related property, the property may be conveyed to the lender through foreclosure or other means or the property owner subsidiary may declare bankruptcy.

We face risks associated with returning properties to lenders.

Some of the properties in which we have an interest, **primarily non-consolidated properties**, are subject to non-recourse mortgages, which generally provide that a lender's only recourse upon an event of default is to foreclose on the property. In the event these properties are conveyed via foreclosure to the lenders thereof, we would lose all of our interest in these properties. The loss of a significant number of properties to foreclosure or through bankruptcy of a property owner subsidiary could adversely affect our financial condition and results of operations, relationships with lenders and ability to obtain additional financing in the future.

In addition, a lender may attempt to trigger a carve out to the non-recourse nature of a mortgage loan. To the extent a lender is successful, the ability of our property owner subsidiary to return the property to the lender may be inhibited and/or we may be liable for all or a portion of such loan.

Certain of our indebtedness is subject to cross-default, cross-acceleration and cross-collateral provisions.

Substantially all of our corporate level borrowings and, in the future, certain of our secured indebtedness may, contain cross-default and/or cross-acceleration provisions, which may be triggered if we default on certain indebtedness in excess of certain thresholds. In the event of such a default, the resulting cross defaults and/or cross-accelerations may adversely impact our financial condition.

Two of our non-consolidated joint ventures have portfolio loans where the loans are cross-collateral with a majority of the assets in the portfolio.

We may not be able to generate sufficient cash flow to meet our debt service obligations.

Our ability to make payments on and to refinance our indebtedness depends on our ability to generate cash in the future. To a certain extent, our cash flow is subject to general economic, industry, financial, competitive, operating, legislative, regulatory and other factors, many of which are beyond our control. We cannot assure you that our business will generate sufficient cash flow from operations or that future sources of cash will be available to us in an amount sufficient to enable us to pay amounts due on our indebtedness. Additionally, if we incur additional indebtedness in connection with future acquisitions or development projects or for any other purpose, our debt service obligations could increase.

The effective subordination of our unsecured indebtedness and any related guaranty may reduce amounts available for payment on our unsecured indebtedness and any related guaranty.

The holders of our secured debt may foreclose on the assets securing such debt, reducing the cash flow from the foreclosed property available for payment of unsecured debt and any related guaranty. The holders of any of our secured debt also would have priority with respect to the secured collateral over unsecured creditors in the event of a bankruptcy, liquidation or similar proceeding.

None of our subsidiaries are guarantors of our unsecured debt; therefore assets of our subsidiaries may not be available to make payments on our unsecured indebtedness.

We are the sole borrower of our unsecured indebtedness and none of our subsidiaries were guarantors of our unsecured indebtedness. In the event of a bankruptcy, liquidation or reorganization of any of our subsidiaries, holders of subsidiary debt, including trade creditors, will generally be entitled to payment of their claims from the assets of our subsidiaries before any assets are made available for distribution to us.

All of our assets are held through our subsidiaries. Consequently, our cash flow and our ability to meet our debt service obligations depend in large part upon the cash flow of our subsidiaries and the payment of funds by our subsidiaries to us in the form of distributions or otherwise.

Risks Related to Investment in our Equity

We may change the dividend policy for our common shares in the future.

The decision to declare and pay dividends on our common shares in the future, as well as the timing, amount and composition of any such future dividends, will be at the sole discretion of our Board of Trustees in light of conditions then existing, including our earnings, financial condition, capital requirements, debt maturities, the availability of debt and equity capital, applicable REIT and legal restrictions and the general overall economic conditions and other factors. The actual dividend payable will be determined by our Board of Trustees based upon the circumstances at the time of declaration and the actual dividend payable may vary from such expected amount. Any change in our dividend policy could have a material adverse effect on the market price of our common shares.

Securities eligible for future sale may have adverse effects on our share price.

We have an unallocated universal shelf registration statement and we also maintain an At-the-Market offering program and a direct share purchase plan, pursuant to which we may issue additional common shares. There is no restriction on our issuing additional common or preferred shares, including any securities that are convertible into or exchangeable for, or that represent the right to receive, common or preferred shares or any substantially similar securities. Pursuant to our At-the-Market offering, we may enter into forward sale agreements. Settlement provisions contained in any forward sale agreement could result in substantial dilution to our earnings per share or result in substantial cash payment obligations. In addition, in the case of our bankruptcy or insolvency, any forward sale agreement will automatically terminate, and we would not receive the expected proceeds from the sale of our common shares under such agreement.

We disclose certain non-GAAP financial measures in documents filed and/or furnished with the SEC; however, the non-GAAP financial measures we disclose are not equivalent to applicable comparable GAAP measures, and you should consider GAAP measures to be more relevant to our operating performance.

We use and disclose to investors FFO, Adjusted Company FFO, NOI and other non-GAAP financial measures. FFO, Adjusted Company FFO, NOI and the other non-GAAP financial measures are not equivalent to our net income or loss as determined in accordance with GAAP, and investors should consider GAAP measures to be more relevant to evaluating our operating performance. FFO, Adjusted Company FFO and NOI, and GAAP net income (loss) differ because FFO, Adjusted Company FFO and NOI exclude many items that are factored into GAAP net income or loss.

Because of the differences between FFO, Adjusted Company FFO, NOI and GAAP net income or loss, FFO, Adjusted Company FFO and NOI may not be accurate indicators of our operating performance, especially during periods in which we are acquiring and selling properties. In addition, FFO, Adjusted Company FFO and NOI are not necessarily indicative of cash flow available to fund cash needs and investors should not consider FFO, Adjusted Company FFO or NOI as alternatives to cash flows from operations, as an indication of our liquidity or as indicative of funds available to fund our cash needs, including our ability to make distributions to our shareholders.

Neither the SEC nor any other regulatory body has passed judgment on the acceptability of the adjustments that we use to calculate FFO, Adjusted Company FFO and NOI. Also, because not all companies calculate FFO, Adjusted Company FFO and NOI the same way, comparisons with other companies' measures with similar titles may not be meaningful.

There are certain limitations on a third party's ability to acquire us or effectuate a change in our control.

Severance payments under our executive severance policy. Substantial termination payments may be required to be paid under our executive severance policy applicable to and related agreements with our executives upon the termination of an executive. If those executive officers are terminated without cause, as defined, or resign for good reason, as defined, those executive officers may be entitled to severance benefits based on their current annual base salaries and trailing average of recent annual cash bonuses as defined in our executive severance policy and related agreements and the acceleration of certain non-vested equity awards. In addition, in connection with our Board of Trustees' review of strategic alternatives in 2022, we implemented a severance policy for non-executive employees that provided for payments in connection with a termination following a change in control prior to June 30, 2024. Accordingly, these payments may discourage a third party from acquiring us.

Our ability to issue additional shares. Our declaration of trust authorizes 1,400,000,000 shares of beneficial interest (par value \$0.0001 per share) consisting of 600,000,000 common shares, 100,000,000 preferred shares and 700,000,000 shares of beneficial interest classified as excess stock, or excess shares. Our Board of Trustees is authorized to cause us to issue these shares without shareholder approval. Our Board of Trustees may establish the preferences and rights of any such class or series of additional shares, which could have the effect of delaying or preventing someone from taking control of us, even if a change in control were in shareholders' best interests. At December 31, 2022 December 31, 2023, in addition to common shares, we had outstanding 1,935,400 Series C Preferred Shares. Our Series C Preferred Shares include provisions, such as increases in dividend rates or adjustments to conversion rates, which may deter a change of control. The establishment and issuance of shares of our existing series of preferred shares or a future class or series of shares could make a change of control of us more difficult.

Maryland Takeover Statutes. Certain provisions of the Maryland General Corporation Law, including the Maryland Business Combination Act, the Maryland Control Share Act, and certain elective provisions of Maryland law under Subtitle 8 of the Maryland General Corporation Law, each as further described under the heading "Restrictions on Transfers of Capital Stock and Anti-Takeover Provisions – Maryland Law" in Exhibit 4.10 of this Annual Report, are applicable to Maryland REITs, such as the Company. We are subject to the Maryland Business Combination Act, and while our by-laws contain a provision exempting from the Maryland Control Share Acquisition Act any and all acquisitions by any person of

our shares, we cannot assure you that this provision will not be amended or eliminated at any time in the future. We have also not elected to be governed by any of the specific provisions of Subtitle 8, however, through provisions of our declaration of trust and/or by-laws, as applicable, unrelated to Subtitle 8, we provide for an 80% shareholder vote to remove trustees and then only for cause, and that the number of trustees may be determined by a resolution of our Board of Trustees, subject to a minimum number. In addition, we can elect to be governed by any or all of the provisions of Subtitle 8 of the Maryland General Corporation Law at any time in the future. These statutes could have the effect of discouraging offers to acquire us and of increasing the difficulty of consummating any such offers, even if such acquisition would be in shareholders' best interests.

Limits on ownership of our capital shares may have the effect of delaying, deferring or preventing someone from taking control of us.

Ownership Limits in Our Declaration of Trust. For us to qualify as a REIT for federal income tax purposes, among other requirements, not more than 50% of the value of our outstanding capital shares may be owned, directly or indirectly, by five or fewer individuals (as defined for federal income tax purposes to include certain entities) during the last half of each taxable year, and these capital shares must be beneficially owned by 100 or more persons during at least 335 days of a taxable year of 12 months or during a proportionate part of a shorter taxable year (in each case, other than the first such year for which a REIT election is made). Our declaration of trust includes certain restrictions regarding transfers of our capital shares and ownership limits.

In order to protect against the loss of our REIT status, among other things, actual or constructive ownership of our capital shares in violation of the restrictions contained in our declaration of trust or in excess of 9.8% in value of our outstanding equity shares, defined as our common shares, or preferred shares, subject to certain exceptions, would cause the violative transfer or ownership to be void or cause the shares to be transferred to a charitable trust and then sold to a person or entity who can own the shares without violating these limits. As a result, if a violative transfer were made, the recipient of the shares would not acquire any economic or voting rights attributable to the transferred shares. Additionally, the constructive ownership rules for these limits are complex, and groups of related individuals or entities may be deemed a single owner and consequently in violation of the share ownership limits.

However, these restrictions and limits may not be adequate in all cases to prevent the transfer of our capital shares in violation of the ownership limitations. The ownership limits discussed above may have the effect of delaying, deferring or preventing someone from taking control of us, even though a change of control could involve a premium price for the common shares or otherwise be in shareholders' best interests.

The trading price of our common shares has been, and may continue to be, subject to significant fluctuations.

The market price of our common shares may fluctuate in response to company-specific and general market events and developments, including those described in this Annual Report. In addition, our leverage may impact investor demand for our common shares, which could have a material effect on the market price of our common shares.

Furthermore, in 2021, we disclosed communications with an activist shareholder. Investor activism could interfere with our ability to execute our strategic plan, divert the attention of our Board of Trustees, management and employees, give rise to perceived uncertainties as to our future direction, adversely affect our relationships with key business partners, result in a loss of potential business opportunities, make it more difficult to attract and retain qualified personnel, or require us to incur substantial legal and public relations fees and expenses, any of which could adversely affect our business and operating results.

The public valuation of our common shares is related primarily to the earnings that we derive from rental income with respect to the properties in which we have an interest and not from the underlying appraised value of the properties themselves. As a result, interest rate fluctuations and capital market conditions can affect the market value of our common shares. For instance, if interest rates rise, the market price of our common shares may decrease because potential investors seeking a higher yield than they would receive from our common shares may sell our common shares in favor of higher yielding securities.

Legal and Regulatory Risks

We face possible liability relating to environmental matters.

Under various federal, state and local environmental laws, statutes, ordinances, rules and regulations, as an owner of real property, our property owner subsidiaries may be liable for the costs of removal or remediation of certain hazardous or toxic substances at, on, in or under the properties in which we have an interest as well as certain other potential costs relating to hazardous or toxic substances. These liabilities may include government fines and penalties and damages for injuries to persons and adjacent property. These laws may impose liability without regard to whether we knew of, or were responsible for, the presence or disposal of those substances. This liability may be imposed on our property owner subsidiaries in connection with the activities of an operator of, or tenant at, the property. The cost of any required remediation, removal, fines or personal or property damages, and our liability therefore, could be significant and could exceed the value of the property and/or our aggregate assets. In addition, the presence of those substances, or the failure to properly dispose of or remove those substances, may adversely affect a property owner subsidiary's ability to sell or rent that property or to borrow using that property as collateral, which, in turn, would reduce our revenues and ability to satisfy our debt service obligations and to pay dividends.

A property can also be adversely affected either through physical contamination or by virtue of an adverse effect upon value attributable to the migration of hazardous or toxic substances, or other contaminants that have or may have emanated from other properties. Although the tenants of the properties in which we have an interest are primarily responsible for any environmental damages and claims related to the leased premises, in the event of the bankruptcy or inability of any of the tenants of the properties in which we have an interest to satisfy any obligations with respect to the property leased to that tenant, our property owner subsidiary may be required to satisfy such obligations. In addition, we may be held directly liable for any such damages or claims irrespective of the provisions of any lease and, in certain cases, we have provided lenders with environmental indemnities.

From time to time, in connection with the conduct of our business, our property owner subsidiaries authorize the preparation of Phase I environmental reports and, when recommended, Phase II environmental reports, with respect to their properties. There can be no assurance that these environmental reports will reveal all environmental conditions at the properties in which we have an interest. We are also subject to exposure to material liability from the discovery of previously unknown environmental conditions; changes in law; activities of tenants; or activities relating to properties in the vicinity of the properties in which we have an interest.

Changes in laws increasing the potential liability for environmental conditions existing on properties or increasing the restrictions on discharges or other conditions may result in significant unanticipated expenditures or may otherwise adversely affect the operations of the tenants of the properties in which we have an interest, which could adversely affect our financial condition or results of operations.

Costs of complying with changes in governmental laws and regulations may adversely affect our results of operations.

We cannot predict what laws or regulations may be enacted, repealed or modified in the future, how future laws or regulations will be administered or interpreted, or how future laws or regulations will affect our properties. Compliance with new or modified laws or regulations, or stricter interpretation of existing laws, may require us or our tenants to incur significant expenditures, impose significant liability, restrict or prohibit business activities and could cause a material adverse effect on our results of operations.

Legislation such as the Americans with Disabilities Act may require us to modify our properties at substantial costs and noncompliance could result in the imposition of fines or an award of damages to private litigants. Future legislation may impose additional requirements. We may incur additional costs to comply with any future requirements.

Risks Related to Our REIT Status

There can be no assurance that we will remain qualified as a REIT for federal income tax purposes.

We believe that LXP has met the requirements for qualification as a REIT for federal income tax purposes beginning with its taxable year ended December 31, 1993, and we intend for LXP to continue to meet these requirements in the future. However, qualification as a REIT involves the application of highly technical and complex provisions of the Code, for which there are only limited judicial or administrative interpretations. The determination of various factual matters and circumstances not entirely within our control may affect LXP's ability to continue to qualify as a REIT. No assurance can be given that LXP has qualified or will remain qualified as a REIT. In addition, no assurance can be given that legislation, regulations, administrative interpretations or court decisions will not significantly change the requirements for qualification as a REIT or the federal income tax consequences of such qualification. If LXP does not qualify as a REIT, LXP would not be allowed a deduction for dividends paid to shareholders in computing its net taxable income and LXP would not be required to continue making distributions. In addition, LXP's income would be subject to tax at the regular corporate rates. LXP also could be disqualified from treatment as a REIT for the four taxable years following the year during which qualification was lost. Cash required to be used to pay taxes would not be available to satisfy LXP's debt service obligations and to make distributions to its shareholders. Although we currently intend for LXP to continue to qualify as a REIT, it is possible that future economic, market, legal, tax or other considerations may cause LXP, without the consent of the shareholders, to revoke the REIT election or to otherwise take action that would result in disqualification.

We may be subject to the REIT prohibited transactions tax, which could result in significant U.S. federal income tax liability to us.

A REIT will incur a 100% tax on the net income from a prohibited transaction. Generally, a prohibited transaction includes a sale or disposition of property held primarily for sale to customers in the ordinary course of business. While we believe that the dispositions of our assets pursuant to our investment strategy should not be treated as prohibited transactions, whether a particular sale will be treated as a prohibited transaction depends on the underlying facts and circumstances. We have not sought and do not intend to seek a ruling from the Internal Revenue Service regarding any dispositions. Accordingly, there can be no assurance that our dispositions of such assets will not be subject to the prohibited transactions tax. If all or a significant portion of those dispositions were treated as prohibited transactions, we would incur a significant U.S. federal income tax liability, which could have a material adverse effect on our financial position.

Distribution requirements imposed by law limit our flexibility.

To maintain LXP's status as a REIT for federal income tax purposes, LXP is generally required to distribute to its shareholders at least 90% of its taxable income for that calendar year. LXP's taxable income is determined without regard to any deduction for dividends paid and by excluding net capital gains. To the extent that LXP satisfies the distribution requirement but distributes less than 100% of its taxable income, LXP will be subject to federal corporate income tax on its undistributed income. In addition, LXP will incur a 4% nondeductible excise tax on the amount by which its distributions in any year are less than the sum of (i) 85% of its ordinary income for that year, (ii) 95% of its capital gain net income for that year and (iii) 100% of its undistributed taxable income from prior years. We intend for LXP to continue to make distributions to its shareholders to comply with the distribution requirements of the Code and to reduce exposure to federal taxes. Differences in timing between the receipt of income and the payment of expenses in determining its taxable income and the effect of required debt amortization payments could require LXP to borrow funds on a short-term basis in order to meet the distribution requirements that are necessary to achieve the tax benefits associated with qualifying as a REIT.

Legislative or regulatory tax changes could have an adverse effect on us.

At any time, the federal income tax laws governing REITs or the administrative interpretations of those laws may be amended. Any of those new laws or interpretations may take effect retroactively and could adversely affect us or you as a debt or equity security holder.

Federal tax legislation passed in 2017 made numerous changes to tax rules. These changes do not affect the REIT qualification rules directly, but may otherwise affect us or our shareholders. For example, the top federal income tax rate for individuals was reduced to 37%, there is a deduction available for certain Qualified Business Income that reduces the top effective tax rate applicable to ordinary dividends from REITs to 29.6% (through a 20% deduction for ordinary REIT dividends received) and various deductions are eliminated or limited. Most of the changes applicable to individuals are temporary.

General Risk Factors

A downgrade in our credit ratings could have a material adverse effect on our business and financial condition.

The credit ratings assigned to us and our debt could change based upon, among other things, our results of operations and financial condition or the real estate industry generally. These ratings are subject to ongoing evaluation by credit rating agencies, and we cannot assure you that any rating will not be changed or withdrawn by a rating agency in the future if, in the applicable rating agency's judgment, circumstances warrant. Moreover, these credit ratings do not apply to our common and preferred shares and are not recommendations to buy, sell or hold any other securities. Any downgrade of us or our debt could have a material adverse effect on the market price of our debt securities and our common and preferred shares. If any credit rating agency that has rated us or our debt downgrades or lowers its credit rating, or if any credit rating agency indicates that it has placed any such rating on a so-called "watch list" for a possible downgrading or lowering or otherwise indicates that its outlook for that rating is negative, it could also have a material adverse effect on our costs and availability of capital, which could, in turn, have a material adverse effect on our financial condition, results of operations, cash flows and our ability to satisfy our debt service obligations and to make dividends and distributions on our common shares and preferred shares.

We are dependent upon our key personnel.

We are dependent upon key personnel, particularly certain of our executive officers. We do not have employment agreements with our executive officers, but we have entered into severance arrangements with our executive officers that provide certain payments upon specified termination events.

Our inability to retain the services of any of our key personnel, an unplanned loss of any of their services or our inability to replace them upon termination as needed, could adversely impact our operations. We do not have key man life insurance coverage on our executive officers.

Item 1B. Unresolved Staff Comments

There are no unresolved written comments that were received from the SEC staff relating to our periodic or current reports under the Securities Exchange Act of 1934.

ITEM 1C. CYBERSECURITY

We believe we maintain an information technology and cybersecurity program appropriate for a company our size taking into account our operations.

Management and Board Oversight

Our enterprise risk management framework was developed in conjunction with a third-party that objectively assessed key stakeholder responses to questionnaires on our operations and business functions, including information technology and cybersecurity. Our internal controls over financial reporting include key controls covering certain information technology and cybersecurity processes that are documented and tested annually.

The Audit and Cyber Risk Committee of our Board of Trustees assists our Board of Trustees on oversight of management in connection with regularly assessing our key risks and engaging in enterprise-wide risk management as they relate to cybersecurity and our technology and information systems, including with respect to strategies, objectives, capabilities, initiatives, policies and investments. A member of our Board of Trustees and the Audit and Cyber Risk Committee of our Board of Trustees is a recognized cybersecurity expert as a member of the Tech & Cybersecurity Advisory Committee for U.S. Senator Mark Warner and having been an investor in and director of private and public technology-focused companies.

We employ a Director of Information Technology who works exclusively on information technology and cybersecurity matters and has over 28 years of related experience. We employ a Director of ESG and Corporate Operations who spends part of her business time on information technology matters, specifically business applications, and has 11 years of related experience. Both employees report to our Chief Operating Officer.

Due to our size and the size of our employee base, we use third-party vendors to assist us with our network and information technology requirements. Since 2019, BDO USA, LLC ("BDO") has acted as our outsourced chief technology officer/chief information security officer ("CTO/CISO") and provided us with the following services through a dedicated partner in BDO Digital's Security & Compliance:

- Overseeing chief security role and informing leadership of cybersecurity risks and the role of staff in protecting information, including, but not limited to:
 - Monitoring emerging risks, suggesting and overseeing implementation of mitigations;
 - Championing security awareness and training programs; and
 - Reporting significant security events to leadership.
- Guidance regarding incidence response, business continuity and disaster recovery program, strategy and testing.
- Oversight and guidance on vendor risk management processes and individual vendor profiles.
- IT strategy advice.
- Monitoring the relationship with our information technology managed services provider.
- Technical, policy and procedure recommendations.

Together with our Director of Information Technology, BDO reports frequently to our Chief Operating Officer and General Counsel and to the Audit and Cyber Risk Committee of our Board of Trustees on a quarterly basis.

We outsource our information technology managed services to a third-party provider of customized private cloud solutions featuring virtual desktops and servers. Our Director of Information Technology, together with BDO, oversees the third-party managed service provider ("MS Provider").

We maintain a critical systems vendor management program with the assistance of a third-party provider of vendor risk intelligence data, including cybersecurity vulnerabilities, business health and credit risk.

In the event of an incident which jeopardizes the confidentiality, integrity, or availability of the information technology systems we use, we utilize a regularly updated incident response plan. Our incident response plan was developed to guide the internal response to incidents taking into account a recognized third party cybersecurity framework. Pursuant to our incident response plan and its escalation protocols, designated personnel are responsible for assessing the severity of the incident and associated threat, containing the threat, remediating the threat, including recovery of data and access to systems, analyzing the reporting and disclosure obligations associated with the incident, and performing post-incident analysis and program improvements. While the particular personnel assigned to an incident response team will depend on the particular facts and circumstances, the incident response team is made up of two teams: the information security response team and the business response team. The information security response team is generally led by our Chief Operating Officer and includes our CTO/CISO, our Director of Information Technology, our MS Provider account manager, our Chief Financial Officer and other members of our senior leadership. The business response team includes primary and secondary contacts for each impacted business area. These individuals assist with any necessary customer notification procedures. The incident response team regularly reports to senior management, including the CEO, in the event of a significant incident, and our Chief Operating Officer and Chief Financial Officer provide reports to our Audit and Cyber Risk Committee and our Board of Trustees.

The Audit and Cyber Risk Committee oversees, on behalf of the Board of Trustees, our information technology and cybersecurity strategy and initiatives. Our Board of Trustees has determined that one of the members of our Audit and Cyber Risk Committee is an information technology/cybersecurity expert and has significant experience in, among other areas, emerging technologies and coordinating national security and technology policy. On at least a quarterly basis, our Chief Operating Officer, CTO/CISO and Director of Information Technology report to our Audit and Cyber Risk Committee on information technology matters, including cybersecurity. Our Audit and Cyber Risk Committee then updates the Board of Trustees following management's update. On a periodic basis, our Audit and Cyber Risk Committee commissions an external assessment of our cybersecurity practices and receives a report from the third-party firm performing our internal audit function. The most recent assessment was completed in 2023.

Processes for Assessing, Identifying and Managing Material Risks from Cybersecurity Threats

Our cybersecurity program focuses on (1) preventing and preparing for cybersecurity incidents, (2) detecting and analyzing cybersecurity incidents, and (3) containing, eradicating, recovering from, and reporting cybersecurity events.

Prevention and Preparation

As noted above, we utilize our MS Provider for cloud-based information technology services. This third-party solution includes 24/7 monitoring and is built to the NIST/ISO framework. We also engage a nationally recognized public accounting firm to perform periodic cybersecurity assessments, which entail performing a qualitative current state evaluation of our cybersecurity program in line with specific domains within the recognized third party framework. In addition, we take the following preventative measures:

- We engage a third party to perform internal and external penetration tests on an annual basis.
- We require multi-factor authentication for our network and primary applications.

- We utilize geolocation-based blocking.

We recognize that threat actors frequently target employees to gain unauthorized access to information systems. Therefore, a key element of our prevention efforts is annual employee training on cybersecurity around phishing, malware and other cyber risks. We use a third-party provider of security awareness training and simulated phishing for our email phishing reporting and cyber security training. Our employees are required to complete quarterly cybersecurity training programs.

We maintain comprehensive business continuity and disaster recovery plans, which update on at least an annual basis and we test through tabletop exercises on an annual basis. We do not maintain any on-premises data or servers.

We are exposed to risks from interactions with vendors and other third parties. To mitigate this risk, we perform due diligence on our vendors and third-party service providers. We believe we work with reputable vendors and require SOC reports from critical vendors and IT service providers.

We also maintain cybersecurity insurance providing coverage for certain costs related to cybersecurity failures and specified cybersecurity-related incidents that interrupt our network or networks of our vendors, in all cases up to specified limits and subject to certain exclusions.

Detection and Analysis

Cybersecurity incidents may be detected through a variety of means, which may include, but are not limited to, automated event-detection notifications, employee notifications, and notification from external parties (e.g., our third-party information technology provider). Once a potential cybersecurity incident is identified, including a third party cybersecurity event, the incident response team designated pursuant to the incident response plan follows the procedures set forth in the plan to investigate the potential incident, including determining the nature of the event (e.g. ransomware or personal data breach) and assessing the severity of the event and sensitivity of any compromised data.

Containment, Eradication, Recovery, and Reporting

In the event of a cybersecurity incident, our first priority is to contain the cybersecurity incident as quickly as possible consistent with the procedures in our incident response plan. A representative of our third-party information technology provider is a member of the incident response team. Our third-party information technology provider takes the lead on assisting us with the steps and procedures to contain the incident. If our third-party information technology provider is unable to contain the incident, we expect to work with our CTO/CISO and cybersecurity insurer to engage the appropriate vendor for containment.

Once a cybersecurity incident is contained our focus shifts to remediation. Eradication and recovery activities depend on the nature of the cybersecurity incident and may include rebuilding systems and/or hosts, replacing compromised files with clean versions, validation of files or data that may have been affected, increased network monitoring or logging to identify recurring attacks, or employee re-training, among other things. We have specific recovery time objectives and recovery point objectives in our disaster recovery plan.

Our incident response plan provides clear communication protocols, including with respect to members of senior management, including the CEO, CFO and COO, internal and external counsel, our management disclosure committee and the Audit and Cyber Risk Committee and the Board of Trustees. With respect to our SEC reporting obligations related to a cybersecurity incident, as set forth in the incident response plan, the leaders of the incident response plan regularly brief the management disclosure committee on developments related to an incident. In addition, the COO and CTO/CISO engage with external legal counsel with respect to other regulatory reporting obligations related to an incident.

Following the conclusion of an incident the incident response team will generally assess the effectiveness of the cybersecurity program and make adjustments as appropriate.

Cybersecurity Risks

As of December 31, 2023, we are not aware of any material cybersecurity incidents in the last three years. However, we routinely face risks of potential incidents, whether through cyber-attacks or cyber intrusions over the Internet, ransomware and other forms of malware, computer viruses, attachment to emails, phishing attempts, extortion or other scams that we are able to prevent or sufficiently mitigate harm from. Although we make efforts to maintain the security and integrity of the third party networks and systems we use, these systems and the proprietary, confidential and personal information that resides on or is transmitted through them, are subject to the risk of a security incident or disruption, and there can be no assurance that our security efforts and measures, and those of our third party providers, will be effective. See "Item 1A–Risk Factors–Cybersecurity incidents may adversely affect our business."

Item 2. Properties

Real Estate Portfolio

General. As of December 31, 2022 December 31, 2023, we had ownership interests in approximately 116 115 consolidated real estate properties containing approximately 54.0 million 54.6 million square feet of rentable space, which were approximately 99.5% 99.8% leased based upon net rentable square feet. All properties in which we have an interest are held through at least one property owner subsidiary.

Ground Leases. Certain of the properties in which we have an interest are subject to long-term ground leases where either the tenant of the building on the property or a third party owns and leases the underlying land to the property owner subsidiary. Certain of these properties are economically owned through the holding of industrial revenue bonds primarily for real estate tax abatement purposes and as such, neither ground lease payments nor bond interest payments are made or received, respectively. For certain of the properties held under a ground lease, the ground lessee has a purchase option. At the end of these long-term ground leases, unless extended or the purchase option is exercised, the land together with all improvements thereon reverts to the landowner.

Office Leases. We lease our headquarters office space in New York, New York and our satellite offices in Dallas, Texas and West Palm Beach, Florida.

Property-Level Leverage. As of **December 31, 2022** **December 31, 2023**, we had outstanding consolidated mortgages and notes payable of approximately **\$73.2 million** **\$60.9 million** with a weighted-average interest rate of approximately 4.0% and a weighted-average maturity of **6.7** **6.4** years.

Property Charts. The following tables list our properties by type, their locations, the net rentable square feet, the expiration of the current lease term and percent leased, as applicable, as of **December 31, 2022** **December 31, 2023**.

Property Location	City	State	Net Rentable Square Feet	Primary Tenant Current	
				Lease Term	Expiration
Stabilized Properties:					
3405 S. McQueen Rd.	Chandler	AZ	201,784	3/31/2033	100 %
4445 N. 169th Ave.	Goodyear	AZ	160,140	12/31/2025	100 %
17510 W. Thomas Rd.	Goodyear	AZ	468,182	11/30/2036	100 %
16811 W. Commerce Dr.	Goodyear	AZ	540,349	4/30/2026	100 %
255 143rd Ave.	Goodyear	AZ	801,424	9/30/2030	100 %
8989 W. Buckeye Rd.	Phoenix	AZ	268,872	5/31/2037	100 %
Parcel Number: 501-42-015B (1)	Phoenix	AZ	N/A	11/5/2042	100 %
1515 South 91st Ave.	Phoenix	AZ	496,204	12/31/2027	100 %
9494 W. Buckeye Rd.	Tolleson	AZ	186,336	9/30/2026	100 %
5275 Drane Field Rd.	Lakeland	FL	222,134	5/31/2036	100 %
3400 NW 35th St.	Ocala	FL	617,055	8/31/2030	100 %
2455 Premier Row	Orlando	FL	205,016	3/31/2026	100 %
3775 Fancy Farms Rd.	Plant City	FL	510,484	9/30/2027	65 %
3102 Queen Palm Dr.	Tampa	FL	229,605	2/28/2026	100 %
95 International Pkwy.	Adairsville	GA	225,211	3/31/2025	100 %
7875 White Rd. SW	Austell	GA	604,852	5/31/2025	100 %
41 Busch Dr.	Cartersville	GA	396,000	9/30/2031	100 %
51 Busch Dr.	Cartersville	GA	328,000	7/31/2031	100 %
1625 Oakley Industrial Blvd.	Fairburn	GA	907,675	10/31/2028	100 %
490 Westridge Pkwy.	McDonough	GA	1,121,120	1/31/2028	100 %
493 Westridge Pkwy.	McDonough	GA	676,000	10/31/2023	100 %
335 Morgan Lakes Industrial Blvd.	Pooler	GA	499,500	7/31/2027	100 %
1004 Trade Center Pkwy.	Savannah	GA	419,667	7/31/2026	100 %
1315 Dean Forest Rd.	Savannah	GA	88,503	8/31/2025	100 %
1319 Dean Forest Rd.	Savannah	GA	355,527	6/30/2025	100 %
7225 Goodson Rd.	Union City	GA	370,000	5/31/2024	100 %
3931 Lakeview Corporate Dr.	Edwardsville	IL	769,500	9/30/2026	100 %
4015 Lakeview Corporate Dr.	Edwardsville	IL	1,017,780	5/31/2030	100 %

LXP CONSOLIDATED PORTFOLIO PROPERTY CHART WAREHOUSE/DISTRIBUTION As of December 31, 2023					
Property Location	City	State	Net Rentable Square Feet	Primary Tenant Current Lease Term Expiration	Percent Leased
Stabilized Properties:					
3405 S. McQueen Rd.	Chandler	AZ	201,784	3/31/2033	100 %
16811 W. Commerce Dr.	Goodyear	AZ	540,349	4/30/2026	100 %
17510 W. Thomas Rd.	Goodyear	AZ	468,182	11/30/2036	100 %
255 143rd Ave.	Goodyear	AZ	801,424	9/30/2030	100 %
3595 N Cotton Ln.	Goodyear	AZ	392,278	8/31/2033	100 %
4445 N. 169th Ave.	Goodyear	AZ	160,140	12/31/2025	100 %
1515 South 91st Ave.	Phoenix	AZ	496,204	12/31/2027	100 %
8989 W Buckeye Rd.	Phoenix	AZ	268,872	5/31/2037	100 %
Parcel Number: 501-42-015B	Phoenix	AZ	—	11/5/2042	100 %
9494 W. Buckeye Rd.	Tolleson	AZ	186,336	9/30/2026	100 %
5275 Drane Field Rd.	Lakeland	FL	222,134	5/31/2036	100 %
3400 NW 35th Street Rd.	Ocala	FL	617,055	8/31/2030	100 %
2455 Premier Row	Orlando	FL	205,016	3/31/2026	100 %
3775 Fancy Farms Rd.	Plant City	FL	510,484	3/31/2028	100 %
3102 Queen Palm Dr.	Tampa	FL	229,605	2/28/2026	100 %
95 International Pkwy.	Adairsville	GA	225,211	3/31/2025	100 %
7875 White Rd. SW	Austell	GA	604,852	5/31/2025	100 %
41 Busch Dr.	Cartersville	GA	396,000	9/30/2031	100 %
51 Busch Dr.	Cartersville	GA	328,000	7/31/2031	100 %
1625 Oakley Industrial Blvd.	Fairburn	GA	907,675	10/31/2028	100 %
490 Westridge Pkwy.	McDonough	GA	1,121,120	1/31/2028	100 %
493 Westridge Pkwy.	McDonough	GA	676,000	10/31/2030	100 %
335 Morgan Lakes Industrial Blvd.	Pooler	GA	499,500	7/31/2027	100 %
1004 Trade Center Pkwy.	Savannah	GA	419,667	7/31/2026	100 %
1315 Dean Forest Rd.	Savannah	GA	88,503	8/31/2025	100 %
1319 Dean Forest Rd.	Savannah	GA	355,527	6/30/2025	100 %
7225 Goodson Rd.	Union City	GA	370,000	5/31/2029	100 %
3931 Lakeview Corporate Dr.	Edwardsville	IL	769,500	9/30/2026	100 %

LXP CONSOLIDATED PORTFOLIO PROPERTY CHART WAREHOUSE/DISTRIBUTION As of December 31, 2022					
Property Location	City	State	Net Rentable Square Feet	Primary Tenant Current Lease Term Expiration	Percent Leased
6225 E. Minooka Rd.	Minooka	IL	1,034,200	9/30/2029	100 %
1460 Cargo Court	Minooka	IL	705,661	11/30/2029	100 %
200 International Pkwy. S.	Minooka	IL	473,280	12/31/2029	100 %
1001 Innovation Rd.	Rantoul	IL	813,126	10/31/2034	100 %
3686 S. Central Ave.	Rockford	IL	93,000	12/31/2024	100 %
749 Southrock Dr.	Rockford	IL	150,000	12/31/2024	100 %
1621 Veterans Memorial Pkwy. E.	Lafayette	IN	309,400	9/30/2029	100 %

1285 W. State Road 32	Lebanon	IN	741,880	1/31/2024	100 %
19 Bob Glidden Blvd.	Whiteland	IN	530,400	3/31/2031	100 %
76 Bob Glidden Blvd.	Whiteland	IN	168,480	12/31/2026	100 %
180 Bob Glidden Blvd.	Whiteland	IN	179,530	12/31/2026	100 %
4600 Albert S White Dr.	Whitestown	IN	149,072	12/31/2024	100 %
4900 Albert S White Dr.	Whitestown	IN	149,072	8/31/2025	100 %
5352 Performance Way	Whitestown	IN	380,000	7/31/2025	100 %
3751 S. CR 500 E.	Whitestown	IN	1,016,244	11/30/2031	100 %
27200 West 157th St.	New Century	KS	446,500	1/31/2027	100 %
200 Richard Knock Way	Walton	KY	232,500	12/31/2031	100 %
300 Richard Knock Way	Walton	KY	544,320	4/30/2032	100 %
2860 Clark St.	Detroit	MI	189,960	10/22/2035	100 %
1700 47th Ave. North	Minneapolis	MN	18,620	12/31/2025	100 %
549 Wingo Rd.	Byhalia	MS	855,878	3/31/2030	100 %
1550 Hwy. 302	Byhalia	MS	615,600	9/30/2027	100 %
554 Nissan Pkwy.	Canton	MS	1,466,000	2/28/2027	100 %
11555 Silo Dr.	Olive Branch	MS	927,742	4/30/2024	100 %
11624 S. Distribution Cv.	Olive Branch	MS	1,170,218	6/30/2029	100 %
6495 Polk Ln.	Olive Branch	MS	269,902	5/31/2028	100 %
8500 Nail Rd.	Olive Branch	MS	716,080	7/31/2029	100 %
671 Washburn Switch Rd.	Shelby	NC	673,425	5/31/2036	100 %
2203 Sherrill Dr.	Statesville	NC	639,800	10/31/2026	100 %

**LXP CONSOLIDATED PORTFOLIO
PROPERTY CHART
WAREHOUSE/DISTRIBUTION**
As of December 31, 2023

Property Location	City	State	Net Rentable Square Feet	Lease Term Expiration	Percent Leased
4015 Lakeview Corporate Dr.	Edwardsville	IL	1,017,780	5/31/2030	100 %
6225 E. Minooka Rd.	Minooka	IL	1,034,200	9/30/2029	100 %
1460 Cargo Court	Minooka	IL	705,661	11/30/2029	100 %
200 International Pkwy. S.	Minooka	IL	473,280	12/31/2029	100 %
1001 Innovation Rd.	Rantoul	IL	813,126	10/31/2034	100 %
3686 South Central Ave.	Rockford	IL	93,000	12/31/2027	100 %
749 Southrock Dr.	Rockford	IL	150,000	12/31/2024	100 %
1627 Veterans Memorial Pkwy. E.	Lafayette	IN	309,400	9/30/2029	100 %
1285 W. State Road 32	Lebanon	IN	741,880	1/31/2029	100 %
180 Bob Glidden Blvd.	Whiteland	IN	179,530	12/31/2026	100 %
19 Bob Glidden Blvd.	Whiteland	IN	530,400	3/31/2031	100 %
76 Bob Glidden Blvd.	Whiteland	IN	168,480	12/31/2026	100 %
4600 Albert S White Dr.	Whitestown	IN	149,072	12/31/2024	100 %
4900 Albert S White Dr.	Whitestown	IN	149,072	8/31/2025	100 %
5352 Performance Way	Whitestown	IN	380,000	7/31/2025	100 %
5424 Albert S. White Dr.	Whitestown	IN	1,016,244	11/30/2031	100 %
27200 West 157th St.	New Century	KS	446,500	1/31/2027	100 %
200 Richard Knock Way	Walton	KY	232,500	12/31/2031	100 %
300 Richard Knock Way	Walton	KY	544,320	4/30/2032	100 %
1700 47th Ave. North	Minneapolis	MN	18,620	12/31/2025	100 %
1550 Hwy 302	Byhalia	MS	615,600	9/30/2027	100 %
549 Wingo Rd.	Byhalia	MS	855,878	3/31/2030	100 %
554 Nissan Pkwy.	Canton	MS	1,466,000	2/28/2027	100 %

11555 Silo Dr.	Olive Branch	MS	927,742	8/31/2024	100 %
11624 S. Distribution Cv.	Olive Branch	MS	1,170,218	6/30/2029	100 %
6495 Polk Ln.	Olive Branch	MS	269,902	5/31/2028	100 %
8500 Nail Rd.	Olive Branch	MS	716,080	7/31/2029	100 %
671 Washburn Switch Rd.	Shelby	NC	673,425	5/31/2036	100 %
2203 Sherrill Dr.	Statesville	NC	639,800	10/31/2026	100 %

LXP CONSOLIDATED PORTFOLIO PROPERTY CHART WAREHOUSE/DISTRIBUTION As of December 31, 2022					
Property Location	City	State	Net Rentable Square Feet	Primary Tenant Current Lease Term Expiration	Percent Leased
736 Addison Rd.	Erwin	NY	408,000	11/30/2026	100 %
29-01 Borden Ave. / 29-10 Hunters Point Ave.	Long Island City	NY	140,330	3/31/2028	100 %
351 Chamber Dr.	Chillicothe	OH	489,150	12/31/2031	100 %
1860 Walcutt Rd.	Columbus	OH	292,730	11/21/2029	100 %
7005 Cochran Rd.	Glenwillow	OH	458,000	7/31/2025	100 %
191 Arrowhead Dr.	Hebron	OH	250,410	9/30/2033	100 %
200 Arrowhead Dr.	Hebron	OH	400,522	8/31/2027	100 %
2155 Rohr Rd.	Lockbourne	OH	320,190	3/31/2024	100 %
575-599 Gateway Blvd.	Monroe	OH	194,936	6/30/2024	100 %
600 Gateway Blvd.	Monroe	OH	994,013	8/31/2027	100 %
675 Gateway Blvd.	Monroe	OH	143,664	2/28/2032	100 %
700 Gateway Blvd.	Monroe	OH	1,299,492	6/30/2030	100 %
10345 Philipp Pkwy.	Streetsboro	OH	649,250	10/31/2026	100 %
250 Rittenhouse Cir.	Bristol	PA	241,977	11/30/2026	100 %
70 Tyger River Dr.	Duncan	SC	408,000	1/31/2024	100 %
230 Apple Valley Rd.	Duncan	SC	275,400	4/30/2029	100 %
231 Apple Valley Rd.	Duncan	SC	196,000	1/31/2026	100 %
235 Apple Valley Rd.	Duncan	SC	177,320	10/31/2026	100 %
402 Apple Valley Rd.	Duncan	SC	235,600	12/31/2029	100 %
417 Apple Valley Rd.	Duncan	SC	195,000	3/31/2027	100 %
425 Apple Valley Rd.	Duncan	SC	327,360	9/30/2026	100 %
21 Inland Pkwy.	Greer	SC	1,318,680	12/31/2034	100 %
7820 Reidville Rd.	Greer	SC	210,820	Various	100 %
7870 Reidville Rd.	Greer	SC	396,073	9/30/2025	100 %
8201 Reidville Rd.	Greer	SC	797,936	4/30/2035	100 %
5795 North Blackstock Rd.	Spartanburg	SC	341,660	7/31/2024	100 %
1021 Tyger Lake Rd.	Spartanburg	SC	213,200	2/28/2031	100 %
6050 Dana Way	Antioch	TN	674,528	6/30/2031	89 %
1520 Lauderdale Memorial Hwy.	Cleveland	TN	851,370	3/31/2024	100 %

LXP CONSOLIDATED PORTFOLIO PROPERTY CHART WAREHOUSE/DISTRIBUTION As of December 31, 2023					
Property Location	City	State	Net Rentable Square Feet	Primary Tenant Current Lease Term Expiration	Percent Leased

736 Addison Rd.	Erwin	NY	408,000	11/30/2026	100 %
29-01 Borden Ave./29-10 Hunters Point Ave.	Long Island City	NY	140,330	3/31/2028	100 %
351 Chamber Dr.	Chillicothe	OH	489,150	12/31/2031	100 %
1860 Walcutt Rd.	Columbus	OH	292,730	11/21/2029	100 %
9800 Schuster Way	Etna	OH	1,074,840	10/31/2033	100 %
7005 Cochran Rd.	Glenwillow	OH	458,000	7/31/2025	100 %
191 Arrowhead Dr.	Hebron	OH	250,410	2/28/2034	100 %
200 Arrowhead Dr.	Hebron	OH	400,522	8/31/2027	100 %
2155 Rohr Rd.	Lockbourne	OH	320,190	3/31/2024	100 %
575-599 Gateway Blvd.	Monroe	OH	194,936	6/30/2024	100 %
600 Gateway Blvd.	Monroe	OH	994,013	8/31/2027	100 %
675 Gateway Blvd.	Monroe	OH	143,664	2/28/2032	100 %
700 Gateway Blvd.	Monroe	OH	1,299,492	6/30/2030	100 %
10345 Philipp Pkwy.	Streetsboro	OH	649,250	10/31/2026	100 %
250 Rittenhouse Cir.	Bristol	PA	241,977	11/30/2026	100 %
230 Apple Valley Rd.	Duncan	SC	275,400	4/30/2029	100 %
231 Apple Valley Rd.	Duncan	SC	196,000	1/31/2026	100 %
235 Apple Valley Rd.	Duncan	SC	177,320	10/31/2026	100 %
402 Apple Valley Rd.	Duncan	SC	235,600	12/31/2029	100 %
417 Apple Valley Rd.	Duncan	SC	195,000	3/31/2027	100 %
425 Apple Valley Rd.	Duncan	SC	327,360	9/30/2026	100 %
70 Tyger River Dr.	Duncan	SC	408,000	1/31/2029	100 %
140 Smith Farms Pkwy.	Greer	SC	304,884	2/28/2029	100 %
170 Smith Farms Pkwy.	Greer	SC	797,936	4/30/2035	100 %
21 Inland Pkwy.	Greer	SC	1,318,680	12/31/2034	100 %
7820 Reidville Rd.	Greer	SC	210,820	12/31/2027	100 %
7870 Reidville Rd.	Greer	SC	396,073	9/30/2025	100 %
1021 Tyger Lake Rd.	Spartanburg	SC	213,200	2/28/2031	100 %
5795 North Blackstock Rd.	Spartanburg	SC	341,660	7/31/2029	100 %

LXP CONSOLIDATED PORTFOLIO PROPERTY CHART WAREHOUSE/DISTRIBUTION As of December 31, 2022					
Property Location	City	State	Net Rentable Square Feet	Primary Tenant Current Lease Term Expiration	Percent Leased
201 James Lawrence Rd.	Jackson	TN	1,062,055	10/31/2027	100 %
633 Garrett Pkwy.	Lewisburg	TN	310,000	3/31/2026	100 %
3820 Micro Dr.	Millington	TN	701,819	9/30/2024	100 %
200 Sam Griffin Rd.	Smyrna	TN	1,505,000	4/30/2027	100 %
2115 East Belt Line Rd.	Carrollton	TX	356,855	6/30/2035	100 %
3737 Duncanville Rd.	Dallas	TX	510,400	9/30/2026	100 %
4600 Underwood Rd.	Deer Park	TX	402,648	12/31/2026	100 %
4005 E. I-30	Grand Prairie	TX	215,000	3/31/2037	100 %
13901/14035 Industrial Rd.	Houston	TX	132,449	3/31/2038	100 %
1704 S. I-45	Hutchins	TX	120,960	6/30/2030	100 %
3201 N. Houston School Rd.	Lancaster	TX	468,300	1/31/2030	100 %
13930 Pike Rd.	Missouri City	TX	N/A	4/30/2032	100 %
8601 E. Sam Lee Ln.	Northlake	TX	1,214,526	8/31/2029	100 %

17505 Interstate Hwy. 35W	Northlake	TX	500,556	10/31/2024	100 %
10535 Red Bluff Rd.	Pasadena	TX	257,835	8/31/2023	100 %
10565 Red Bluff Rd.	Pasadena	TX	248,240	4/30/2025	100 %
4100 Malone Dr.	Pasadena	TX	233,190	8/31/2028	100 %
9701 New Decade Dr.	Pasadena	TX	102,863	8/31/2024	100 %
16407 Applewhite Rd.	San Antonio	TX	849,275	4/30/2027	100 %
2601 Bermuda Hundred Rd.	Chester	VA	1,034,470	6/30/2030	100 %
150 Mercury Way	Winchester	VA	324,535	11/30/2024	100 %
291 Park Center Dr.	Winchester	VA	344,700	5/31/2031	100 %
80 Tyson Dr.	Winchester	VA	400,400	12/18/2031	100 %
Stabilized total			52,544,497		99.5 %
Warehouse/Distribution total			52,544,497		99.5 %

LXP CONSOLIDATED PORTFOLIO PROPERTY CHART WAREHOUSE/DISTRIBUTION As of December 31, 2023					
Property Location	City	State	Net Rentable Square Feet	Primary Tenant Current Lease Term Expiration	Percent Leased
6050 Dana Way	Antioch	TN	674,528	6/30/2031	100 %
1520 Lauderdale Memorial Hwy.	Cleveland	TN	851,370	3/31/2031	100 %
201 James Lawrence Rd.	Jackson	TN	1,062,055	10/31/2027	100 %
633 Garrett Pkwy.	Lewisburg	TN	310,000	3/31/2026	100 %
3820 Micro Dr.	Millington	TN	701,819	9/30/2024	100 %
200 Sam Griffin Rd.	Smyrna	TN	1,505,000	4/30/2027	100 %
2115 East Bell Line Rd.	Carrollton	TX	356,855	6/30/2035	100 %
3737 Duncanville Rd.	Dallas	TX	510,400	9/30/2026	100 %
4600 Underwood Rd.	Deer Park	TX	402,648	12/31/2026	100 %
4005 E. I-30	Grand Prairie	TX	215,000	3/31/2037	100 %
13600/13901 Industrial Road	Houston	TX	132,449	3/31/2038	100 %
1704 S. I-45	Hutchins	TX	120,960	6/30/2030	100 %
3201 N. Houston School Rd.	Lancaster	TX	468,300	1/31/2030	100 %
13930 Pike Rd.	Missouri City	TX	—	4/30/2032	100 %
17505 Interstate Hwy. 35W	Northlake	TX	500,556	10/31/2034	100 %
8601 E. Sam Lee Ln.	Northlake	TX	1,214,526	8/31/2029	100 %
10535 Red Bluff Rd.	Pasadena	TX	257,835	4/30/2029	100 %
10565 Red Bluff Rd.	Pasadena	TX	248,240	4/30/2025	100 %
4100 Malone Dr.	Pasadena	TX	233,190	8/31/2028	100 %
9701 New Decade Dr.	Pasadena	TX	102,863	8/31/2024	100 %
16407 Applewhite Rd.	San Antonio	TX	849,275	4/30/2027	100 %
2601 Bermuda Hundred Rd.	Chester	VA	1,034,470	6/30/2030	100 %
150 Mercury Way	Winchester	VA	324,535	11/30/2024	100 %
291 Parkside Dr.	Winchester	VA	344,700	5/31/2031	100 %
80 Tyson Dr.	Winchester	VA	400,400	12/18/2031	100 %
Stabilized total			54,126,539		100 %
Non-Stabilized Properties:					
1075 NE 30th St. (2)	Ruskin	FL	57,690	1/31/2029	42 %
3115 N Houston School Rd.	Lancaster	TX	124,450	N/A	— %
Non-Stabilized total			182,140		21.9 %
Warehouse/Distribution total			54,308,679		99.8 %

(1) Includes industrial development leased land.

(2) During 2023, a portion of a 138,673 square foot warehouse/distribution facility reached substantial completion and was placed into service upon the tenant taking occupancy. The remaining 80,983 square feet of the facility remains in real estate under construction until the property is stabilized.

As of December 31, 2022 December 31, 2023, annualized cash base rent for the warehouse/distribution portfolio, excluding assets primarily consisting of land leases was \$4.47 \$4.66 per square foot. The weighted-average remaining lease term was 6.5 6.0 years.

LXP CONSOLIDATED PORTFOLIO PROPERTY CHART OTHER					
As of December 31, 2022					
Property Location	City	State	Net Rentable Square Feet	Primary Tenant Current Lease Term Expiration	Percent Leased
3333 Coyote Hill Rd.	Palo Alto	CA	202,000	12/14/2023	100 %
1901 Ragu Dr.	Owensboro	KY	443,380	12/19/2025	100 %
30 Light St.	Baltimore	MD	N/A	12/31/2048	100 %
4 Apollo Dr.	Whippany	NJ	123,734	11/30/2031	100 %
1701 Market St.	Philadelphia	PA	304,037	1/31/2024	97 %
3476 Stateview Blvd.	Fort Mill	SC	169,083	5/31/2024	100 %
3480 Stateview Blvd.	Fort Mill	SC	169,218	5/31/2024	100 %
Other total			1,411,452		99.4 %
Consolidated portfolio total			53,955,949		99.5 %

LXP CONSOLIDATED PORTFOLIO PROPERTY CHART OTHER					
As of December 31, 2023					
Property Location	City	State	Net Rentable Square Feet	Primary Tenant Current Lease Term Expiration	Percent Leased
30 Light St.	Baltimore	MD	—	12/31/2048	100 %
3480 Stateview Blvd.	Fort Mill	SC	169,218	5/31/2024	100 %
3476 Stateview Blvd.	Fort Mill	SC	169,083	5/31/2024	100 %
Other total			338,301		100 %
Consolidated portfolio total			54,646,980		99.8 %

As of December 31, 2022 December 31, 2023, annualized cash base rent for the other portfolio was \$13.99 \$12.50 per square foot, excluding Baltimore, Maryland, and the Maryland. The weighted-average remaining lease term was 2.4 2.1 years.

As of December 31, 2022 December 31, 2023, annualized cash base rent for the consolidated portfolio was \$4.72 \$4.71 per square foot, excluding assets primarily consisting of land leases. The weighted-average remaining lease term was 6.2 6.0 years.

**LXP NON-CONSOLIDATED PORTFOLIO
PROPERTY CHART**

As of
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**LXP NON-CONSOLIDATED PORTFOLIO
PROPERTY CHART**

As of
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31, 2023

As of December 31, 2023

Property Location	Property Location	Primary Tenant						Property Location	Property	As of December 31, 2023			
		Net Rentable		Current Lease		Percent Leased	Net Rentable Square Feet	Primary Lease Term	Tenant Current	Percent Leased			
		Percent	Square Feet	Term Expiration	Leased								
Location	City	State	Owned	Feet	Expiration	Leased	Owned	Lease Term	Current	Leased	Lease Term	Expiration	Percent
Office/Other properties:	Office/Other properties:												
2500 Patrick Henry Pkwy.													
2500 Patrick Henry Pkwy.	2500 Patrick Henry Pkwy.	McDonough	GA	20%	111,911	6/30/2025	100 %	McDonough	GA	20%	111,911	6/30/2029	6/30/2029 100 %
3902 Gene Field Rd.	3902 Gene Field Rd.	St. Joseph	MO	20%	98,849	6/30/2027	100 %	3902 Gene Field Rd.	St. Joseph	MO	20%	98,849	6/30/2027 6/30/2027 100 %
1210 AvidXchange Ln.	1210 AvidXchange Ln.	Charlotte	NC	20%	201,450	4/30/2032	100 %	1210 AvidXchange Ln.	Charlotte	NC	20%	201,450	4/30/2032 4/30/2032 100 %
2221 Schrock Rd.	2221 Schrock Rd.	Columbus	OH	20%	42,290	7/6/2027	100 %	2221 Schrock Rd.	Columbus	OH	20%	42,290	7/6/2027 7/6/2027 100 %
500 Olde Worthington Rd.	500 Olde Worthington Rd.	Westerville	OH	20%	97,000	3/31/2026	100 %	500 Olde Worthington Rd.	Westerville	OH	20%	97,747	3/31/2026 3/31/2026 86 %
25 Lakeview Dr.	Jessup	PA	20%	150,000	8/7/2027	100 %							
601 & 701 Experian Pkwy.	Allen	TX	20%	292,700	3/14/2025	100 %							
4001 International Pkwy.	4001 International Pkwy.	Carrollton	TX	20%	138,443	12/31/2025	100 %	4001 International Pkwy.	Carrollton	TX	20%	138,443	12/31/2025 12/31/2025 100 %
8900 Freeport Pkwy.	8900 Freeport Pkwy.	Irving	TX	20%	261,305	3/31/2023	100 %	8900 Freeport Pkwy.	Irving	TX	20%	261,305	5/31/2033 5/31/2033 23.2 %
2203 North Westgreen Blvd.		Katy	TX	25%	274,000	8/31/2036	100 %						
	Office/Other total				1,667,948		100.0 %						
Special purpose industrial properties:	Special purpose industrial properties:												
Special purpose industrial properties:	Special purpose industrial properties:												
318 Pappy Dunn Blvd.	318 Pappy Dunn Blvd.												

318 Pappy Dunn Blvd.	318 Pappy Dunn Blvd.	Anniston	AL	20%	276,782	11/24/2029	100 %	Anniston	AL	20%	276,782	11/24/2029	100 %	
4801 North Park Dr.	4801 North Park Dr.	Opelika	AL	20%	165,493	5/31/2042	100 %	4801 North Park Dr.	Opelika	AL	20%	165,493	5/31/2042	100 %
1020 W. Airport Rd.	1020 W. Airport Rd.	Romeoville	IL	20%	188,166	10/31/2031	100 %	1020 W. Airport Rd.	Romeoville	IL	20%	188,166	10/31/2031	100 %
10000 Business Blvd.	10000 Business Blvd.	Dry Ridge	KY	20%	336,350	6/30/2031	100 %	10000 Business Blvd.	Dry Ridge	KY	20%	336,350	6/30/2031	100 %
730 North Black Branch Rd.	730 North Black Branch Rd.	Elizabethtown KY		20%	167,770	6/30/2025	100 %	730 North Black Branch Rd.	Elizabethtown KY		20%	167,770	6/30/2025	100 %
750 North Black Branch Rd.	750 North Black Branch Rd.	Elizabethtown KY		20%	539,592	6/30/2025	100 %	750 North Black Branch Rd.	Elizabethtown KY		20%	539,592	6/30/2025	100 %
301 Bill Bryan Blvd.	301 Bill Bryan Blvd.	Hopkinsville	KY	20%	424,904	6/30/2025	100 %	301 Bill Bryan Blvd.	Hopkinsville	KY	20%	424,904	6/30/2025	100 %
4010 Airpark Dr.	4010 Airpark Dr.	Owensboro	KY	20%	211,598	6/30/2025	100 %	4010 Airpark Dr.	Owensboro	KY	20%	211,598	6/30/2025	100 %
113 Wells St.	113 Wells St.	North Berwick	ME	20%	993,685	4/30/2024	100 %	113 Wells St.	North Berwick	ME	20%	993,685	4/30/2029	100 %
904 Industrial Rd.	904	Marshall	MI	20%	246,508	9/30/2028	100 %	904	Marshall	MI	20%	246,508	9/30/2028	100 %
43955 Plymouth Oaks Blvd.	43955 Plymouth Oaks Blvd.							Industrial Rd.						
26700 Bunert Rd.	26700	Warren	MI	20%	260,243	10/31/2032	100 %	26700	Warren	MI	20%	260,243	10/31/2032	100 %
2880 Kenny Biggs Rd.	2880 Kenny Biggs Rd.	Lumberton	NC	20%	423,280	11/30/2026	100 %	2880 Kenny Biggs Rd.	Lumberton	NC	20%	423,280	11/30/2026	100 %
5670 Nicco Way	5670 Nicco Way	North Las Vegas	NV	20%	180,235	9/30/2034	100 %	5670 Nicco Way	North Las Vegas	NV	20%	180,235	9/30/2034	100 %
10590 Hamilton Ave.	10590 Hamilton Ave.	Cincinnati	OH	20%	264,598	12/31/2027	100 %	10590 Hamilton Ave.	Cincinnati	OH	20%	264,598	12/31/2027	100 %
590 Ecology Ln.	590 Ecology Ln.	Chester	SC	20%	420,597	7/14/2025	100 %	590 Ecology Ln.	Chester	SC	20%	420,597	7/14/2025	100 %
50 Tyger River Dr.								50 Tyger River Dr.	Duncan	SC	20%	221,833	8/31/2027	100 %
900 Industrial Blvd.								900 Industrial	Crossville	TN	20%	222,200	9/30/2033	100 %
120 Southeast Pkwy. Dr.								120	Franklin	TN	20%	289,330	12/31/2028	100 %

**LXP NON-CONSOLIDATED PORTFOLIO
PROPERTY CHART**

As of December
31, 2022

**LXP NON-CONSOLIDATED PORTFOLIO
PROPERTY CHART**

**LXP NON-CONSOLIDATED PORTFOLIO
PROPERTY CHART**

As of
December
31, 2023

As of December 31, 2023

Property Location	Property Location	Primary Tenant				Property Location	Property Location	Primary Tenant					
		Net	Current	Rentable	Lease			Percent Owned	Net Rentable Square Feet	Primary Term	Tenant Current Lease Expiration	Percent Leased	
		City	State	Owned	Feet	Expiration	Leased	City	State	Term	Expiration		
50 Tyger River Dr.	Duncan	SC	20%	221,833	8/31/2027	100 %							
900 Industrial Blvd.	Crossville	TN	20%	222,200	9/30/2033	100 %							
120 Southeast Pkwy. Dr.	Franklin	TN	20%	289,330	12/31/2028	100 %							
7007 F.M. 362 Rd.	7007 F.M. 362 Rd.	Brookshire TX	20%	262,095	3/31/2035	100 %	7007 F.M. 362 Rd.	Brookshire TX	20%	262,095	3/31/2035	3/31/2035 100 %	
13863 Industrial Rd.	13863 Industrial Rd.	Houston	TX	20%	187,800	3/31/2035	100 %	13863 Industrial Rd.	Houston	TX	20%	187,800	3/31/2035 3/31/2035 100 %
901 East Bingen Way	901 East Bingen Way	Bingen	WA	20%	124,539	5/31/2024	100 %	901 East Bingen	Bingen	WA	20%	124,539	12/31/2032 12/31/2032 100 %
Special purpose industrial total										Special purpose industrial total		6,719,210 100 %	
Special purpose industrial total										Special purpose industrial total		6,719,210 100 %	
Non-consolidated portfolio total										Non-consolidated portfolio total		8,387,158 100 %	
Non-consolidated portfolio total										Non-consolidated portfolio total		7,671,205 97.2 %	
Non-consolidated portfolio total										Non-consolidated portfolio total		7,671,205 97.2 %	

In addition, we have two non-consolidated joint ventures with a developer, which own developable parcels of land in Etna, Ohio.

As of December 31, 2022 December 31, 2023, the annualized cash base rent for the non-consolidated portfolio was \$8.56 \$7.58 per square foot and the weighted-average remaining lease term was 7.16.8 years.

Development Projects

The following is a summary of our warehouse/distribution ongoing development projects as of December 31, 2022 December 31, 2023:

Ongoing Development Projects

Project (% owned)	Project (% owned)	# of Buildings	Market	Estimated Sq. Ft.	GAAP Investment	Balance as of 12/31/2022 (\$000)	LXP Amount Funded as of 12/31/2022 (\$000)	Actual/Estimated Building Completion Date	% Leased as of 12/31/2022
Project (% owned)									
Project (% owned)									
Consolidated:	Consolidated:								
The Cubes at Etna East (95%) ⁽³⁾	1	Columbus, OH	1,074,840	\$ 72,850	\$ 61,171	\$ 58,455	3Q 2022	—	%
Consolidated:									
Consolidated:									
Development Projects Leased									
Development Projects Leased									

				GAAP Investment Balance as of 12/31/2022	LXP Amount Funded as of 12/31/2022					GAAP Investment Balance as of 12/31/2023 (\$000)	LXP Amount Funded as of 12/31/2023 (\$000) ⁽²⁾
Project (%) owned)	Project (%) owned)	Market	Approx. Developable Acres	(\$000)	(\$000) ⁽²⁾	Project (%) owned)	Market	Approximate Acres			
Consolidated: Consolidated:											
Reems & Olive (95.5%) ⁽⁶⁾	Phoenix, AZ		320	\$ 77,379	\$ 73,957						
Reems & Olive (95.5%) ⁽⁷⁾											
Reems & Olive (95.5%) ⁽⁷⁾											
Reems & Olive (95.5%) ⁽⁷⁾											
Mt. Comfort	Mt. Comfort										
Phase II	Phase II	Indianapolis,									
(80%)	(80%)	IN	116	5,301	4,213						
ATL Fairburn	ATL Fairburn										
(100%)	(100%)	Atlanta, GA	14	1,732	1,736						

GAAP Investment Balance as of 12/31/2023										LXP Amount Funded as of 12/31/2023		
Project (%) owned	Project (%) owned	Market	Approx. Developable Acres	(\$000)	12/31/2022	(\$000)(2)	12/31/2022	Project (%) owned	Market	Approximate Acres	(\$000)(2)	(\$000)(3)
Non-consolidated:	Non-consolidated:											
Etna Park 70 (90%)	Etna Park 70 Columbus, OH	66	\$ 12,975	\$ 13,599								
Etna Park 70 (90%)												
Etna Park 70 East (90%)	Etna Park 70 Columbus, East (90%) OH	21	2,126	2,363								
			\$ 15,101	\$ 15,962								
			73									

(1) Estimated project cost includes estimated tenant improvements and leasing costs and excludes potential developer fee or partner promote, if any.

(2) Excludes leasing costs.

(3) Excludes noncontrolling interests' share.

(3) Base building achieved substantial completion. Property not in service as of December 31, 2022.

(4) Pre-leased 392,278 square foot facility with a 10-year lease commencing upon substantial completion of Subsequent to December 31, 2023, the facility and notice to the tenant, property was placed in service.

(5) In December 2022, substantially completed During the fourth quarter of 2023, a 57,690 square foot portion of the project, representing 23% of the total project was occupied by the tenant and placed into service a 797,936 square foot facility subject to a 12-year lease that commenced upon substantial completion of the facility. Remaining two projects ongoing, in service.

(6) Ground leased During the fourth quarter of 2023, a wholly-owned subsidiary of LXP purchased approximately 100.14 acres of land and the 420 acre development land parcel located in the Phoenix, Arizona market, subject to a 20-year ground lease (with three, 10-year extension options). The initial annual rental payments are \$5.2 million and escalate by 4% annually, partially completed leasehold improvements from ETNA Park 70.

(7) During the fourth quarter of 2023, a perpetual utility easement was granted in exchange for \$6.2 million.

Tenant Diversification

We believe our tenant mix is well diversified. Below are the industries in our warehouse/distribution portfolio based on 2022 2023 ABR for consolidated properties owned as of December 31, 2022 December 31, 2023:



Lease Term. As a primarily single-tenant investor, we generally maintain a weighted-average lease term that is longer than most industrial REITs, favoring certainty of cash flow over lease-rollover risk inherent in single-tenant properties. However, we will invest in shorter-term leases if we are optimistic about the location in a releasing context. As of December 31, 2022 December 31, 2023, the weighted-average lease term in our industrial portfolio was 5.5 6.0 years.

The following table sets forth information about the 15 largest tenants/guarantors in our portfolio as of December 31, 2022 December 31, 2023 based on total annualized base rental revenue as of December 31, 2022 December 31, 2023 (\$000s, except square feet).

Tenants ⁽¹⁾	Square Feet Leased as a % of the Consolidated Portfolio ⁽²⁾⁽³⁾										Square Feet Leased as a % of the Consolidated Portfolio ⁽²⁾									
	Property Type		Lease Expirations		Number of Leases	Square Feet Leased	a % of the Consolidated Portfolio ⁽²⁾⁽³⁾		Percentage of ABR ⁽²⁾⁽⁴⁾	Tenants ⁽¹⁾	Property Type		Lease Expirations		Number of Leases	Square Feet Leased	a % of the Consolidated Portfolio ⁽²⁾			
	Tenants ⁽¹⁾	Type	Expirations	Leases	Leased	ABR	Amazon	Nissan	Type	Expirations	Leases	Leased	ABR	Nissan	Leased	Leased	ABR	Amazon	Nissan	Leased
Amazon	Amazon	Industrial	2026-2033	6	3,864,731	7.2 % \$ 18,241	6.8 %	Amazon	Industrial	2026-2033	6	3,864,731	3,864,731	7.1 %						
Nissan	Nissan	Industrial	2027	2	2,971,000	5.5 % 12,908	4.8 %	Nissan	Industrial	2027	2	2,971,000	2,971,000	5.4 %						

Kellogg	Kellogg	Industrial	2027-2029	3	2,801,916	5.2 %	9,575	3.6 %	Kellogg	2027 & Industrial	2029	3	2,801,916	2,801,916	5.1 %	
Black and Decker									Black and Decker	2029 & Industrial	2033	2	2,289,366		4.2 %	
Wal-Mart	Wal-Mart	Industrial	2024	3	2,351,917	4.4 %	8,773	3.3 %	Wal-Mart	2027-2031	Industrial	3	2,351,917	2,351,917	4.3 %	
GXO Logistics	GXO Logistics	Industrial	2024-2028	3	1,697,475	3.2 %	7,386	2.7 %	GXO Logistics	2024-2028	Industrial	3	1,697,475	1,697,475	3.1 %	
Xerox		Office	2023	1	202,000	0.4 %	7,070	2.6 %								
Watco	Watco	Industrial	2038	1	132,449	0.3 %	6,318	2.4 %	Watco	Industrial	2038	1	132,449	132,449	0.2 %	
Morgan Lewis (5)		Office	2024	1	289,432	0.5 %	5,860	2.2 %								
FedEx	FedEx	Industrial	2028	2	292,021	0.5 %	5,728	2.1 %	FedEx	Industrial	2028	2	292,021	292,021	0.5 %	
Owens Corning									Owens Corning	Industrial	2025-2027	3	863,242		1.6 %	
Mars Wrigley	Mars Wrigley	Industrial	2025	1	604,852	1.1 %	5,396	2.0 %	Mars Wrigley	Industrial	2025	1	604,852	604,852	1.1 %	
Undisclosed (5)									Undisclosed (5)	Industrial	2034	1	1,318,680		2.4 %	
Aligned Data Centers (6)	Aligned Data Centers (6)	Industrial	2042	1	—	— %	5,228	1.9 %	Aligned Data Centers (6)	Industrial	2042	1	—	—	—	
Undisclosed (7)		Industrial	2034	1	1,318,680	2.5 %	5,198	1.9 %								
Olam	Olam	Industrial	2024 & 2037	2	1,196,614	2.2 %	4,993	1.9 %	Olam	2024 & Industrial	2037	2	1,196,614	1,196,614	2.2 %	
Georgia-Pacific	Georgia-Pacific	Industrial	2028 & 2031	2	1,283,102	2.4 %	4,868	1.8 %	Georgia-Pacific	2028 & Industrial	2031	2	1,283,102	1,283,102	2.4 %	
Owens Corning		Industrial	2025-2027	3	863,242	1.6 %	4,860	1.8 %								
				32	19,869,431	37.0 %	\$112,402	41.8 %								
Asics									Asics	Industrial	2030	1	855,878		1.6 %	
												33				

(1) Tenant, guarantor or parent.

(2) Total shown may differ from detail amounts due to rounding.

(3) Excludes vacant square feet.

(4) Based on ABR for consolidated properties owned as of December 31, 2022 December 31, 2023.

(5) Includes parking operations. Lease restricts certain disclosures.

(6) Industrial development leased land, which is included in industrial portfolio.

(7) Lease restricts certain disclosures.

In 2023, 2022 2021 and 2020, no tenant/guarantor represented greater than 10% of our annual base rental revenue.

The following chart sets forth certain information regarding lease expirations for the next ten years in our consolidated portfolio at December 31, 2022 December 31, 2023:

Year	Number of Lease Expirations	Square Feet	ABR (\$000's)	Percentage of ABR
2023	4	1,137,055	\$10,526	3.9 %
2024	24	7,187,622	34,876	13.1 %
2025	15	3,584,019	20,000	7.5 %
2026	24	6,857,828	29,917	11.2 %
2027	16	8,885,590	37,149	13.9 %
2028	7	2,668,246	15,335	5.7 %
2029	10	6,329,161	23,063	8.6 %
2030	9	6,274,840	26,104	9.8 %
2031	12	4,332,795	20,791	7.8 %
2032	3	687,984	5,232	2.0 %

Year	Number of Lease Expirations		Square Feet	ABR (\$000's)	Percentage of ABR
2024		13	3,224,253	\$ 16,030	5.9 %
2025		13	3,137,998	18,313	6.8 %
2026		25	7,052,764	32,861	12.1 %
2027		16	8,765,734	37,114	13.7 %
2028		8	3,074,237	18,139	6.7 %
2029		18	8,864,350	35,840	13.2 %
2030		10	6,950,840	30,147	11.1 %
2031		12	5,060,431	22,237	8.2 %
2032		3	687,984	5,348	2.0 %
2033		3	1,668,902	12,335	4.6 %

The following chart sets forth the 2022 ABR (\$000's) based on the credit rating of our consolidated tenants at December 31, 2022 December 31, 2023⁽¹⁾:

		Percentage of ABR				Percentage of ABR	
		ABR	ABR			ABR	ABR
Investment	Investment						
Grade	Grade	\$145,758	54.2 %	Investment Grade	\$ 135,165	49.9	49.9 %
Non-investment	Non-investment						
Grade	Grade	37,408	13.9 %	Non-investment Grade	48,086	17.8	17.8 %
Unrated	Unrated	85,600	31.9 %	Unrated	87,429	32.3	32.3 %
		\$268,766	100.0 %		\$ 270,680		100.0 %
		\$			\$		%

(1) Credit ratings are based upon either tenant, guarantor or parent/ultimate parent. Generally, all multi-tenant assets are included in unrated. See Item 1A "Risk Factors".

Item 3. Legal Proceedings

From time to time we are directly and indirectly involved in legal proceedings arising in the ordinary course of our business. We believe, based on currently available information, and after consultation with legal counsel, that although the outcomes of those normal course proceedings are uncertain, the results of such proceedings, in the aggregate, will not have a material adverse effect on our business, financial condition and results of operations.

Item 4. Mine Safety Disclosures

Not applicable.

PART II.

Item 5. Market For Registrant's Common Equity, Related Stockholder Matters And Issuer Purchases of Equity Securities

Market Information. Our common shares are listed for trading on the NYSE under the symbol "LXP".

Holders. As of February 14, 2023 February 13, 2024, we had 2,197 2,229 common shareholders of record.

Dividends. Since our predecessor's formation in 1993, we have made quarterly distributions without interruption.

While we intend to continue paying regular quarterly dividends to holders of our common shares, the authorization of future dividend declarations will be at the discretion of our Board of Trustees and will depend on our actual cash flow, our financial condition, capital requirements, the annual distribution requirements under the REIT provisions of the Code and such other factors as our Board of Trustees deems relevant. The actual cash flow available to pay dividends will be affected by a number of factors, including, among others,

the risks discussed under "Risk Factors" in Part I, Item 1A and "Management's Discussion and Analysis of Financial Condition and Results of Operations" in Part II, Item 7 of this Annual Report.

We do not believe that the financial covenants contained in our debt instruments will have any adverse impact on our ability to pay dividends in the normal course of business to our common and preferred shareholders or to distribute amounts necessary to maintain our qualification as a REIT.

Equity Compensation Plan Information. The following table sets forth certain information, as of **December 31, 2022** **December 31, 2023**, with respect to our 2022 Equity-Based Award Plan under which our equity securities are authorized for issuance as compensation.

Plan Category	Number of securities to be issued upon exercise of outstanding options, warrants and rights	Weighted-average exercise price of outstanding options, warrants and rights	Number of securities remaining available for future issuance under equity compensation plans (excluding securities reflected in column (a))
	(a)	(b)	(c)
Equity compensation plans approved by security holders	—	\$ —	\$ 4,094,587 2,994,544
Equity compensation plans not approved by security holders	—	—	—
Total	—	\$ —	\$ 4,094,587 2,994,544

Recent Sales of Unregistered Securities.

We did not issue any common shares during **2022** **2023** on an unregistered basis.

Share Repurchase Program.

There were **400,000** **no** common share repurchases **at an average price of \$9.10 per common share** during the quarter **and year ended December 31, 2022** **December 31, 2023** under our share repurchase authorization most recently announced on August 4, 2022, which has no expiration date. There were 6,874,241 shares that may yet be repurchased under our share repurchase authorization as of **December 31, 2022** **December 31, 2023**.

Insider Trading.

During the year ended December 31, 2023, no trustee or officer of the Company adopted or terminated a "Rule 10b5-1 trading arrangement" or "non-Rule 10b5-1 trading arrangement," as each term is defined in Item 408(a) of Regulation S-K.

Item 6. [Reserved]

Item 7. Management's Discussion and Analysis of Financial Condition and Results of Operations

In this discussion, we have included statements that may constitute "forward-looking statements" within the meaning of the safe harbor provisions of the Private Securities Litigation Reform Act of 1995. Forward-looking statements are not historical facts but instead represent only our beliefs regarding future events, many of which, by their nature, are inherently uncertain and outside our control. These statements may relate to our future plans and objectives, among other things. By identifying these statements for you in this manner, we are alerting you to the possibility that our actual results may differ, possibly materially, from the anticipated results indicated in these forward-looking statements. Important factors that could cause our results to differ, possibly materially, from those indicated in the forward-looking statements include, among others, those discussed above in "Risk Factors" in Part I, Item 1A of this Annual Report and "Cautionary Statements Concerning Forward-Looking Statements" in the beginning of this Annual Report.

Introduction

The following is a discussion and analysis of the consolidated financial condition and results of operations of LXP Industrial Trust for the years ended **December 31, 2022** **December 31, 2023** and **2021, 2022**, and significant factors that could affect its prospective financial condition and results of operations. This discussion should be read together with our accompanying consolidated financial statements included herein and notes thereto.

Summary of 2023 Transactions

The following summarizes certain of our transactions during 2023.

Leasing Activity

- We entered into new leases and lease extensions encompassing 6.8 million square feet. The average fixed rent on the second generation new and extended leases was \$5.40 per square foot compared to the average fixed rent on these leases before extension of \$3.85 per square foot. The weighted-average cost of tenant improvements and lease commissions was \$12.31 per square foot for new first generation leases and \$1.82 per square foot for second generation new and extended leases.

Investments.

- Acquired one warehouse/distribution facility for a cost of \$15.0 million.
- Acquired a 13.8-acre parcel of land and partially completed 250,000 square foot warehouse/distribution facility in Etna, Ohio from a non-consolidated joint venture for \$15.9 million.
- Completed core and shell construction of seven warehouse/distribution facilities containing an aggregate of 4.2 million square feet in four target markets.
- Placed into service warehouse/distribution facilities containing an aggregate of 1.8 million square feet in four target markets.
- Invested an aggregate of \$122.1 million in development activities, including \$85.8 million in ongoing consolidated development projects.

Capital Recycling.

- Disposed of our interests in certain properties and one land parcel for an aggregate gross disposition price of \$100.2 million.
- Received \$8.1 million and satisfied our share of the proportionate debt from a non-consolidated joint venture, in which we had a 25% interest, upon the disposition of its specialty net-leased asset for \$82.0 million and the satisfaction of an aggregate of \$48.9 million of non-recourse debt.
- Satisfied our share of the proportionate debt from another non-consolidated joint venture, in which we have a 20% ownership interest, upon the disposition of one of its properties for a disposition price of \$30.1 million and the satisfaction of \$29.4 million of non-recourse variable rate debt.

Debt.

- Issued \$300.0 million aggregate principal amount of 6.75% Senior Notes due 2028 ("2028 Senior Notes"), at an issuance price of 99.423% of the principal amount.
- Amended the agreement governing our \$300.0 million term loan to extend the maturity from January 31, 2025 to January 31, 2027.

Investment Trends

General. Over the last several years, we have focused our investment activity primarily on income producing single-tenant warehouse and distribution assets and speculative development of warehouse and distribution assets.

In **2022**, we acquired or completed and placed into service **\$195.2 million** **\$146.4 million** of warehouse and distribution assets, which is a decrease of **\$690.4 million** **\$48.8 million** compared to **2021** **2022** investment activity of **\$885.6 million** **\$195.2 million**. The decrease was primarily due to the substantial completion of our portfolio transformation efforts and related tax-free exchange capital recycling and the disruptions increase in our cost of capital driven by the increase in interest rates. Also there has been a disconnect between buyers and sellers in the capital real estate market over the last year, which has generally slowed acquisition and disposition activity in our target markets.

We expected to recycle

As of December 31, 2023, we had two non-industrial assets in our remaining other assets into warehouse and distribution facilities by the end of 2022, but, due to current market conditions, we currently expect the remaining other assets to take longer to be sold. consolidated portfolio, which were held for sale. In addition, we expect to recycle out of certain warehouse and distribution facilities located outside of our target markets over time and use the proceeds to satisfy reduce indebtedness and invest in our target markets. While our capital recycling strategy has had and may continue to have a near-term dilutive impact on earnings due to the sales of revenue-producing properties, we believe this strategy will benefit shareholder value in the long term.

The industrial real estate market remains one of the most resilient real estate markets in the current economic environment. One of the The main drivers of growth in the industrial real estate market has have been e-commerce. We believe that growth is also being driven by e-commerce and near shoring, where companies increasing increase their inventories in the United States to keep up with demand and to protect against future disruptions in the supply chain.

While we believe the industrial market will continue to grow, there continues to be competition for the acquisition of industrial properties, specifically warehouse/distribution properties. In addition, recessionary fears may cause tenants to reevaluate expansion and growth plans. We continue to prioritize development, and acquiring vacancy specifically build-to-suit projects, over acquisitions of leased properties due to the increased higher yield that development generally provides.

Lease Term. We primarily acquire assets subject to intermediate and long-term leases with escalating rents, which we believe strengthen our future cash flows and provide a partial hedge against rising interest rates. We intend to maintain a weighted-average lease term longer than many comparable industrial companies and balance our lease expiration schedule.

Our industrial investment underwriting focuses less on tenant credit than our historical office investment underwriting as we focus more on real estate characteristics such as location and related demographic and local economic trends. This has allowed us to acquire certain short-term leased warehouse/distribution assets, which may be acquired with greater total return potential than long-term leased warehouse/distribution assets and allow for a value-add strategy through the lease renewal or a multi-tenanting process.

Development. As a result of the competition for income producing single-tenant warehouse/distribution assets, in 2017, we began selectively investing in development projects. We believe we can generally achieve higher yields from development projects than we can by purchasing existing leased properties.

Our development activities have been focused on speculative development and purchasing newly-developed properties with vacancy. Our target markets are experiencing low vacancy rates. Despite an increase in construction in recent years, In 2024, we believe expect to focus our development activities on build-to-suit activities and limit the amount of speculative development to markets where there is sufficient tenant demand demand. In 2022 and 2023, construction starts in our target markets were generally down compared to construction starts in 2020 and 2021. We believe this will result in lower supply in the future and may provide opportunity for our development projects.

more build-to-suit investment.

Leasing

General. Re-leasing properties that are currently vacant or become vacant as leases expire at favorable effective rates is a primary area of focus for our asset management. Renewals of industrial leases, particularly for warehouse/distribution facilities, are generally dependent on location and occupancy alternatives for our tenants.

If a property cannot be re-let to a single user and the property can be adapted to multi-tenant use, we determine whether the costs of adapting the property to multi-tenant use outweigh the benefit of funding operating costs while searching for a single-tenant and whether selling a vacant property, which limits operating costs and allows us to redeploy capital, is in the best interest of our shareholders.

During 2022, we entered into 18 new leases. We expect rents in our target markets to remain above existing rents due to strong demand and lease extensions encompassing approximately 4.1 million square feet. The average base rent on these extended leases was approximately \$5.36 per square foot compared to the average base rent on these leases before extension of \$4.26 per square foot. The weighted-average cost of tenant improvements and lease commissions during 2022 was approximately \$7.82 per square foot for new leases and \$0.91 per square foot for extended leases. In addition, we ground leased approximately 100 acres in the Phoenix, Arizona market for 20 years (with three, 10-year extension options). The initial rent is \$5.2 million per annum and escalate by 4% annually.

As of December 31, 2022 December 31, 2023, we had two 11 single-tenant leases in our industrial portfolio where the lease term is scheduled to expire in 2023, 2024, covering approximately 0.9 million 2.9 million square feet. As of December 31, 2022 December 31, 2023, approximately 52.6% 58.0% of our industrial ABR was from leases scheduled to expire during 2023 2024 through 2028. We 2029. During the year ended December 31, 2023, we completed 6.8 million square feet of new leases and lease extensions, raising industrial Base and Cash Base Rents by 40.1% and 27.0%, respectively.

and 52.3% and 37.3%, respectively excluding fixed-rate renewals. A considerable portion of our leases expire from 2024 to 2029 and we expect an aggregate increase renewals and new lease terms to result in rental revenue as these leases are reset to market rates growth in future income.

Inherent Growth. Many leases have scheduled fixed rent increases and a couple with rent increases based upon the consumer price index. As of December 31, 2022 December 31, 2023, 95.7% 98.1% of our single-tenant industrial leases had scheduled rent increases. The average escalation rate of these leases based on the next rent step was 2.5% 2.6% as of December 31, 2022 December 31, 2023. A majority of our leases require tenants to pay operating expenses, including maintenance, real estate taxes, insurance and utilities, thereby reducing our exposure to increases in costs and operating expenses. However, certain of our leases provide for some level of landlord responsibility for capital repairs and replacements, the cost of which is generally factored into the rental rate. Our motivation to release vacant space requires us to meet market demands with respect to rental rates, tenant concessions and landlord responsibilities. Developers are similarly motivated when signing leases with tenants due to the significant competition in the industrial space. As a result, the obligations of our property owner subsidiaries on new leases and newly renewed or extended leases may increase to include, among other items, some form of responsibility for operating expenses and/or capital repairs and replacements.

Tenant Credit. We continue to monitor the credit of tenants of properties in which we have an interest by (1) subscribing to rating agency information, so that we can monitor changes in the ratings of our rated tenants, (2) reviewing financial statements that are publicly available or that are required to be delivered to us under the applicable lease, (3) monitoring news reports regarding our tenants and their respective businesses, (4) monitoring the timeliness of rent collections and (5) meeting with our tenants.

Other properties

We continue to recycle our other real estate investments into warehouse/distribution assets. As of December 31, 2022 December 31, 2023, we owned seven three consolidated other real estate assets consisting of two office properties and a land ground lease and a heavy manufacturing facility. We have historically marketed non-industrial lease. The remaining office assets are held for sale when and we believe we have obtained the highest possible valuation through various means, including by pursuing buyers that intend to redevelop the properties. The land ground lease renewals.

Non-Recourse Mortgage Loan Resolutions

Since we have is underlying a limited number parking garage held in a joint venture where our joint venture partner is entitled to most of consolidated properties subject to non-recourse mortgages, we do not expect many foreclosure sales of consolidated properties in the future. cash flow.

Impairment charges

During 2022 2023 and 2021, 2022, we incurred impairment charges, of \$3.0 million \$16.5 million and \$5.5 million \$3.0 million, respectively, on certain of our assets due to each asset's carrying value being below its estimated fair value. Most of the impairment charges in 2022 2023 and 2021 2022 were incurred on non-core assets due to anticipated shortened holding periods. We cannot estimate if we will incur, or the amount of, future impairment charges on our assets. See Part I, Item 1A "Risk Factors", of this Annual Report.

Critical Accounting Estimates

In preparing the consolidated financial statements we have made estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting periods. Accounting estimates are deemed critical if they involve a significant level of estimation uncertainty and have had or are reasonably likely to have a material impact on our financial condition or results of operations. Below is a summary of the critical accounting estimates used in the preparation of our consolidated financial statements. A summary of our significant accounting policies which are important to the portrayal of our financial condition and results of operations is set forth in Note 2 to the Consolidated Financial Statements, which are included in "Financial Statements and Supplementary Data" in Part II, Item 8 of this Annual Report.

Acquisition and Development of Real Estate. Primarily all of our acquisitions of real estate assets and liabilities are accounted for as asset acquisitions. As such, the purchase prices of acquired tangible and intangible assets and liabilities are recorded and allocated at fair value on a relative basis. The recorded allocations of tangible assets are based on the "as-if-vacant" value using estimated cash flow projections of the properties acquired which incorporates discount, capitalization and interest rates as well as available comparable market information. Allocations of intangible assets includes management's estimates of current market rents and leasing costs.

We use considerable judgement in our estimates of cash flow projections, discount, capitalization and interest rates, fair market lease rates, carrying costs during hypothetical expected lease-up periods and costs to execute similar leases. While our methodology for purchase price allocation did not change during the year ended **December 31, 2022**, the real estate market is fluid and our assumptions are based on information currently available in the market at the time of acquisition. Significant increases or decreases in these key estimates, particularly with regards to cash flow projections and discount and capitalization rates, would result in a significantly lower or higher fair value measurement of the real estate assets being acquired.

For properties under development, costs associated with development (i.e., land, construction costs, interest expense, property taxes and other costs associated with development) are aggregated into the total capitalized costs of the property. Included in these costs are management's estimates for the portions of internal costs (primarily personnel costs) deemed related to such development activities. The internal costs are allocated to specific development projects based on development activities.

Revenue Recognition. We enter into agreements with tenants that convey the right to control the use of identified space at our properties in exchange for rental revenue. These agreements meet the criteria for recognition as leases under Accounting Standards Codification ("ASC") 842, *Leases*. Lease classification tests require significant estimates and judgments by management in its application. Upon lease commencement or lease modification, we assess the lease classification to determine whether the lease should be classified as a direct financing, sales-type or operating lease. The determination of lease classification requires the calculation of the rate implicit in the lease, which is driven by significant estimates, including the estimation of both the value assigned to the property components on the lease commencement date or upon acquisition and the estimation of the unguaranteed residual value of such components at the end of the lease term. The determination of the lease term also requires judgement because the probability of purchase options and renewals have to be analyzed to conclude if they are reasonably certain of being exercised. If the lease component is determined to be a direct financing or sales-type lease, revenue is recognized over the life of the lease using the rate implicit in the lease.

Most of our leases are operating leases. We recognize operating lease revenue on a straight-line basis over the term of the lease when it is probable that the lease revenue is collectible over the remaining term of the lease unless another systematic and rational basis is more representative of the time pattern in which the use benefit is derived from the leased property. We commence revenue recognition when possession or control of the space is turned over to the tenant.

Impairment of Real Estate. We record impairments of our real estate assets classified as held for use when triggering events dictate that an asset may be impaired. An impairment is recorded when the carrying amount of the asset exceeds the sum of its undiscounted future operating and residual cash flows. The impairment is the difference between estimated fair value of the asset and the carrying amount. We record impairments of our real estate assets classified as held for sale at the lower of the carrying amount or estimated fair value using the estimated or contracted sales price less costs to sell. Any real estate assets recorded at fair value on a non-recurring basis as a result of our impairment analysis are valued using unobservable local and national industry market data such as comparable sales, appraisals, brokers' opinions of value and/or terms of definitive sales contracts. Additionally, the analysis includes considerable judgement in our estimates of hold periods, projected cash flows and discount and capitalization rates. Significant increases or decreases in any of these inputs, particularly with regards to cash flow projections and discount and capitalization rates, would result in a significantly lower or higher fair value measurement of the real estate assets being assessed.

We will record an impairment charge related to our investments, including investments in non-consolidated entities, if we determine the fair value of the investments are less than their carrying value and such impairment is other-than-temporary. We evaluate whether events or changes in circumstances indicate that the carrying amount of our investments may not be recoverable. Our evaluation of changes in economic or operating conditions and whether an impairment is other-than-temporary may include developing estimates of fair value, forecasted cash flows or operating income before depreciation and amortization. We estimate undiscounted cash flows and fair value using observable and unobservable data such as operating income, hold periods, estimated

capitalization and discount rates, or relevant market multiples, leasing prospects and local market information and whether certain impairments are other-than-temporary.

Allowance for Credit Losses. "ASC 326, Financial Instruments-Credit Losses" ("ASC 326") requires that we measure and record current expected credit losses for our sales-type lease. We have elected to use a discounted cash flow model to estimate the allowance for credit losses. This model requires us to develop cash flows which project estimated credit losses over the life of the lease and discount these cash flows at the asset's effective interest rate. We then record an allowance equal to the difference between the amortized cost basis of the asset and the present value of the expected credit loss cash flows.

Expected losses within our cash flows are determined by estimating the probability of default of our tenant and their parent guarantors over the term of the lease. We evaluate the collectability of our investment in a sales-type lease based various probability weighted default scenarios that include, but are not limited to, current payment status, the financial strength of our tenant and its parent guarantors, current economic conditions and 20 years of historical information on corporate defaults for entities with similar credit. Estimates in the discounted cash flow model are highly subjective. We have engaged a nationally recognized data analytics firm to assist us with estimating the probability default of our tenant and their parent guarantor.

We regularly evaluate the extent and impact of any credit deterioration that could affect performance and the value of our investment in a sales-type leases, lease, as well as the financial and operating capability of the tenant. We also evaluate the tenant's competency in managing and operating the secured property and consider the overall economic environment, real estate sector

and geographic sub-market in which the secured property is located. If a tenant's credit deteriorates and it defaults under the terms of the sales-type lease, we put the lease in non-accrual status until it is determined that all payments under the lease are probable of being collected. The criteria evaluated to determine when a lease is in non-accrual status is subjective.

New Accounting Pronouncements

For a discussion of new accounting pronouncements, see Note 2 "Summary of Significant Accounting Policies" to our consolidated financial statements included in this report.

Cybersecurity

While we have yet to experience a cyber attack that disrupted our operations in any material respect, all companies, including ours, are increasing the resources allocated to address and protect against cybersecurity threats. Due to the small size of our organization, we rely on third-parties to provide advice and services with respect to cybersecurity, which is not currently, but could become, a material cost.

Environmental, Social and Governance

ESG matters are becoming a central focus for our shareholders, employees, tenants, suppliers, creditors, and communities. During 2022, we allocated an increased amount of resources to ESG matters. We expect to continue to increase our ESG efforts and the resources allocated to ESG matters in the near future.

Liquidity and Capital Resources

General Overview:

Our principal sources of liquidity have been (1) undistributed cash flows generated from our investments, (2) proceeds from the sales of our investments, (3) the public and private equity and debt markets, (4) corporate level borrowings, (5) property specific debt, and (6) commitments from co-investment partners. We believe our ratio of dividends to Adjusted Company Funds From Operations dividend policy is conservative, and allows us to retain cash flow for internal growth.

Our ability to incur additional debt to fund acquisitions and the cost of any such debt is dependent upon our existing leverage, the value of the assets we are attempting to leverage, our revenues and general economic and credit market conditions, which may be outside of management's control or influence.

Cash Flows. Flows:

We believe that cash flows from operations will continue to provide adequate capital to fund our operating and administrative expenses, regular debt service obligations and all dividend payments in accordance with applicable REIT requirements in both the short-term and long-term. However, our cash flow from operations may be negatively affected in the near term if we experience tenant defaults. In addition, we anticipate that cash on hand, borrowings under our unsecured revolving credit facility, capital recycling proceeds, issuances of equity, mortgage proceeds and other debt, as well as other available alternatives, will provide the necessary capital required by our business.

Cash flows from operations as reported in the consolidated statements of cash flows totaled \$209.4 million for 2023 and \$194.3 million for 2022 and \$220.3 million for 2021. The decrease increase was primarily related to property sales increased rental revenue related to lease extensions and placing development properties into service, partially offset by a decrease in termination fee income, partially offset by cash flow generated from acquiring properties due to property sales. The underlying drivers that impact our working capital, and therefore cash flows from operations, are the timing of collection of rents, including reimbursements from tenants, payment of interest on mortgage debt and payment of operating and general and administrative costs. We believe the net-lease structure of the leases encumbering a majority of the properties in which we have an interest mitigates the risks of the timing of cash flows from operations since the payment and timing of operating costs related to the properties are generally borne directly by the tenant. The collection and timing of tenant rents are closely monitored by management as part of our cash management program.

Net cash used in investing activities totaled \$183.5 million in 2023 and \$236.9 million in 2022 and \$337.8 million in 2021. Cash used in investing activities related primarily to acquisitions of real estate, investments in real estate under construction, land held for development, capital expenditures, lease costs, investments in non-consolidated entities,

investment in a note receivable and changes in real estate deposits, net. entities. Cash provided by investing activities primarily related to net proceeds received from the disposition of real estate and distributions from non-consolidated entities. entities and the receipt of principal payments on a note receivable and changes in real estate deposits, net.

Net cash provided by (used in) financing activities totaled \$119.0 million in 2023 and (\$93.9) million in 2022. Cash provided by financing activities totaled (\$93.9) million in 2022. 2023 was primarily related to the receipt of proceeds from the issuance of the 2028 Senior Notes and \$129.1 million in 2021. borrowings on the credit facility, offset by the repurchase of common shares to settle tax obligations, the purchase of a noncontrolling interest and dividend and debt service payments. Cash used in financing activities in 2022 was primarily related to the repurchase of common shares, the purchase of a noncontrolling interest and dividend and debt service payments, offset by common share issuances and contributions from noncontrolling interests. Cash provided by financing activities in 2021 was primarily related to the issuance of the 2031 Senior Notes, revolving credit facility borrowings, mortgage proceeds, issuances of common shares and cash contributions from noncontrolling interests, offset by the redemption of the 2023 Senior Notes, dividend and debt service payments. interests.

Public and Private Equity and Debt Markets

We access the public and private equity and debt markets on an opportunistic basis when we (1) believe conditions are favorable and (2) have a compelling use of proceeds.

We expect to continue to access debt and equity markets in the future to implement our business strategy and to fund future growth when market conditions are favorable. However, the volatility in the capital markets primarily resulting from the effects of rising interest rate volatility rates and rising inflation may have negatively affect our ability to access these capital markets.

Equity:

At-The-Market Offering Program. We maintain an At-The-Market offering program, or ATM program, under which we can issue common shares, including through forward contracts.

During 2022, we issued 3.6 million common shares previously sold on a forward basis in the first quarter of 2021 on the maturity date of the contracts and received \$38.5 million of net proceeds. During 2021, we settled 5.0 million common shares previously sold on a forward basis on the maturity date of the contract and received \$53.6 million of net proceeds.

During 2021, we sold 1.1 million shares under the ATM program for net proceeds of \$13.5 million. We did not sell shares under the ATM program during 2022.

During 2021, we amended the terms of our ATM offering program, under which we may, from time to time, sell up to \$350.0 million common shares over the term of the program. As of December 31, 2022 December 31, 2023, common shares with an aggregate value of \$295.0 million remain available for issuance under the ATM program.

During 2022, we issued 3.6 million common shares previously sold on a forward basis under our ATM program in the first quarter of 2021 on the maturity date of the contracts and received \$38.5 million of net proceeds. We did not issue common shares under the ATM program during 2023.

Underwritten equity offerings. During 2021, we entered into forward sales contracts for the sale of 16.0 million common shares at a public offering price of \$12.11 per common share in an underwritten equity offering. In December 2022, we issued 16.0 million common shares and we received \$183.4 million of net proceeds.

The volatility proceeds related to an underwritten equity offering in the capital markets primarily resulting from the effects of interest rate volatility and rising inflation may negatively affect our ability to access the capital markets through our ATM program and other offerings. 2021, which was sold on a forward basis. There were no underwritten equity offerings in 2023.

Direct Share Purchase Plan. We maintain a direct share purchase plan, which has two components, (i) a dividend reinvestment component and (ii) a direct share purchase component. Under the dividend reinvestment component, common shareholders and holders of OP units may elect to automatically reinvest their dividends and distributions to purchase our common shares. Under the direct share purchase component, our current investors and new investors can make optional cash purchases of our common shares. The administrator of the plan, Computershare Trust Company, N.A., purchases common shares for the accounts of the participants under the plan, at our discretion, either directly from us, on the open market or through a combination of those two options. No shares were purchased from us under the plan in 2022 2023 and 2021. 2022.

Share Repurchase Program. In August 2022, our Board of Trustees authorized the repurchase of up to an additional 10.0 million common shares under our share repurchase program, which does not have an expiration date. During 2022, 12.1 million common shares were repurchased and retired for an average price of \$10.78 per share. During 2021, there No shares were no share repurchases. repurchased in 2023. As of December 31, 2022 December 31, 2023, 6.9 million common shares remain available for repurchase under this authorization.

Operating Partnership Units. In recent years there has not been a great demand for OP units as consideration and, as a result, we expect the percentage of common shares that will be outstanding in the future relative to OP units will increase, and income attributable to noncontrolling interests should be expected to decrease, as such OP units are redeemed for our common shares. Furthermore, our credit agreement requires us to own at least 95.5% of a subsidiary for the assets of such subsidiary to be included in the calculation of our credit agreement covenants, which incents us to maintain our percentage ownership in LCIF and not issue additional OP units.

During 2021, LCIF redeemed and canceled 1,598,906 OP units in connection with the disposition of three properties. As of December 31, 2022, there were 0.7 million OP units outstanding not owned by us which were convertible on a one OP unit for approximately 1.13 common shares basis into an aggregate of 0.8 million common shares assuming we satisfied redemptions entirely with common shares. All outstanding OP units are entitled to a distribution equal to the dividend on our common shares or a stated distribution that may adjust based on our common share dividend amount. We expect to merge LCIF with and into us by the end of 2023.

Debt:
Corporate Borrowings. In 2021, we issued \$400.0 million aggregate principal amount of our 2031 2028 Senior Notes. We used a portion of the proceeds to pay down all amounts under our unsecured revolving credit facility and invested the remaining proceeds in cash and cash equivalents and short-term investments to fund general corporate purposes, including to repay other indebtedness at or in advance of the net proceeds from the offering of the 2031 Senior Notes maturity and to redeem the \$188.8 million aggregate principal balance of our outstanding 2023 Senior Notes development pipeline.

The following Senior Notes were outstanding as of December 31, 2022 December 31, 2023:

Issue Date	Issue Date	Face Amount (millions)	Interest Rate	Maturity Date	Issue Price
Issue Date	Issue Date	Face Amount (millions)	Interest Rate	Maturity Date	Issue Price
November					
2023		300.0	6.750 %	November 2028	99.423 %
August 2021	August 2021	400.0	2.375 %	October 2031	99.758 %
August 2020	August 2020	400.0	2.70 %	September 2030	99.233 %
May 2014	May 2014	198.9	4.40 %	June 2024	99.883 %
\$ 998.9					
\$					

The Senior Notes are unsecured and pay interest semi-annually in arrears. We may redeem the Senior Notes at our option at any time prior to maturity in whole or in part by paying the principal amount of the Senior Notes being redeemed plus a make-whole premium.

A summary of the maturity dates and interest rates under our unsecured credit agreement, as of December 31, 2022 December 31, 2023, are as follows:

	Maturity Date	Interest Rate
\$600.0 Million Revolving Credit Facility ⁽¹⁾	07/2026	SOFR + 0.85%
\$300.0 Million Term Loan ⁽²⁾	01/2025 2027	Term SOFR + 1.00%

(1) Maturity date of the revolving credit facility can be extended to July 2027, at our option, subject to certain conditions. The interest rate ranges from SOFR (plus a 0.10% index adjustment) plus 0.725% to 1.40%. At December 31, 2022 December 31, 2023, we had no borrowings outstanding and availability of \$600.0 million, subject to covenant compliance.

(2) In November 2023, we amended the agreement governing our \$300 million term loan. The amendment among other things extends the maturity of the term loan from January 31, 2025 to January 31, 2027. The Term SOFR portion of the interest rate was remains swapped to obtain a current fixed rate of 2.722% per annum, annum until January 31, 2025.

As of December 31, 2022 December 31, 2023, we were in compliance with the financial covenants contained in our corporate level debt agreements.

During 2007, we issued \$200.0 million in Trust Preferred Securities, which bore interest at a fixed rate of 6.804% through April 2017 and, thereafter, bears interest at a variable rate of three month LIBOR three-month SOFR plus a 26 basis point adjustment plus 170 basis points. These securities are (1) classified as debt, (2) due in 2037 and (3) currently redeemable by us. As of December 31, 2022 December 31, 2023, there were \$129.1 million of these securities outstanding. During 2023, we expect to transition from LIBOR to a new benchmark rate.

Property Specific Debt. As of December 31, 2022 December 31, 2023, we have a limited number of consolidated properties subject to mortgages. Our property owner subsidiaries do not have mortgage maturities with balloon payments due until 2031. With respect to mortgages encumbering properties where the expected lease rental revenues are sufficient to provide an estimated property value in excess of the mortgage balance, we believe our property owner subsidiaries have sufficient sources of liquidity to meet these obligations through future cash flows from operations, the credit markets and, if determined appropriate by us, a capital contribution from us from either cash on hand and short-term investments (\$54.4 199.2 million and \$130.1 million, respectively, at December 31, 2022 December 31, 2023), property sale proceeds or borrowing capacity on our primary credit facility (\$600.0 million as of December 31, 2022 December 31, 2023, subject to covenant compliance).

Our secured debt decreased to approximately \$60.9 million at December 31, 2023 compared to \$73.2 million at December 31, 2022 compared to \$84.4 million at December 31, 2021. We expect to continue to use property specific, non-recourse mortgages in certain situations as we believe that by properly matching a debt obligation, including the balloon

maturity risk, with the terms of a lease, our cash-on-cash returns increase and the exposure to residual valuation risk is reduced. In addition, we may procure credit tenant lease financing in certain situations where we are able to monetize all or a significant portion of the rental revenues of a property at an attractive rate.

Institutional Fund Management

We have entered into co-investment programs and joint ventures with institutional investors to mitigate our risk in certain assets and increase our return on equity to the extent we earn management or other fees. However, investments in certain co-investment programs and joint ventures limit our ability to make investment decisions unilaterally relating to the assets and limit our ability to deploy capital.

During 2021, we recapitalized a portfolio of 22 special purpose industrial properties, primarily manufacturing assets, through the formation of an institutional joint venture. This enabled us to capitalize on the compression of capitalization rates for these industrial assets, while mitigating risks of staying fully invested in these assets. We own 20% of this institutional joint venture and we and our partner are committed to fund an additional \$50.0 million and \$200.0 million, respectively, of future capital to grow this joint venture by acquiring special purpose industrial properties that do not conflict with our warehouse and distribution investment strategy. No additional acquisitions have been made by this joint venture and it is unlikely that this joint venture will make acquisitions until interest rates stabilize and financing is more accessible.

The real estate investments owned by our institutional joint ventures are generally financed with non-recourse debt. Non-recourse debt is generally defined as debt whereby the lenders' sole recourse with respect to borrower defaults is limited to the value of the assets collateralized by the debt. The lender generally does not have recourse against any other assets owned by the borrower or any of the members or partners of the borrower, except for certain specified exceptions listed in the particular loan documents. These exceptions generally relate to "bad boy" acts, including fraud, prohibited transfers and breaches of material representations, and environmental matters. We have guaranteed such obligations for certain of our non-consolidated entities with respect to \$552.8 million \$458.6 million of such non-recourse debt. We believe the likelihood of making any payments under such guarantees is remote and we generally have an agreement from each partner to reimburse us for its proportionate share of any liability related to a guarantee trigger unless such trigger is caused solely by us.

Capital Recycling

Part of our strategy to effectively manage our balance sheet involves pursuing and executing well on property dispositions and recycling of capital. During 2022, 2023, we disposed of our interests in 10 one industrial property, three other properties and one land parcel for an aggregate gross price of \$197.0 million \$100.2 million. Additionally, the NNN Office JV disposed of six properties one property for an aggregate \$354.9 million \$30.1 million of gross proceeds and distributed \$28.1 million to us repaid an aggregate of \$29.4 million of non-recourse debt. Additionally, a non-consolidated joint venture, in which we held a 25% ownership interest, disposed of one property for \$82.0 million of gross proceeds and we received a distribution of \$8.1 million after repayment of an aggregate of \$229.5 million \$48.9 million of non-recourse debt. The proceeds of our capital recycling efforts were primarily used to (1) fund the development pipeline and (2) make investments in real property.

As we near the completion of the capital recycling of our non-industrial assets, we have recycled, and we expect to continue our recycling efforts with respect to our older industrial assets and/or those outside our target markets. We believe capital recycling (1) provides cost effective and timely capital to deleverage and to support for our investment activities and (2) allows us to maintain line capacity and cash in advance of our development commitments.

Liquidity Needs

Our principal liquidity needs are the contractual debt maturities, interest payment obligations, set forth under the heading "Contractual Obligations," below, and the payment of dividends to our shareholders and distributions to the holders of OP units. As we grow funding our development pipeline, we expect that development activities will become a greater part of our liquidity needs. projects.

As of December 31, 2022 December 31, 2023, we had approximately \$1.5 billion \$1.8 billion of indebtedness, consisting of mortgages and notes payable outstanding, a term loan, 6.75%, 2.375%, 2.70%, and 4.40% Senior Notes and Trust Preferred Securities, with a weighted-average interest rate of approximately 3.2% 3.9%. The ability of a property owner subsidiary to make debt service payments depends upon the rental revenues of its property and its ability to refinance the mortgage related thereto, sell the related property, or access capital from us or other sources. A property owner subsidiary's ability to accomplish such goals will be affected by numerous economic factors affecting the real estate industry, including the risks described under "Risk Factors" in Part I, Item 1A of this Annual Report.

We expect to be able to satisfy the maturity of our 4.40% Senior Notes from cash and cash equivalent and short-term investments. We expect to pay our non-maturity debt service obligations from cash flow from operations.

If we are unable to satisfy our contractual obligations and other operating costs with our cash flow from operations, we intend to use borrowings and proceeds from issuances of equity or debt securities. If a property owner subsidiary is unable to satisfy its contractual obligations and other operating costs, it may default on its obligations and lose its assets in foreclosure or through bankruptcy proceedings.

In connection with our intention to continue to qualify as a REIT for federal income tax purposes, we expect to continue paying regular dividends to our shareholders. These dividends are expected to be paid from operating cash flows and/or from other sources. Since cash used to pay dividends reduces amounts available for capital investments, we generally intend to maintain a conservative dividend payout ratio, reserving such amounts as we consider necessary for the maintenance or expansion of properties in our portfolio, debt reduction, the acquisition of interests in new properties as suitable opportunities arise, and such other factors as our Board of Trustees considers appropriate.

We paid approximately **\$142.5 million** **\$151.9 million** in cash dividends to our common and preferred shareholders in **2022, 2023**. Although our property owner subsidiaries receive the majority of our base rental payments on a monthly basis, we intend to continue paying dividends quarterly. Amounts accumulated in advance of each quarterly distribution are invested by us in short-term money market or other suitable instruments.

Contractual Obligations

As of **December 31, 2022** **December 31, 2023**, we **had six ongoing consolidated development projects and expect to incur approximately \$107.0 million** **\$53.2 million** of costs, in **2023**, excluding noncontrolling interests' share **and potential developer fees or partner buyouts**, to substantially **complete the construction of such projects**, **fund our consolidated development project commitments**. As of **December 31, 2022** **December 31, 2023**, we had three consolidated and two non-consolidated subsidiaries that owned land parcels held for industrial development. We are unable to estimate the timing of any required fundings for potential development projects on these parcels.

Non-Development Capital Resources Expenditures:

General. Due to the net-lease structure of a majority of our investments, our property owner subsidiaries historically have not incurred significant expenditures in the ordinary course of business to maintain the properties in which we have an interest. As leases expire, we expect our property owner subsidiaries to incur costs in extending the existing tenant leases, re-tenanting the properties with a single-tenant, or converting the property to multi-tenant use. The amounts of these expenditures can vary significantly depending on tenant negotiations, market conditions, rental rates and property type.

Single-Tenant Properties. We do not anticipate significant capital expenditures at the single-tenant properties in which we have an interest that are subject to net or similar leases since the tenants at these properties generally bear all or substantially all of the cost of property operations, maintenance and repairs. However, at certain properties subject to net leases, our property owner subsidiaries are responsible for replacement and/or repair of certain capital items, which may or may not be reimbursed. In addition, at certain single-tenant properties that are not subject to a net lease, our property owner subsidiaries have a level of property operating expense responsibility, which may or may not be reimbursed.

Multi-Tenant Properties. Primarily as a result of non-renewals at single-tenant net-lease properties, we have interests in multi-tenant properties in our consolidated portfolio. While tenants of these properties are generally responsible for **increases over base year operating expenses** **our property owner subsidiaries are generally responsible for the base-year expenses and capital expenditures, and in their spaces, but we are responsible for all expenses related to vacant space and certain non-reimbursable building expenses**, at these properties.

Vacant Properties. To the extent there is a vacancy in a property, our property owner subsidiary would be obligated for all operating expenses, including capital expenditures, real estate taxes and insurance. When a property is vacant, our property owner subsidiary may incur substantial capital expenditure and releasing costs to re-tenant the property. However, we believe that, over the long term, our focus on industrial assets will result in significant savings compared to investing in office assets due to the lower operating and **retenanting** **re-tenanting** costs of industrial assets compared to office assets.

Property Expansions. Under certain leases, tenants have the right to expand the facility located on a property in which we have an interest. We expect our property owner subsidiaries may fund these property expansions with either additional secured borrowings, the repayment of which will be funded out of rental increases under the leases covering the expanded properties, or capital contributions from us.

Ground Leases. The tenants of properties in which we have an interest generally pay the rental obligations on ground leases either directly to the fee holder or to our property owner subsidiary as increased rent. However, our property owner subsidiaries are responsible for these payments (1) under certain leases without reimbursement and (2) at vacant properties.

Environmental Matters. Based upon management's ongoing review of the properties in which we have an interest, management is not aware of any environmental condition with respect to any of these properties that would be reasonably likely to have a material adverse effect on us. There can be no assurance, however, that (1) the discovery of environmental conditions, which were previously unknown, (2) changes in law, (3) the conduct of tenants or (4) activities relating to properties in the vicinity of the properties in which we have an interest, will not expose us to material liability in the future. Changes in laws increasing the potential liability for environmental conditions existing on properties or increasing the restrictions on discharges or other conditions may result in significant unanticipated expenditures or may otherwise adversely affect the operations of the tenants of properties in which we have an interest.

Results of Operations

Year ended **December 31, 2022** **December 31, 2023** compared with **December 31, 2021** **December 31, 2022**. The decrease in net income attributable to common shareholders of **\$268.5 million** **\$83.4 million** was primarily due to the items discussed below.

The **decrease** **increase** in total gross revenues of **\$22.8 million** **\$19.3 million** was primarily due to an increase of **\$12.8 million** in base rental revenue and a result of a decrease of **\$15.1 million** of termination income. In addition, property sales, including the recapitalization **\$7.4 million** increase in December 2021 of our special purpose industrial portfolio now owned by MFG Cold JV, contributed tenant reimbursement income primarily due to the decrease, which was acquisitions, properties placed in service and increases in market rental rates, partially offset by revenue from recently acquired properties and an increase in advisory fees during 2022. **property sales**.

The increase in depreciation and amortization expense of **\$3.9 million** **\$3.0 million** was primarily due to **acquisition activity**, **properties acquired and/or completed and placed in service subsequent to January 1, 2022**.

The increase in property operating expense of **\$7.6 million** **\$3.5 million** was primarily due to an increase in operating expense responsibilities at certain properties.

The **increase** **decrease** of **\$2.4 million** in general and administrative expense of **\$3.3 million** was primarily **due** **related** to **an increase** **a decrease** of **\$1.4 million** **\$2.6 million** in costs incurred related to the Board of Trustees' strategic alternatives review and **consulting** costs related to shareholder **activism**, **activism** in 2022. No consulting costs were incurred related to shareholder activism during the year ended December 31, 2023.

The **remaining** **\$1.9 million** **decrease** in transaction costs of **\$4.2 million** was due to the recognition of direct costs of a sales-type lease in 2022 with no comparable transaction in 2023.

The **increase** **is** **in** **non-operating** **income** of **\$2.0 million** was primarily due to an increase in **severance** **expense**, **payroll** **expense**, **trustee** **fees**, **legal** and **other** **consulting** **costs**, **interest** **income** earned from investing some of the proceeds received from the 2028 Senior Notes.

The **increase** **in** **transaction** **costs** of **\$3.7 million** is primarily related to recognizing the direct costs of entering into a sales-type lease as an expense in accordance with the applicable **GAAP** accounting guidance, with no similar transaction in the prior year.

The **decrease** **in** **interest** **and** **amortization** **expense** of **\$1.3 million** **\$1.0 million** is primarily due to a **\$4.4 million** **increase** in **variable** **interest** **expense** **related** **primarily** to the **satisfaction** **of** **secured** **debt** **Trust** **Preferred** **Securities** **in** **2021** **and** **2023** **compared** **to** **2022**. Additionally, the 2028 Senior Notes were issued in November 2023 resulting in a **\$4.3 million** **\$2.7 million** **increase** **in** **capitalized** **to** **interest** **mostly** **related** **to** **increased** **development**. The **decrease** **was** **expense**. These **increases** **were** **partially** **offset** **by** **an** **increase** **of** **\$3.8 million** **in** **capitalized** **interest** **expense** **related** **to** **increased** **interest** **rates** **on** **our** **variable-rate** **unsecured** **debt** **and** **increased** **amounts** **of** **unsecured** **debt** **during** **2022** **compared** **to** **2021**.

The **decrease** **in** **debt** **satisfaction** **losses**, **net**, **of** **\$13.8 million** was primarily related to **our** **development** **projects** and a **decrease** **of** **\$2.1 million** **of** **interest** **expense** **incurred** **due** **to** **a** **decrease** **in** **borrowings** **on** **the** **redemption** **of** **the** **credit** **facility** **during** **2023** **Senior** **Notes** **during** **2021**, **compared** **to** **2022**.

The **decrease** **increase** **in** **impairment** **charges** of **\$2.5 million** **\$13.5 million** was primarily **due** **related** **to** **the** **timing** **of** **impairment** **charges** **taken** **recognized** **on** **certain** **properties**. The **impairments** **in** **2023** **were** **taken** **on** **office** **assets** **primarily** **due** **to** **shortened** **hold** **periods**, **rising** **interest** **rates**, **vacancy** **and** **lack** **of** **leasing** **prospects**, **potential** **sales**.

The **decrease** **in** **gains** **on** **sales** **of** **properties** of **\$308.2 million** **\$26.1 million** was primarily related to the **sale** **of** **22** **properties** **to** **a** **newly-formed** **joint** **venture** **in** **2021** **and** **the** **timing** **of** **property** **dispositions**.

The **increase** **decrease** **in** **selling** **profit** **from** **sales-type** **leases** **lease** **of** **\$47.1 million** was due to three leases qualifying as sales-type leases in 2022 with no comparable **transactions** **transaction** **in** **2021**.

2023.

The **increase** **decrease** **in** **equity** **in** **earnings** **(losses)** **of** **non-consolidated** **entities** **of** **\$16.2 million** **\$14.6 million** was primarily due to **recognizing** **our** **share** **the** **timing** **of** **gains** **on** **sale** **of** **five** **properties** **from** **NNN** **Office** **JV** **L.P.** **in** **2022** **in** **the** **amount** **of** **\$24.5 million** **with** **no** **property** **sales** **at** **within** **our** **non-consolidated** **entities** **entities**.

The **increase** **in** **2021**, **net** **income** **attributable** **to** **noncontrolling** **interest** **holders** **of** **\$3.1 million** was primarily due to the **timing** **of** **property** **dispositions** **resulting** **in** **an** **increase** **in** **noncontrolling** **interest** **income** **of** **\$4.7 million** **in** **2023** **compared** **to** **2022**. The **increase** **was** **primarily** **offset** **by** **recognizing** **our** **\$1.5 million** **allocated** **to** **noncontrolling** **interest** **holders** **for** **their** **share** **of** **impairment** **charges** **and** **losses** **selling** **profit** **on** **debt** **satisfaction** **related** **to** **NNN** **Office** **JV** **L.P.**, **a** **sales-type** **lease** **in** **2022**, **with** **no** **comparable** **transactions** **in** **the** **amount** **of** **\$5.1 million** **and** **\$1.5 million**, **respectively**, **2023**.

The **increase** **in** **net** **income** **or** **decrease** **in** **net** **loss** **in** **future** **periods** **will** **be** **closely** **ties** **to** **the** **level** **of** **acquisitions** **made** **by** **us**. Without **acquisitions**, the **sources** **of** **growth** **in** **net** **income** **are** **limited** **to** **fixed** **rent** **adjustments** **and** **index** **adjustments** **(such** **as** **the** **consumer** **price** **index**), **reduced** **interest** **expense** **on** **amortizing** **mortgages** **and** **variable** **rate** **indebtedness** **and** **by** **controlling** **other** **variable** **overhead** **costs**. However, there **are** **many** **factors** **beyond** **management's** **control** **that** **could** **offset** **these** **items** **including**, **without** **limitation**, **changes** **in** **economic** **conditions** **such** **as** **the** **recent** **economic** **uncertainty** **primarily** **caused** **by** **the** **COVID-19** **pandemic**, **increased** **interest** **rates** **and** **tenant** **monetary** **defaults** **and** **the** **other** **risks** **described** **in** **this** **Annual** **Report**.

The **analysis** **of** **the** **results** **of** **operations** **for** **the** **year** **ended** **December** **31**, **2021** **December** **31**, **2022** **compared** **with** **December** **31**, **2020** **December** **31**, **2021** **is** **included** **in** **our** **2021** **2022** **Annual** **Report** **on** **Form** **10-K**, **which** **was** **filed** **with** **the** **Securities** **and** **Exchange** **Commission**, **on** **February** **24**, **2022** **February** **16**, **2023**.

Same-Store Results

Same-store net operating income, or NOI, which is a non-GAAP measure, represents the NOI for consolidated properties that were owned, **stabilized** and included in our portfolio for two comparable reporting periods. We define NOI as operating revenues (rental income (less GAAP rent adjustments, non-cash income related to sales-type leases and lease termination income, net), and other property income) less property operating expenses. As same-store NOI excludes the change in NOI from acquired and disposed of properties, it highlights operating trends such as occupancy levels, rental rates and operating costs on properties. Other REITs may use different methodologies for calculating same-store NOI, and accordingly same-store NOI may not be comparable to other REITs. Management believes that same-store NOI is a useful supplemental measure of our operating performance. performance because same-store NOI excludes the change in NOI from acquired and disposed of properties and it highlights operating trends such as occupancy

levels, rental rates and operating costs on properties. However, same-store NOI should not be viewed as an alternative measure of our financial performance since it does not reflect the operations of our entire portfolio, nor does it reflect the impact of general and administrative expenses, acquisition-related expenses, interest expense, depreciation and amortization costs, other nonproperty income and losses, the level of capital expenditures and leasing costs necessary to maintain the operating performance of our properties, or trends in development and construction activities which are significant economic costs and activities that could materially impact our results from operations. We believe that net income is the most directly comparable GAAP measure to same-store NOI.

The following presents our consolidated same-store NOI, for the years ended December 31, 2022 December 31, 2023 and 2021 2022 (\$000):

		Year Ended December 31,			
		2022	2021		
		Years Ended December 31,			
		Years Ended December 31,			
		Years Ended December 31,			
		2023		2023	2022
Total cash base rent	Total cash base rent	\$ 207,087	\$ 197,684		
Tenant reimbursements	Tenant reimbursements	35,221	33,186		
Property operating expenses	Property operating expenses	(39,049)	(36,910)		
Same-store NOI	Same-store NOI	\$ 203,259	\$ 193,960		

Our reported same-store NOI increased from 2021 2022 to 2022 2023 by 4.8% 4.0% primarily due to an increase in occupancy and cash base rents. As of December 31, 2022 December 31, 2023 and 2021, 2022, our historical same-store square footage leased was 99.8% 100% and 99.7% 99.8%, respectively.

Below is a reconciliation of net income to same-store NOI for periods presented:

		Year ended December 31,			
		2022	2021		
		Years ended December 31,			
		Years ended December 31,			
		Years ended December 31,			
		2023		2023	2022
Net income	Net income	\$ 116,243	\$ 385,091		
Interest and amortization expense					
Interest and amortization expense					
Interest and amortization expense	Interest and amortization expense	45,417	46,708		
Provision for income taxes	Provision for income taxes	1,102	1,293		
Depreciation and amortization	Depreciation and amortization	180,567	176,714		
General and administrative	General and administrative	38,714	35,458		
Transaction costs	Transaction costs	4,177	432		

Non-operating/advisory fee income	Non-operating/advisory fee income	(6,550)	(4,402)
Gains on sales of properties	Gains on sales of properties	(59,094)	(367,274)
Impairment charges	Impairment charges	3,037	5,541
Selling profit from sales-type leases	Selling profit from sales-type leases	(47,059)	—
Debt satisfaction losses, net	Debt satisfaction losses, net	119	13,894
Equity in (earnings) losses of non-consolidated entities		(16,006)	190
Equity in earnings losses of non-consolidated entities			
Lease termination income, net	Lease termination income, net	(238)	(14,972)
Straight-line adjustments	Straight-line adjustments	(11,412)	(12,324)
Lease incentives	Lease incentives	518	780
Amortization of above/below market leases	Amortization of above/below market leases	(1,865)	(1,551)
Sales-type lease adjustments	Sales-type lease adjustments	(249)	—
NOI	NOI	247,421	265,578
NOI			
NOI			
Less NOI:	Less NOI:		
Acquisitions and dispositions		(44,162)	(71,618)
Less NOI:			
Less NOI:			
Acquisitions, development and dispositions			
Acquisitions, development and dispositions			
Acquisitions, development and dispositions			
Same-Store NOI	Same-Store NOI	\$ 203,259	\$193,960

Funds From Operations

We believe that Funds from Operations, or FFO, which is a non-GAAP measure, is a widely recognized and appropriate measure of the performance of an equity REIT. We believe FFO is frequently used by securities analysts, investors and other interested parties in the evaluation of REITs, many of which present FFO when reporting their results. FFO is intended to exclude GAAP historical cost depreciation and amortization of real estate and related assets, which assumes that the value of real estate diminishes ratably over time. Historically, however, real estate values have risen or fallen with market conditions. As a result, FFO provides a performance measure that, when compared year over year, reflects the impact to operations from trends in occupancy rates, rental rates, operating costs, development activities, interest costs and other matters without the inclusion of depreciation and amortization, providing a perspective that may not necessarily be apparent from net income.

The National Association of Real Estate Investment Trusts, or NAREIT, defines FFO as "net income (calculated in accordance with GAAP), excluding depreciation and amortization related to real estate, gains and losses from the sales of certain real estate assets, gains and losses from change in control and impairment write-downs of certain real estate assets and investments in entities when the impairment is directly attributable to decreases in the value of depreciable real estate held by the entity. The reconciling items include amounts to adjust earnings from consolidated partially-owned entities and equity in earnings of unconsolidated affiliates to FFO." FFO does not represent cash generated from operating activities in accordance with GAAP and is not indicative of cash available to fund cash needs.

We present FFO available to common shareholders and unitholders - basic and also present FFO available to all equityholders and unitholders - diluted on a company-wide basis as if all securities that are convertible, at the holder's option, into our common shares, are converted at the beginning of the period. We also present Adjusted Company FFO available to all equityholders and unitholders - diluted, which adjusts FFO available to all equityholders and unitholders - diluted for certain items which we believe are not indicative of the operating results of our real estate portfolio. We believe this is an appropriate presentation as it is frequently requested by securities analysts, investors and other interested parties. Since others do not calculate these measures in a similar fashion, these measures may not be comparable to similarly titled measures as reported by others. These measures should not be considered as an alternative to net income as an indicator of our operating performance or as an alternative to cash flow as a measure of liquidity.

Adjusted Company FFO, NOI and the other non-GAAP financial measures are not equivalent to our net income or loss as determined in accordance with GAAP, and investors should consider GAAP measures to be more relevant to evaluating our operating performance. FFO, Adjusted Company FFO and NOI, and GAAP net income (loss) differ because FFO, Adjusted Company FFO and NOI exclude many items that are factored into GAAP net income or loss.

Because of the differences between FFO, Adjusted Company FFO, NOI and GAAP net income or loss, FFO, Adjusted Company FFO and NOI may not be accurate indicators of our operating performance, especially during periods in which we are acquiring and selling properties. In addition, FFO, Adjusted Company FFO and NOI are not necessarily indicative of cash flow available to fund cash needs and investors should not consider FFO, Adjusted Company FFO or NOI as alternatives to cash flows from operations, as an indication of our liquidity or as indicative of funds available to fund our cash needs, including our ability to make distributions to our shareholders.

Neither the SEC nor any other regulatory body has passed judgment on the acceptability of the adjustments that we use to calculate FFO, Adjusted Company FFO and NOI. Also, because not all companies calculate FFO, Adjusted Company FFO and NOI the same way, comparisons with other companies' measures with similar titles may not be meaningful.

The following presents a reconciliation of net income attributable to common shareholders to FFO available to common shareholders and unitholders and Adjusted Company FFO available to all equityholders and unitholders for 2022 2023 and 2021 2022 (dollars in thousands, except share and per share amounts):

		Year Ended			
		December 31,			
		2022	2021		
		Years Ended	Years Ended		
		December 31,	December 31,		
		Years Ended	Years Ended		
		December 31,	December 31,		
		2023	2023	2023	2022
FUNDS FROM	FUNDS FROM				
OPERATIONS:	OPERATIONS:				
Basic and					
Diluted:	Basic and Diluted:				
Basic and Diluted:					
Basic and Diluted:					
Net income attributable to common shareholders					
Net income attributable to common shareholders					
Net income attributable to common shareholders					
Net income attributable to common shareholders	Net income attributable to common shareholders	\$107,307	\$375,848		
Adjustments:	Adjustments:				
Depreciation and amortization	177,725	173,833			
Impairment charges - real estate, including our share of non-consolidated entities	8,137	5,541			

Noncontrolling interests -			
OP units	156	1,672	
Amortization of leasing commissions	2,842	2,881	
Joint venture and noncontrolling interest adjustment	11,112	8,370	
Gains on sales of properties, including our share of non-consolidated entities	(83,562)	(367,274)	
Depreciation and amortization related to real estate			
Depreciation and amortization related to real estate			
Depreciation and amortization related to real estate			
Impairment charges - real estate, including our share of non-consolidated entities			
Noncontrolling interests - OP units			
Amortization of leasing commissions			
Joint venture and noncontrolling interest adjustment			
Gains on sales of properties, including our share of non-consolidated entities			
FFO available to common shareholders and unitholders	FFO available to common shareholders and unitholders - basic	223,717	200,871
	Preferred dividends	6,290	6,290
	Amount allocated to participating securities	186	510
	Preferred dividends		
	Amount allocated to participating securities		
FFO available to all equityholders and unitholders	FFO available to all equityholders and unitholders - diluted	230,193	207,671
	Selling profit from sales-type leases (1)	(47,059)	—
	Allowance for credit losses	93	—

Transaction costs ⁽²⁾	4,177	432
Debt satisfaction losses, net, including our share of non-consolidated entities	1,615	13,894
Other non-recurring costs ⁽³⁾	2,573	1,199
Noncontrolling interest adjustments	1,469	—
Selling profit from sales-type leases⁽¹⁾		
Allowance for credit losses		
Transaction costs ⁽²⁾		
Debt satisfaction losses, net, including our share of non-consolidated entities		
Other non-recurring costs ⁽³⁾		
Noncontrolling interest adjustments		

Adjusted Company FFO available to all equityholders and unitholders - diluted	Adjusted Company FFO available to all equityholders and unitholders - diluted	\$193,061	\$223,196
--	--	------------------	------------------

Per Common Share and Unit Amounts	Per Common Share and Unit Amounts				
Per Common Share and Unit Amounts					
Per Common Share and Unit Amounts					
Basic:	Basic:				
Basic:					
Basic:					
FFO					
FFO					
FFO	FFO	\$	0.80	\$	0.72
Diluted:	Diluted:				
Diluted:					
Diluted:					
FFO					
FFO					
FFO	FFO	\$	0.80	\$	0.72
Adjusted Company FFO	Adjusted Company FFO	\$	0.67	\$	0.78

Weighted-Average Common Shares:	Weighted-Average Common Shares:
Weighted-Average Common Shares:	
Weighted-Average Common Shares:	
Basic:	Basic:
Basic:	

Basic:					
Weighted-average common shares outstanding - basic EPS					
Weighted-average common shares outstanding - basic EPS					
Weighted-average common shares outstanding - basic EPS	Weighted-average common shares outstanding - basic EPS	279,887,760	277,640,835	290,245,877	279,887,760
Operating partnership units ⁽⁴⁾	Operating partnership units ⁽⁴⁾	853,259	1,918,845	820,386	853,259
Weighted-average common shares outstanding - basic FFO	Weighted-average common shares outstanding - basic FFO	280,741,019	279,559,680	291,066,263	280,741,019
Diluted:	Diluted:				
Diluted:					
Weighted-average common shares outstanding - diluted EPS					
Weighted-average common shares outstanding - diluted EPS					
Weighted-average common shares outstanding - diluted EPS	Weighted-average common shares outstanding - diluted EPS	282,473,458	287,369,742	291,193,514	282,473,458
Unvested share-based payment awards	Unvested share-based payment awards	17,381	44,261	—	17,381
Preferred shares - Series C	Preferred shares - Series C	4,710,570	—	4,710,570	4,710,570
Weighted-average common shares outstanding - diluted FFO	Weighted-average common shares outstanding - diluted FFO	287,201,409	287,414,003	295,904,084	287,201,409

(1) Aggregate gains recognized upon entering into a sales-type lease and exercises of tenant's purchase options in leases.

(2) Includes initial direct costs incurred in connection with entering into investments classified as sales-type leases and other acquisition related costs.

(3) Includes strategic alternatives and costs related to shareholder activism.

(4) Includes OP units other than OP units held by us.

Item 7A. Quantitative and Qualitative Disclosure about Market Risk

Our exposure to market risk relates primarily to our variable-rate indebtedness not subject to interest rate swaps and our fixed-rate debt. Our consolidated aggregate principal variable-rate indebtedness was \$129.1 million at December 31, 2022 December 31, 2023 and 2021, 2022, which represented 8.6% 7.2% and 8.5% 8.6%, respectively, of our aggregate principal consolidated indebtedness. During 2022 2023 and 2021, 2022, our variable-rate indebtedness had a weighted-average interest rate of 3.5% 6.8% and 1.7% 3.5%, respectively. Had the weighted-average interest rate been 100 basis points higher, our interest expense for 2022 2023 and 2021, 2022 would have increased by \$2.3 million \$1.7 million and \$1.7 million \$2.3 million, respectively. As of December 31, 2022 December 31, 2023 and 2021, 2022, our aggregate principal consolidated fixed-rate debt was \$1.7 billion and \$1.4 billion, respectively, which represented 91.4% 92.8% and 91.5% 91.4%, respectively, of our aggregate principal indebtedness.

For certain of our financial instruments, fair values are not readily available since there are no active trading markets as characterized by current exchanges between willing parties. Accordingly, we derive or estimate fair values using various valuation techniques, such as computing the present value of estimated future cash flows using discount rates commensurate with the risks involved. However, the determination of estimated cash flows may be subjective and imprecise. Changes in assumptions or estimation methodologies can have a material effect on these estimated fair values. The following fair value was determined using the interest rates that we believe our outstanding fixed-rate debt would warrant as of December 31, 2022 December 31, 2023 and is indicative of the interest rate environment as of December 31, 2022 December 31, 2023, and does not take into consideration the effects of subsequent interest rate fluctuations. Accordingly, we estimate that the fair value of our fixed-rate debt was \$1.2 billion \$1.5 billion as of December 31, 2022 December 31, 2023.

Our interest rate risk objectives are to limit the impact of interest rate fluctuations on earnings and cash flows and to lower our overall borrowing costs. To achieve these objectives, we manage our exposure to fluctuations in market interest rates through the use of fixed-rate debt instruments to the extent that reasonably favorable rates are obtainable with such arrangements. We have historically entered into derivative financial instruments such as interest rate swaps or caps to mitigate our interest rate risk on a related financial instrument or to effectively lock the interest rate on a portion of our variable-rate debt. As of December 31, 2022 December 31, 2023, we had four interest rate swap agreements in our consolidated portfolio, all of which expire in January 2025.

Item 8. Financial Statements and Supplementary Data

Financial Statements and Supplementary Data	
Reports of Independent Registered Public Accounting Firm (PCAOB ID No. 34)	58
Consolidated Balance Sheets as of December 31, 2022 23 and December 31, 2021 2022	61
Consolidated Statements of Operations for the years ended December 31, 2022 23, December 31, 2021 2021 and December 31, 2020 2020	62
Consolidated Statements of Comprehensive Income (Loss) for the years ended December 31, 2022 23, December 31, 2021 2021 and December 31, 2020 2020	63
Consolidated Statements of Changes in Equity for the years ended December 31, 2022 23, December 31, 2021 2021 and December 31, 2020 2020	64
Consolidated Statements of Cash Flows for the years ended December 31, 2022 23, December 31, 2021 2021 and December 31, 2020 2020	67
Notes to Consolidated Financial Statements	68

Report of Independent Registered Public Accounting Firm

To the Shareholders and the Board of Trustees of LXP Industrial Trust

Opinion on the Financial Statements

We have audited the accompanying consolidated balance sheets of LXP Industrial Trust and subsidiaries (the "Company") as of December 31, 2022 December 31, 2023 and 2021, 2022, the related consolidated statements of operations, comprehensive income (loss), changes in equity, and cash flows, for each of the three years in the period ended December 31, 2022 December 31, 2023, and the related notes and the schedule listed in the Index at Item 15 (collectively referred to as the "financial statements"). In our opinion, the financial statements present fairly, in all material respects, the financial position of the Company as of December 31, 2022 December 31, 2023 and 2021, 2022, and the results of its operations and its cash flows for each of the three years in the period ended December 31, 2022 December 31, 2023, in conformity with accounting principles generally accepted in the United States of America.

We have also audited, in accordance with the standards of the Public Company Accounting Oversight Board (United States) (PCAOB), the Company's internal control over financial reporting as of December 31, 2022 December 31, 2023, based on criteria established in *Internal Control — Integrated Framework* (2013) issued by the Committee of Sponsoring Organizations of the Treadway Commission and our report dated February 16, 2023 February 15, 2024, expressed an unqualified opinion on the Company's internal control over financial reporting.

Basis for Opinion

These financial statements are the responsibility of the Company's management. Our responsibility is to express an opinion on the Company's financial statements based on our audits. We are a public accounting firm registered with the PCAOB and are required to be independent with respect to the Company in accordance with the U.S. federal securities laws and the applicable rules and regulations of the Securities and Exchange Commission and the PCAOB.

We conducted our audits in accordance with the standards of the PCAOB. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether due to error or fraud. Our audits included performing procedures to assess the risks of material misstatement of the financial statements, whether due to error or fraud, and performing procedures that respond to those risks. Such procedures included examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements. Our audits also included evaluating the accounting principles used and significant estimates made by management, as well as evaluating the overall presentation of the financial statements. We believe that our audits provide a reasonable basis for our opinion.

Critical Audit Matter

The critical audit matter communicated below is a matter arising from the current-period audit of the financial statements that was communicated or required to be communicated to the audit committee and that (1) relates to accounts or disclosures that are material to the financial statements and (2) involved our especially challenging, subjective, or complex judgments. The communication of critical audit matters does not alter in any way our opinion on the financial statements, taken as a whole, and we are not, by communicating the critical audit matter below, providing a separate opinion on the critical audit matter or on the accounts or disclosures to which it relates.

Real Estate, net — Determination of Impairment Indicators and Impairment — Refer to Notes 2 and 5 of the financial statements

Critical Audit Matter Description

The Company's evaluation of real estate assets for impairment involves an initial assessment of each real estate asset to determine whether events or changes in circumstances exist that indicate that the carrying value of real estate assets may no longer be recoverable. Possible indications of impairment may include increases in vacancy at a property, tenant financial instability, change in the estimated holding period of the asset, the potential sale or whether there is a current expectation that, more likely than not, a long-lived asset or asset group will be sold or otherwise disposed transfer of before the end of its previously estimated useful life, property in the near future and changes in economic conditions. When such events or changes in circumstances exist, the Company evaluates its real estate assets for impairment by comparing anticipated future undiscounted cash flows expected to be derived from the asset to the respective carrying value. If the carrying value of an asset exceeds the undiscounted cash flows, an analysis is performed to determine the fair value of the asset. An asset is determined to be impaired if the asset's carrying value exceeds its estimated fair value.

The Company makes significant assumptions to estimate its holding period of an asset. Additionally, for those real estate assets where indications of impairment have been identified, the Company makes significant estimates and assumptions related to rental rates and capitalization rates included in the estimated future undiscounted cash flows and, as necessary, the discount rate

applied to determine fair value of the assets. Changes in these assumptions could have a significant impact on the identification

of real estate assets for impairment, the estimated fair value of the asset, or the amount of any impairment charge recognized. Total real estate assets as of December 31, 2022 were \$3.7 billion. The Company recorded \$3.0 million of impairment charges on real estate assets during the year ended December 31, 2022.

Auditing management's assumptions requires evaluation of whether management appropriately identified impairment indicators relating to the asset's assets' estimated holding periods and whether management's anticipated future undiscounted cash flows and estimated fair values are reasonable. Because of the subjectivity of these assumptions our audit procedures required a high degree of auditor judgment and an increased extent of effort, including the need to involve our fair value specialists.

How the Critical Audit Matter Was Addressed in the Audit

Our audit procedures to evaluate management's estimated holding period of an asset and to evaluate the assumptions used in undiscounted cash flows and fair value models included the following, among others:

- We tested the effectiveness of controls over management's evaluation of real estate assets for impairment, specifically over identification of possible events or changes in estimated holding period of an asset, controls over estimated rental rates and capitalization rates used in management's anticipated future undiscounted cash flows, as well as controls over management selection and estimate estimation of discount rates in estimating fair value of real estate assets.
- We evaluated the Company's assessment of estimated holding periods by:
 - a. Comparing management's previous holding period assumptions to the Company's subsequent sale of an asset.
 - b. Discussing with accounting and operations management the Company's intent regarding sale or holding onto the asset.
 - c. Evaluating the consistency of the assumptions used with obtained audit evidence in other audit areas.
 - d. Reading minutes of the executive committee and board of directors' meetings to identify any indicators that a long-lived asset will likely be sold or otherwise disposed of before the end of its previously estimated useful life.
- We evaluated the Company's determination of anticipated future undiscounted cash flows for those assets with impairment indicators and for which the fair value for those that the carrying value was determined not to be recoverable by performing the following:
 - a. With the assistance of our fair value specialists, we evaluated the reasonableness of the (1) valuation methodology; (2) significant assumptions made, including testing the source information underlying the determination of the discount rate, rental rates, capitalization rates and developing a range of independent estimates based on external market sources and comparing our estimates to the assumptions utilized by management; and (3) mathematical accuracy of the calculation.

/s/ Deloitte & Touche LLP

New York, New York
February 16, 2023 15, 2024

We have served as the Company's auditor since 2017.

Report of Independent Registered Public Accounting Firm

To the shareholders and the Board of Trustees of LXP Industrial Trust

Opinion on Internal Control over Financial Reporting

We have audited the internal control over financial reporting of LXP Industrial Trust and subsidiaries (the "Company") as of **December 31, 2022** **December 31, 2023**, based on criteria established in *Internal Control — Integrated Framework* (2013) issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO). In our opinion, the Company maintained, in all material respects, effective internal control over financial reporting as of **December 31, 2022** **December 31, 2023**, based on criteria established in *Internal Control — Integrated Framework* (2013) issued by COSO.

We have also audited, in accordance with the standards of the Public Company Accounting Oversight Board (United States) (PCAOB), the consolidated financial statements as of and for the year ended **December 31, 2022** **December 31, 2023**, of the Company and our report dated **February 16, 2023** **February 15, 2024**, expressed an unqualified opinion on those financial statements.

Basis for Opinion

The Company's management is responsible for maintaining effective internal control over financial reporting and for its assessment of the effectiveness of internal control over financial reporting, included in the accompanying Management's Report on Internal Control over Financial Reporting. Our responsibility is to express an opinion on the Company's internal control over financial reporting based on our audit. We are a public accounting firm registered with the PCAOB and are required to be independent with respect to the Company in accordance with the U.S. federal securities laws and the applicable rules and regulations of the Securities and Exchange Commission and the PCAOB.

We conducted our audit in accordance with the standards of the PCAOB. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether effective internal control over financial reporting was maintained in all material respects. Our audit included obtaining an understanding of internal control over financial reporting, assessing the risk that a material weakness exists, testing and evaluating the design and operating effectiveness of internal control based on the assessed risk, and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion.

Definition and Limitations of Internal Control over Financial Reporting

A company's internal control over financial reporting is a process designed to provide reasonable assurance regarding the reliability of financial reporting and the preparation of financial statements for external purposes in accordance with generally accepted accounting principles. A company's internal control over financial reporting includes those policies and procedures that (1) pertain to the maintenance of records that, in reasonable detail, accurately and fairly reflect the transactions and dispositions of the assets of the company; (2) provide reasonable assurance that transactions are recorded as necessary to permit preparation of financial statements in accordance with generally accepted accounting principles, and that receipts and expenditures of the company are being made only in accordance with authorizations of management and directors of the company; and (3) provide reasonable assurance regarding prevention or timely detection of unauthorized acquisition, use, or disposition of the company's assets that could have a material effect on the financial statements.

Because of its inherent limitations, internal control over financial reporting may not prevent or detect misstatements. Also, projections of any evaluation of effectiveness to future periods are subject to the risk that controls may become inadequate because of changes in conditions, or that the degree of compliance with the policies or procedures may deteriorate.

/s/ Deloitte & Touche LLP

New York, New York

February 16, 2023 15, 2024

LXP INDUSTRIAL TRUST AND SUBSIDIARIES			CONSOLIDATED BALANCE SHEETS	(\$000, except share and per share data)	As of December 31,
	2022	2021			
	2023				
	2023				
	2023				
Assets:	Assets:	Assets:			
Real estate, at cost	Real estate, at cost	\$3,691,066	\$3,583,978		
Real estate - intangible assets	Real estate - intangible assets	328,607	341,403		

Land held for development			
Land held for development			
Land held for development	Land held for development	84,412	104,160
Investments in real estate under construction	Investments in real estate under construction	361,924	161,165
Real estate, gross	Real estate, gross	4,466,009	4,190,706
Less: accumulated depreciation and amortization	Less: accumulated depreciation and amortization	800,470	655,740
Real estate, net	Real estate, net	3,665,539	3,534,966
Assets held for sale	Assets held for sale	66,434	82,586
Assets held for sale			
Assets held for sale			
Right-of-use assets, net	Right-of-use assets, net	23,986	27,966
Cash and cash equivalents	Cash and cash equivalents	54,390	190,926
Restricted cash	Restricted cash	116	101
Short-term investments			
Investments in non-consolidated entities	Investments in non-consolidated entities	58,206	74,559
Deferred expenses (net of accumulated amortization of \$20,348 in 2022 and \$18,356 in 2021)		25,207	18,861
Investment in a sales-type lease, net (allowance for credit loss of \$93 in 2022)		61,233	—
Deferred expenses (net of accumulated amortization of \$21,667 in 2023 and \$20,348 in 2022)			
Investment in a sales-type lease, net (allowance for credit loss of \$61 in 2023 and \$93 in 2022)			
Rent receivable - current	Rent receivable - current	3,030	3,526
Rent receivable - deferred	Rent receivable - deferred	71,392	63,283
Other assets	Other assets	24,314	8,784
Total assets	Total assets	\$4,053,847	\$4,005,558
Liabilities and Equity:			
Liabilities and Equity:			
Liabilities:	Liabilities:	Liabilities:	
Mortgages and notes payable, net	Mortgages and notes payable, net	\$ 72,103	\$ 83,092

Term loan payable, net	Term loan payable, net	298,959	298,446
Term loan payable, net			
Term loan payable, net			
Senior notes payable, net	Senior notes payable, net	989,295	987,931
Trust preferred securities, net			
Trust preferred securities, net			
Trust preferred securities, net	Trust preferred securities, net	127,694	127,595
Dividends payable	Dividends payable	38,416	37,425
Liabilities held for sale	Liabilities held for sale	1,150	3,468
Operating lease liabilities	Operating lease liabilities	25,118	29,094
Accounts payable and other liabilities	Accounts payable and other liabilities	74,261	77,607
Accrued interest payable	Accrued interest payable	9,181	8,481
Deferred revenue - including below market leases (net of accumulated accretion of \$15,430 in 2022 and \$14,258 in 2021)		11,452	14,474
Deferred revenue - including below market leases (net of accumulated accretion of \$17,259 in 2023 and \$15,430 in 2022)			
Prepaid rent	Prepaid rent	15,215	14,717
Total liabilities	Total liabilities	1,662,844	1,682,330
Commitments and contingencies			
Commitments and contingencies			
Commitments and contingencies	Commitments and contingencies		
Equity:	Equity:		Equity:
Preferred shares, par value \$0.0001 per share; authorized 100,000,000 shares,	Preferred shares, par value \$0.0001 per share; authorized 100,000,000 shares,		Preferred shares, par value \$0.0001 per share; authorized 100,000,000 shares,
Series C Cumulative Convertible Preferred, liquidation preference \$96,770 and 1,935,400 shares issued and outstanding	Series C Cumulative Convertible Preferred, liquidation preference \$96,770 and 1,935,400 shares issued and outstanding	94,016	94,016
Common shares, par value \$0.0001 per share; authorized 600,000,000 shares, 291,719,310 and 283,752,726 shares issued and outstanding in 2022 and 2021, respectively		29	28

Common shares, par value \$0.0001 per share; authorized 600,000,000 shares, 293,449,088 and 291,719,310 shares issued and outstanding in 2023 and 2022, respectively			
Common shares, par value \$0.0001 per share; authorized 600,000,000 shares, 293,449,088 and 291,719,310 shares issued and outstanding in 2023 and 2022, respectively			
Common shares, par value \$0.0001 per share; authorized 600,000,000 shares, 293,449,088 and 291,719,310 shares issued and outstanding in 2023 and 2022, respectively			
Additional paid-in-capital	Additional paid-in-capital	3,320,087	3,252,506
Accumulated distributions in excess of net income	Accumulated distributions in excess of net income	(1,079,087)	(1,049,434)
Accumulated other comprehensive income (loss)		17,689	(6,258)
Accumulated other comprehensive income			
Total shareholders' equity	Total shareholders' equity	2,352,734	2,290,858
Noncontrolling interests	Noncontrolling interests	38,269	32,370
Total equity	Total equity	2,391,003	2,323,228
Total liabilities and equity	Total liabilities and equity	\$4,053,847	\$4,005,558

The accompanying notes are an integral part of these consolidated financial statements.

			LXP INDUSTRIAL TRUST AND SUBSIDIARIES			CONSOLIDATED STATEMENTS OF OPERATIONS		(\$000, except share and per share data)	Years ended December 31,
			2022	2021	2020	2023	2022	2021	
Gross revenues:	Gross revenues:					Gross revenues:			
Rental revenue	Rental revenue	\$ 313,992	\$ 339,944	\$ 325,811					
Other revenue	Other revenue	7,253	4,053	4,637					
Other revenue									
Total gross revenues	Total gross revenues	321,245	343,997	330,448					
Expense applicable to revenues:	Expense applicable to revenues:								

Depreciation and amortization				
Depreciation and amortization				
Depreciation and amortization	Depreciation and amortization	(180,567)	(176,714)	(161,592)
Property operating	Property operating	(54,870)	(47,314)	(41,659)
General and administrative	General and administrative	(38,714)	(35,458)	(30,371)
Transaction costs	Transaction costs	(4,177)	(432)	(255)
Non-operating income	Non-operating income	935	1,364	743
Interest and amortization expense	Interest and amortization expense	(45,417)	(46,708)	(55,201)
Debt satisfaction gains (losses), net		(119)	(13,894)	21,452
Debt satisfaction losses, net				
Debt satisfaction losses, net				
Debt satisfaction losses, net				
Impairment charges				
Impairment charges				
Impairment charges	Impairment charges	(3,037)	(5,541)	(14,460)
Change in allowance for credit loss	Change in allowance for credit loss	(93)	—	—
Gains on sales of properties	Gains on sales of properties	59,094	367,274	139,039
Selling profit from sales-type leases	Selling profit from sales-type leases	47,059	—	—
Income before provision for income taxes and equity in earnings (losses) of non-consolidated entities	Income before provision for income taxes and equity in earnings (losses) of non-consolidated entities	101,339	386,574	188,144
Provision for income taxes	Provision for income taxes	(1,102)	(1,293)	(1,584)
Equity in earnings (losses) of non-consolidated entities	Equity in earnings (losses) of non-consolidated entities	16,006	(190)	(169)
Net income	Net income	116,243	385,091	186,391
Less net income attributable to noncontrolling interests	Less net income attributable to noncontrolling interests	(2,460)	(2,443)	(3,089)

Net income attributable to LXP Industrial Trust shareholders	Net income attributable to LXP Industrial Trust shareholders	113,783	382,648	183,302
Dividends attributable to preferred shares - Series C	Dividends attributable to preferred shares - Series C	(6,290)	(6,290)	(6,290)
Dividends attributable to preferred shares - Series C				
Dividends attributable to preferred shares - Series C				
Allocation to participating securities				
Allocation to participating securities				
Allocation to participating securities	Allocation to participating securities	(186)	(510)	(224)
Net income attributable to common shareholders	Net income attributable to common shareholders	\$ 107,307	\$ 375,848	\$ 176,788
Net income attributable to common shareholders				
Net income attributable to common shareholders				
Net income attributable to common shareholders - per common share basic				
Net income attributable to common shareholders - per common share basic				
Net income attributable to common shareholders - per common share basic	Net income attributable to common shareholders - per common share basic	\$ 0.38	\$ 1.35	\$ 0.66
Weighted- average common shares outstanding - basic	Weighted- average common shares outstanding - basic	279,887,760	277,640,835	266,914,843
Net income attributable to common shareholders - per common share diluted	Net income attributable to common shareholders - per common share diluted	\$ 0.38	\$ 1.34	\$ 0.66
Net income attributable to common shareholders - per common share diluted				

Net income attributable to common shareholders - per common share diluted	
Weighted-average common shares outstanding - diluted	Weighted-average common shares outstanding - diluted
	<u>282,473,458</u>
	<u>287,369,742</u>
	<u>268,182,552</u>

The accompanying notes are an integral part of these consolidated financial statements.

LXP INDUSTRIAL TRUST AND SUBSIDIARIES
CONSOLIDATED STATEMENTS OF COMPREHENSIVE INCOME (LOSS)
(\$000)

Years ended December 31,

		2022	2021	2020	2023	2022	2021
Net income	Net income	\$116,243	\$385,091	\$186,391			
Other comprehensive income (loss):	Other comprehensive income (loss):						
Change in unrealized income (loss) on interest rate swaps, net	Change in unrealized income (loss) on interest rate swaps, net	22,576	11,705	(16,035)			
Company's share of other comprehensive income of non- consolidated entities		1,371	—	—			
Change in unrealized income (loss) on interest rate swaps, net							
Change in unrealized income (loss) on interest rate swaps, net							
Company's share of other comprehensive income (loss) of non- consolidated entities							
Other comprehensive income (loss)	Other comprehensive income (loss)	23,947	11,705	(16,035)			
Comprehensive income	Comprehensive income	140,190	396,796	170,356			
Comprehensive income attributable to noncontrolling interests	Comprehensive income attributable to noncontrolling interests	(2,460)	(2,443)	(3,089)			
Comprehensive income attributable to LXP Industrial Trust shareholders	Comprehensive income attributable to LXP Industrial Trust shareholders	\$137,730	\$394,353	\$167,267			

The accompanying notes are an integral part of these consolidated financial statements.

LXP INDUSTRIAL TRUST AND SUBSIDIARIES
CONSOLIDATED STATEMENTS OF CHANGES IN EQUITY
(\$000 except share amounts)

Year ended **December 31, 2022** **December 31, 2023**

LXP Industrial Trust Shareholders													
	LXP Industrial Trust Shareholders										Number of Preferred Shares	Number of Preferred Shares	
	Number of Preferred Shares	Number of Preferred Shares	Number of Common Shares	Number of Common Shares	Additional Paid-in- Capital	Accumulated Distributions in Excess of Net Income	Accumulated Other Comprehensive Income/(Loss)	Noncontrolling Interests	Total				
Balance December 31, 2021	\$2,323,228	1,935,400	\$ 94,016	283,752,726	\$ 28	\$3,252,506	\$ (1,049,434)	\$ (6,258)	\$ 32,370				
Balance December 31, 2022													
Issuance of partnership interest in real estate	Issuance of partnership interest in real estate	7,814	—	—	—	—	—	—	—	7,814			
Redemption of noncontrolling OP units for common shares	Redemption of noncontrolling OP units for common shares	—	—	—	39,747	—	211	—	—	(211)			
Purchase of noncontrolling interest in consolidated joint venture		(27,958)	—	—	—	—	(25,058)	—	—	(2,900)			
Issuance of common shares and deferred compensation amortization, net	Issuance of common shares and deferred compensation amortization, net	229,390	—	—	20,580,816	2	229,388	—	—	—			
Repurchase of common shares		(130,676)	—	—	(12,102,074)	(1)	(130,675)	—	—	—			
Issuance of common shares and deferred compensation amortization, net													
Issuance of common shares and deferred compensation amortization, net													
Repurchase of common shares to settle tax obligations													
Repurchase of common shares to settle tax obligations													
Repurchase of common shares to settle tax obligations	Repurchase of common shares to settle tax obligations	(6,285)	—	—	(410,958)	—	(6,285)	—	—	—			
Forfeiture of employee common shares	Forfeiture of employee common shares	16	—	—	(140,947)	—	—	16	—	—			
Dividends/distributions (\$0.485 per common share)		(144,716)	—	—	—	—	—	(143,452)	—	(1,264)			

Dividends/distributions (\$0.505 per common share)										
Net income	Net income	116,243	—	—	—	—	—	113,783	—	2,460
Other comprehensive income		22,576	—	—	—	—	—	—	22,576	—
Company's share of other comprehensive income of non- consolidated entities		1,371	—	—	—	—	—	—	1,371	—
Other comprehensive loss										
Company's share of other comprehensive loss of non- consolidated entities										
Balance December 31, 2022		\$2,391,003	1,935,400	\$ 94,016	291,719,310	\$ 29	\$3,320,087	\$ (1,079,087)	\$ 17,689	\$ 38,269
Balance December 31, 2023										
Balance December 31, 2023										
Balance December 31, 2023										

The accompanying notes are an integral part of the consolidated financial statements.

LXP INDUSTRIAL TRUST AND SUBSIDIARIES
CONSOLIDATED STATEMENTS OF CHANGES IN EQUITY
(\$000 except share amounts)
Year ended December 31, 2021 December 31, 2022

		LXP Industrial Trust Shareholders										Number of Preferred Shares	Number of Preferred Shares		
		LXP Industrial Trust Shareholders													
		Number of Preferred Shares		Number of Preferred Shares		Number of Common Shares		Additional Paid-in- Capital		Accumulated Distributions in Excess of Net Income	Accumulated Comprehensive Loss	Other Noncontrolling Interests			
		Total	Shares	Total	Shares	Common	Shares	Common	Shares	\$ (1,301,726)	\$ (17,963)	\$ 20,467	Total	Shares	
Balance December 31, 2020		\$1,991,137	1,935,400	\$ 94,016	277,152,450	\$ 28	\$3,196,315	\$ (1,301,726)	\$ (17,963)	\$ 20,467					
Balance December 31, 2021															
Issuance of partnership interest in real estate	Issuance of partnership interest in real estate	21,901	—	—	—	—	—	—	—	—	—	—	21,901		
Redemption of noncontrolling OP units for common shares	Redemption of noncontrolling OP units for common shares	—	—	—	185,270	—	958	—	—	—	—	(958)			
Redemption of noncontrolling OP units for real estate		(22,305)	—	—	—	—	(12,919)	—	—	—	—	(9,386)			
Purchase of noncontrolling interest in consolidated joint venture															

Issuance of common shares and deferred compensation amortization, net	Issuance of common shares and deferred compensation amortization, net	73,851	—	—	6,993,194	—	73,851	—	—	—
Repurchase of common shares										
Repurchase of common shares to settle tax obligations	Repurchase of common shares to settle tax obligations	(6,134)	—	—	(567,924)	—	(6,134)	—	—	—
Forfeiture of employee common shares	Forfeiture of employee common shares	2	—	—	(10,264)	—	—	2	—	—
Dividends/distributions (\$0.4425 per common share)	Dividends/distributions (\$0.4425 per common share)	(132,020)	—	—	—	—	—	(130,358)	—	(1,662)
Dividends/distributions (\$0.485 per common share)	Dividends/distributions (\$0.485 per common share)	—	—	—	—	—	—	—	—	—
Net income	Net income	385,091	—	—	—	—	—	382,648	—	2,443
Other comprehensive income	Other comprehensive income	11,705	—	—	—	—	—	—	11,705	—
Reallocation of noncontrolling interests	Reallocation of noncontrolling interests	—	—	—	—	—	435	—	—	(435)
Balance December 31, 2021	Balance December 31, 2021	\$2,323,228	1,935,400	\$ 94,016	283,752,726	\$ 28	\$3,252,506	\$ (1,049,434)	\$ (6,258)	\$ 32,370
Company's share of other comprehensive income of non-consolidated entities	Company's share of other comprehensive income of non-consolidated entities	—	—	—	—	—	—	—	—	—
Balance December 31, 2022	Balance December 31, 2022	—	—	—	—	—	—	—	—	—

The accompanying notes are an integral part of the consolidated financial statements.

LXP INDUSTRIAL TRUST AND SUBSIDIARIES
CONSOLIDATED STATEMENTS OF CHANGES IN EQUITY
(\$000 except share amounts)
Year ended December 31, 2020 December 31, 2021

LXP Industrial Trust Shareholders											
	LXP Industrial Trust Shareholders										Number of Preferred Shares
	Number of Preferred Shares	Number of Preferred Shares	Number of Common Shares	Number of Common Shares	Additional Paid-in-Capital	Accumulated Distributions in Excess of Net Income	Accumulated Other Comprehensive Loss	Noncontrolling Interests	Total	Number of Preferred Shares	
Balance December 31, 2019	\$1,724,719	1,935,400	\$ 94,016	254,770,719	\$ 25	\$2,976,670	\$ (1,363,676)	\$ (1,928)	\$ 19,612	—	—
Balance December 31, 2020	—	—	—	—	—	—	—	—	—	—	—
Issuance of partnership interest in real estate	Issuance of partnership interest in real estate	1,285	—	—	—	—	—	—	—	—	1,285

Redemption of noncontrolling OP units for common shares	Redemption of noncontrolling OP units for common shares	—	—	—	327,453	—	1,614	—	—	(1,614)
Redemption of noncontrolling OP units for real estate										
Issuance of common shares and deferred compensation amortization, net	Issuance of common shares and deferred compensation amortization, net	231,699	—	—	23,962,696	3	231,696	—	—	—
Repurchase of common shares	Repurchase of common shares	(11,042)	—	—	(1,329,940)	—	(11,042)	—	—	—
Repurchase of common shares to settle tax obligations	Repurchase of common shares to settle tax obligations	(2,623)	—	—	(576,011)	—	(2,623)	—	—	—
Forfeiture of employee common shares	Forfeiture of employee common shares	1	—	—	(2,467)	—	—	1	—	—
Dividends/distributions (\$0.4225 per common share)	Dividends/distributions (\$0.4225 per common share)	(123,258)	—	—	—	—	—	(121,353)	—	(1,905)
Dividends/distributions (\$0.4425 per common share)										
Net income	Net income	186,391	—	—	—	—	—	183,302	—	3,089
Other comprehensive loss	Other comprehensive loss	(16,035)	—	—	—	—	—	(16,035)	—	—
Balance December 31, 2020		\$1,991,137	1,935,400	\$ 94,016	277,152,450	\$ 28	\$3,196,315	\$ (1,301,726)	\$ (17,963)	\$ 20,467
Other comprehensive income										
Reallocation of noncontrolling interests										
Balance December 31, 2021										

The accompanying notes are an integral part of the consolidated financial statements

	LXP INDUSTRIAL TRUST AND SUBSIDIARIES			CONSOLIDATED STATEMENTS OF CASH FLOWS			Years ended December 31,	
	2022	2021	2020	2023	2022	2021	(\$000)	31,
Cash flows from operating activities:	Cash flows from operating activities:	—	—	—	—	—	—	—
Net income	Net income	\$116,243	\$385,091	\$186,391	—	—	—	—
Net income	Net income	—	—	—	—	—	—	—
Adjustments to reconcile net income to net cash provided by operating activities:	Adjustments to reconcile net income to net cash provided by operating activities:	—	—	—	—	—	—	—

Depreciation and amortization	Depreciation and amortization	183,419	179,523	164,260
Depreciation and amortization				
Gains on sales of properties				
Gains on sales of properties				
Gains on sales of properties	Gains on sales of properties	(59,094)	(367,274)	(139,039)
Change in allowance for credit loss	Change in allowance for credit loss	93	—	—
Selling profit from sales-type leases	Selling profit from sales-type leases	(47,059)	—	—
Debt satisfaction (gains) losses, net	Debt satisfaction (gains) losses, net	119	13,894	(21,452)
Impairment charges	Impairment charges	3,037	5,541	14,460
Straight-line rents	Straight-line rents	(11,363)	(12,275)	(13,602)
Amortization of right of use assets	Amortization of right of use assets	3,980	3,726	3,763
Other non-cash expense, net	Other non-cash expense, net	6,072	6,734	6,210
Equity in (earnings) losses of non-consolidated entities	Equity in (earnings) losses of non-consolidated entities	(16,006)	190	169
Distributions of accumulated earnings from non-consolidated entities	Distributions of accumulated earnings from non-consolidated entities	17,024	—	—
Changes in assets and liabilities	Changes in assets and liabilities			
Change in accounts payable and other liabilities		(1,574)	7,996	2,859
Changes in assets and liabilities				
Changes in assets and liabilities				
Change in accounts payable and other liabilities:				
Change in accounts payable and other liabilities:				
Change in accounts payable and other liabilities:				
Change in rent receivable and prepaid rent, net	Change in rent receivable and prepaid rent, net	623	1,058	80
Change in accrued interest payable	Change in accrued interest payable	700	2,138	1,866
Other adjustments, net	Other adjustments, net	(1,945)	(5,996)	(4,130)

Net cash provided by operating activities	Net cash provided by operating activities	194,269	220,346	201,835
Cash flows from investing activities:	Cash flows from investing activities:			
Acquisition of real estate, including intangible assets	Acquisition of real estate, including intangible assets	(132,026)	(758,371)	(611,754)
Acquisition of real estate, including intangible assets	Acquisition of real estate, including intangible assets			
Investment in real estate under construction	Investment in real estate under construction	(276,706)	(288,519)	(53,971)
Capital expenditures	Capital expenditures	(32,562)	(15,207)	(17,250)
Net proceeds from sale of properties	Net proceeds from sale of properties			
Net proceeds from sale of properties	Net proceeds from sale of properties	194,472	728,360	192,560
Investment in loans receivable	Investment in loans receivable	—	(1,497)	—
Principal payments on loans receivable	Principal payments on loans receivable	27	8	—
Investments in non-consolidated entities, net	Investments in non-consolidated entities, net	(3,225)	(4,533)	(7,528)
Distributions from non-consolidated entities in excess of accumulated earnings	Distributions from non-consolidated entities in excess of accumulated earnings	19,930	8,347	8,055
Distributions from non-consolidated entities in excess of accumulated earnings	Distributions from non-consolidated entities in excess of accumulated earnings			
Payments of deferred leasing costs	Payments of deferred leasing costs	(5,156)	(7,297)	(4,841)
Investment in held-to-maturity securities	Investment in held-to-maturity securities			

Investment in held-to-maturity securities				
Investment in held-to-maturity securities				
Change in real estate deposits, net				
Change in real estate deposits, net				
Change in real estate deposits, net	Change in real estate deposits, net	(1,673)	947	379
Net cash used in investing activities	Net cash used in investing activities	(236,919)	(337,762)	(494,350)
Cash flows from financing activities:	Cash flows from financing activities:			
Dividends to common and preferred shareholders	Dividends to common and preferred shareholders	(142,461)	(128,334)	(118,384)
Dividends to common and preferred shareholders				
Dividends to common and preferred shareholders				
Principal amortization payments	Principal amortization payments			
Principal amortization payments	Principal amortization payments	(11,275)	(13,552)	(19,441)
Principal payments on debt, excluding normal amortization	Principal payments on debt, excluding normal amortization	—	(14,581)	—
Proceeds of mortgages and notes payable	Proceeds of mortgages and notes payable	—	11,610	—
Revolving credit facility borrowings	Revolving credit facility borrowings			
Revolving credit facility borrowings	Revolving credit facility borrowings	280,000	555,000	170,000
Revolving credit facility payments	Revolving credit facility payments	(280,000)	(555,000)	(170,000)
Proceeds from issuance of senior notes	Proceeds from issuance of senior notes	—	399,032	396,932
Repurchase of senior notes	Repurchase of senior notes	—	(188,756)	(112,312)

Payments for early extinguishment of debt	Payments for early extinguishment of debt	—	(12,664)	(11,094)
Deferred financing costs	Deferred financing costs	(3,626)	(3,977)	(3,803)
Cash distributions to noncontrolling interests	Cash distributions to noncontrolling interests	(1,264)	(1,662)	(1,905)
Cash distributions to noncontrolling interests	Cash distributions to noncontrolling interests			
Cash contributions from noncontrolling interests	Cash contributions from noncontrolling interests	7,814	21,411	1,285
Repurchase of common shares	Repurchase of common shares	(130,675)	—	(11,042)
Purchase of noncontrolling interest	Purchase of noncontrolling interest	(27,958)	—	—
Purchase of noncontrolling interest	Purchase of noncontrolling interest			
Issuance of common shares, net of costs and repurchases to settle tax obligations	Issuance of common shares, net of costs and repurchases to settle tax obligations	215,574	60,575	222,390
Net cash (used in) provided by financing activities	Net cash (used in) provided by financing activities	(93,871)	129,102	342,626
Net cash provided by (used in) financing activities	Net cash provided by (used in) financing activities			
Change in cash, cash equivalents and restricted cash	Change in cash, cash equivalents and restricted cash	(136,521)	11,686	50,111
Less restricted cash classified as held for sale	Less restricted cash classified as held for sale	—	(80)	—
Cash, cash equivalents and restricted cash, at beginning of year	Cash, cash equivalents and restricted cash, at beginning of year	191,027	179,421	129,310
Cash, cash equivalents and restricted cash, at end of year	Cash, cash equivalents and restricted cash, at end of year	\$ 54,506	\$ 191,027	\$ 179,421

LXP INDUSTRIAL TRUST AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
(**\$000, except share/unit data**)

(1) The Company and Financial Statement Presentation

LXP Industrial Trust (together with its consolidated subsidiaries, except when the context only applies to the parent entity, the "Company") is a Maryland real estate investment trust ("REIT") that owns a portfolio of equity investments focused on single-tenant industrial properties.

As of **December 31, 2022** **December 31, 2023**, the Company had ownership interests in approximately **116** **115** consolidated properties located in **21** **18** states. The properties in which the Company has an interest are primarily net leased to tenants in various industries.

The Company believes it has qualified as a REIT under the Internal Revenue Code of 1986, as amended (the "Code"). Accordingly, the Company will not be subject to federal income tax, provided that distributions to its shareholders equal at least the amount of its REIT taxable income as defined under the Code. The Company is permitted to participate in certain activities from which it was previously precluded in order to maintain its qualification as a REIT, so long as these activities are conducted in entities which elect to be treated as taxable REIT subsidiaries ("TRS") under the Code. As such, the TRS are subject to federal income taxes on the income from these activities.

The Company conducts its operations indirectly through (1) property owner subsidiaries, which are single purpose entities, (2) a wholly-owned TRS, Lexington Realty Advisors, Inc. ("LRA"), and (3) joint ventures. Property owner subsidiaries are landlords under leases for properties in which the Company has an interest and/or borrowers under loan agreements secured by properties in which the Company has an interest and lender subsidiaries are lenders under loan agreements where the Company made an investment in a loan asset, but in all cases are separate and distinct legal entities. Each property owner subsidiary is a separate legal entity that maintains separate books and records. The assets and credit of each property owner subsidiary with a property subject to a mortgage loan are not available to creditors to satisfy the debt and other obligations of any other person, including any other property owner subsidiary or any other affiliate. Consolidated entities that are not property owner subsidiaries do not directly own any of the assets of a property owner subsidiary (or the general partner, member or managing member of such property owner subsidiary), but merely hold partnership, membership or beneficial interests therein, which interests are subordinate to the claims of such property owner subsidiary's (or its general partner's, member's or managing member's) creditors.

(2) Summary of Significant Accounting Policies

Basis of Presentation and Consolidation. The Company's consolidated financial statements are prepared on the accrual basis of accounting in accordance with U.S. generally accepted accounting principles ("GAAP"). The financial statements reflect the accounts of the Company and its consolidated subsidiaries. The Company consolidates wholly-owned subsidiaries, partnerships and joint ventures which it controls (i) through voting rights or similar rights or (ii) by means other than voting rights if the Company is the primary beneficiary of a variable interest entity ("VIE" ("VIE"). Entities which the Company does not control and entities which are VIEs in which the Company is not a primary beneficiary are accounted for under appropriate GAAP.

As of **December 31, 2022** **December 31, 2023**, the Company had interests in seven consolidated joint ventures with developers, consisting of five **on-going** development projects and two land joint ventures, with ownership interests ranging from 80% to 95.5%. Each joint venture owns land parcels with the intention of developing industrial properties. The Company determined that the joint ventures are variable interest entities in accordance with the applicable accounting guidance. The Company concluded that it is the primary beneficiary in each of the joint ventures and as such, the joint ventures' operations are consolidated in the Company's consolidated financial statements.

In addition, the Company is the primary beneficiary of certain other VIEs as it has a controlling financial interest in these entities. **In 2023, the Company purchased the remaining 0.925% noncontrolling interest owned by Lepercq Corporate Income Fund L.P. ("LCIF") is partnership unit holders.** Prior to the merger on December 31, 2023, there were 730,623.5 LCIF operating partnership ("OP") units which were multiplied by a consolidated VIE and 1.126 redemption factor, resulting in 822,627 common shares being issued for \$9.47 per share, a total value of approximately \$7,800. As the Company previously consolidated LCIF, the acquisition of the noncontrolling ownership interest was recorded as an equity transaction with the carrying balance of **December 31, 2022**, has an approximate 99% ownership interest, noncontrolling interest, net of transaction costs, of \$3,344 recorded as additional paid-in-capital. There were no LCIF OP units outstanding after the transaction.

LXP INDUSTRIAL TRUST AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
(**\$000, except share/unit data**)

The assets of each VIE are only available to satisfy such VIE's respective liabilities. Below is a summary of selected financial data of consolidated VIEs for which the Company is the primary beneficiary included in the consolidated balance sheets as of **December 31, 2022** **December 31, 2023** and **2021**:

December 31, 2022	December 31, 2021	December 31, 2023	December 31, 2022
December 31, 2023		December 31, 2023	December 31, 2022

Real estate, net	Real estate, net	\$1,027,009	\$810,087
Total assets	Total assets	\$1,125,558	\$952,611
Total liabilities	Total liabilities	\$ 40,200	\$ 47,011
Total liabilities	Total liabilities		

In addition, the Company acquires, from time to time, properties using a reverse like-kind exchange structure pursuant to Section 1031 of the Internal Revenue Code (a "reverse reverse 1031 exchange" exchange) and, as such, the properties are in the possession of an Exchange Accommodation Titleholder ("EAT" ("EAT") until the reverse 1031 exchange is completed. The EAT is classified as a VIE as it is a "thinly capitalized" entity. The Company consolidates the EAT because it is the primary beneficiary as it has the ability to control the activities that most significantly impact the EAT's economic performance and can collapse the 1031 exchange structure at any time. The assets of the EAT primarily consist of leased property (net real estate and intangibles).

Revenue Recognition. The Company recognizes operating lease revenue on a straight-line basis over the term of the lease unless another systematic and rational basis is more representative of the time pattern in which the use benefit is derived from the leased property. Revenue is recognized on a contractual basis for leases with escalations tied to a consumer price index with no floor. The Company evaluates the collectability of its rental payments and recognizes revenue on a cash basis when the Company believes it is no longer probable that it will receive substantially all of the remaining lease payments. Renewal options in leases are excluded from the calculation of straight-line rent if the renewals are not reasonably certain. If the Company funds tenant improvements and the improvements are deemed to be owned by the Company, revenue recognition will commence when the improvements are substantially completed and possession or control of the space is turned over to the tenant. If the Company determines that the tenant allowances are lease incentives, the Company commences revenue recognition when possession or control of the space is turned over to the tenant for tenant work to begin. The lease incentive is recorded as a deferred expense and amortized as a reduction of revenue on a straight-line basis over the respective lease term. The Company recognizes lease termination fees as rental revenue in the period received and writes off unamortized lease-related intangible and other lease-related account balances, provided there are no further Company obligations under the lease. Otherwise, such fees and balances are recognized on a straight-line basis over the remaining obligation period with the termination payments being recorded as a component of rent receivable-deferred on the consolidated balance sheets. Sales-type lease income is recognized on an effective interest rate basis at a constant rate of return over the term of the applicable leases using the rate implicit in the leases. The investment in a sales-type lease balance is increased every period to reflect income on the net investment in the lease and reduced by the amount of lease payments collected during the period.

Earnings Per Share. Basic net income (loss) per share is computed under the two-class method by dividing net income (loss) reduced by preferred dividends and amounts allocated to certain non-vested share-based payment awards, if applicable, by the weighted-average number of common shares outstanding during the period. Diluted net income (loss) per share amounts are similarly computed but include the effect, when dilutive, of in-the-money common share options and non-vested common shares, unsettled common shares sold in forward sales transactions, OP units and put options of certain convertible securities.

LXP INDUSTRIAL TRUST AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
(\$000, except share/unit data)

Use of Estimates. Management has made a number of significant estimates and assumptions relating to the reporting of assets and liabilities, the disclosure of contingent assets and liabilities and the reported amounts of revenues and expenses to prepare these consolidated financial statements in conformity with GAAP. These estimates and assumptions are based on management's best estimates and judgment. Management evaluates its estimates and assumptions on an ongoing basis using historical experience and other factors, including the current economic environment. Management adjusts such estimates when facts and circumstances dictate. The most significant estimates made include the recoverability of current and deferred accounts receivable, allocation of property purchase price to tangible and intangible assets acquired and liabilities assumed, the determination of VIEs and which entities should be consolidated, the determination of impairment of long-lived assets and equity method investments, valuation of derivative financial instruments, valuation of awards granted under compensation plans, the determination of the incremental borrowing rate for leases where the Company is the lessee, the determination of the term and fair value of sales-type leases, the estimate of credit losses for investments in sales-type leases and the useful lives of long-lived assets. Actual results could differ materially from those estimates.

Acquisition of Real Estate. The fair value of the real estate acquired, which includes the impact of fair value adjustments for assumed mortgage debt related to property acquisitions, is allocated to the acquired tangible assets, consisting of land, building and improvements and identified intangible assets and liabilities, consisting of the value of above-market and below-market leases, other value of in-place leases and value of tenant relationships, based in each case on their fair values. The Company's acquisitions are primarily considered asset acquisitions, thus acquisition costs are capitalized.

The fair value of the tangible assets of an acquired property (which includes land, building and improvements and fixtures and equipment) is determined by valuing the property as if it were vacant. The "as-if-vacant" value is then allocated to land and building and improvements based on management's determination of relative fair values of these assets. Factors considered by management in performing these analyses include an estimate of carrying costs during the expected lease-up periods considering current market conditions and costs to execute similar leases. In estimating carrying costs, management includes real estate taxes, insurance and other operating expenses and estimates of lost rental revenue during the expected lease-up periods based on current market demand. Management also estimates costs to execute similar leases including leasing commissions. Management generally retains a third party to assist in the allocations.

In allocating the fair value of the identified intangible assets and liabilities of an acquired property, above-market and below-market lease values are recorded based on the difference between the current in-place lease rent and management's estimate of current market rents. Below-market lease intangibles are recorded as part of deferred revenue and amortized into rental revenue over the non-cancelable periods and bargain renewal periods of the respective leases. Above-market leases are recorded as part of intangible assets and amortized as a direct charge against rental revenue over the non-cancelable portion of the respective leases.

The aggregate value of other acquired intangible assets, consisting of in-place leases and tenant relationship values, is measured based on the lease revenue and market value of lease up costs avoided as a result of having an in-place lease on the acquisition date. This aggregate value is allocated between in-place lease values and tenant relationship values based on management's evaluation of the specific characteristics of each tenant's lease. The value of in-place leases is amortized to expense over the remaining non-cancelable periods and any bargain renewal periods of the respective leases. The value of tenant relationships is amortized to expense over the applicable lease term plus expected renewal periods.

Depreciation is determined by the straight-line method over the remaining estimated economic useful lives of the properties. The Company generally depreciates its real estate assets over periods ranging up to 40 years.

Impairment of Real Estate. The Company evaluates the carrying value of all tangible and intangible real estate assets held for investment for possible impairment when an event or change in circumstance has occurred that indicates its carrying value may not be recoverable. The Company considers the strategic decisions regarding the future plans to sell properties and other market factors. The Company regularly updates significant estimates and assumptions including rental rates, capitalization rates and discount rates, which are included in the anticipated future undiscounted cash flows derived from the asset. If such cash flows are less than the asset's carrying value, an impairment charge is recognized to the extent by which the asset's carrying value exceeds its estimated fair value, which may be below the balance of any non-recourse financing. Estimating future cash flows and fair values is highly subjective and such estimates could differ materially from actual results.

LXP INDUSTRIAL TRUST AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
(**\$000, except share/unit data**)

Investments in Non-Consolidated Entities. The Company uses the equity method of accounting for those joint ventures where it exercises significant influence but does not have control. If the Company's investment in the entity is insignificant and the Company has no influence over the control of the entity then the entity is accounted for under the cost method.

Impairment of Equity Method Investments. The Company assesses whether there are indicators that the value of its equity method investments may be impaired. An impairment charge is recognized only if the Company determines that a decline in the value of the investment below its carrying value is other-than-temporary. The assessment of impairment is highly subjective and involves the application of significant assumptions and judgments about the Company's intent and ability to recover its investment given the nature and operations of the underlying investment, including the level of the Company's involvement therein, among other factors. To the extent an impairment is deemed to be other-than-temporary, the loss is measured as the excess of the carrying amount of the investment over the estimated fair value of the investment.

Fair Value Measurements. The Company follows the guidance in the Financial Accounting Standards Board ("FASB" ("FASB") Accounting Standards Codification ("ASC") ("ASC") Topic 820, Fair Value Measurements and Disclosures ("Topic 820" "820"), to determine the fair value of financial and non-financial instruments. Topic 820 defines fair value, establishes a framework for measuring fair value in GAAP and expands disclosures about fair value measurements. Topic 820 establishes a fair value hierarchy that prioritizes observable and unobservable inputs used to measure fair value into three levels: Level 1 - quoted prices (unadjusted) in active markets that are accessible at the measurement date for assets or liabilities; Level 2 - observable prices that are based on inputs not quoted in active markets, but corroborated by market data; and Level 3 - unobservable inputs, which are used when little or no market data is available. The fair value hierarchy gives the highest priority to Level 1 inputs and the lowest priority to Level 3 inputs. In determining fair value, the Company utilizes valuation techniques that maximize the use of observable inputs and minimize the use of unobservable inputs to the extent possible, as well as considering counterparty credit risk. The Company has formally elected to apply the portfolio exception within Topic 820 with respect to measuring counterparty risk for all of its derivative transactions subject to master netting arrangements.

The Company estimates the fair value of its real estate assets, including non-consolidated real estate assets, by using income and market valuation techniques. The Company may estimate fair values using market information such as recent sale contracts (Level 2 inputs) or recent sale offers or discounted cash flow models, which primarily rely on Level 3 inputs. The cash flow models include estimated cash inflows and outflows over a specified holding period. These cash flows may include contractual rental revenues, projected future rental revenues and expenses and forecasted tenant improvements and lease commissions based upon market conditions determined through discussion with local real estate professionals, experience the Company has with its other owned properties in such markets and expectations for growth. Capitalization rates and discount rates utilized in these models are estimated by management based upon rates that management believes to be within a reasonable range of current market rates for the respective properties based upon an analysis of factors such as property and tenant quality, geographical location and local supply and demand observations. To the extent the Company under-estimates forecasted cash out flows (tenant improvements, lease commissions and operating costs) or over-estimates forecasted cash inflows (rental revenue rates), the estimated fair value of its real estate assets could be overstated.

Cost Capitalization. The Company capitalizes direct and indirect project costs associated with construction of a property or improvements, including interest and compensation costs of employees directly contributing to the completion of each construction project, up to the time the property is substantially complete and ready for its intended use. These costs are included within investments in real estate under construction for development projects and in construction in progress within real estate, at cost for improvements in the consolidated balance sheets. If activities and costs incurred to ready the vacant space cease, then cost capitalization is also discontinued until such activities are resumed. Once construction is substantially complete on a vacant space and it is ready for its intended use, costs are no longer capitalized. The Company will reclassify a development project to real estate, at cost from investments in real estate under construction once in service upon stabilization. The Company considers stabilization to occur upon the earlier of 90% occupancy of the property or one-year from substantial completion, cessation of major construction activities. If some portions of a development project are substantially complete and ready for use and other portions have not yet reached that stage, we cease capitalizing costs on the

completed portion of the project but continue to capitalize costs for the incomplete portion. When a portion of the development project is substantially complete and ready for its intended use, the project is placed into service and depreciation commences.

LXP INDUSTRIAL TRUST AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
(*\$000, except share/unit data*)

Properties Held For Sale. Assets and liabilities of properties that meet various held for sale criteria, including whether it is probable that a sale will occur within 12 months, are presented separately in the consolidated balance sheets. Properties are held for sale for a period longer than 12 months if events or circumstances out of the Company's control occur that delay the sale and while management continues to be committed to the plan of sale and is performing actions necessary to respond to the conditions causing the delay the properties held for sale remain salable in their current condition. The operating results of these properties are reflected as discontinued operations in the consolidated

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statements of operations only if the sale of these assets represents a major strategic shift in operations; if not, the operating results are included in continuing operations. Properties classified as held for sale are carried at the lower of net carrying value or estimated fair value less costs to sell and depreciation and amortization are no longer recognized. Held for sale properties are evaluated quarterly to ensure that properties continue to meet the held for sale criteria. If properties are required to be reclassified from held for sale to held for use due to changes to a plan of sale, they are recorded at the lower of fair value or the carrying amount before the property was classified as held for sale, adjusted for any depreciation and amortization expense that would have been recognized had the property been continuously classified as held and used. Properties that do not meet the held for sale criteria are accounted for as operating properties.

Deferred Expenses. Deferred expenses consist primarily of revolving line of credit debt and leasing costs. Debt costs are amortized using the straight-line method, which approximates the interest method, over the terms of the debt instruments and leasing costs are amortized over the term of the related lease.

Investment in Sales-Type Leases. Investments in sales-type leases are accounted for under ASC 842 "Leases" ("ASC 842"). Upon lease commencement or lease modification, the Company assesses lease classification to determine whether the lease should be classified as a direct financing, sales-type or operating lease. As required by ASC 842, the Company separately assesses the land and building components of the property to determine the classification of each component unless the effect of separately accounting for the land component will be insignificant. If the lease is determined to be a direct financing or sales-type lease, the Company records a net investment in the lease, which is equal to the sum of the lease receivable and the unguaranteed residual asset, discounted at the rate implicit in the lease. Any difference between the fair value of the asset and the net investment in the lease is considered selling profit or loss and is either recognized upon execution of the lease or deferred and recognized over the life of the lease, depending on the lease classification and the collectability of the minimum lease payments. Initial direct costs are recognized as an expense if, at the commencement date, the fair value of the underlying asset is different from its carrying amount. If the fair value of the underlying asset equals its carrying amount, initial direct costs are deferred at the commencement date and included in the measurement of the net investment in the lease.

Allowance for Credit Losses. On January 1, 2020, the Company adopted ASC 326 "Financial Instruments-Credit Losses" ("ASC 326" or "CECL"), which requires that the Company measures and records current expected credit losses for its investments, the scope of which includes investment in sales-type leases in its consolidated balance sheets.

The Company has elected to use a discounted cash flow model to estimate the allowance for credit losses. This model requires us to develop cash flows which is used to project estimated credit losses over the life of the lease and discount these cash flows at the asset's effective interest rate. The Company then records an allowance equal to the difference between the amortized cost basis of the asset and the present value of the expected credit loss cash flows.

Expected losses within the Company's cash flows are determined by estimating the probability of default of the tenant and their parent guarantors over the term of the lease. The Company evaluates the collectability of its investment in sales-type leases, net based various probability weighted default scenarios that include, but are not limited to, current payment status, the financial strength of its tenant and its parent guarantors, current economic conditions and 20 years of historical information on corporate defaults. The Company is unable to use its historical data to estimate losses as it has no relevant loss history to date.

The allowance is recorded as a reduction to our investment in sales-type leases, net, on the consolidated balance sheets. The Company is required to update its allowance on a quarterly basis with the resulting change being recorded in the consolidated statement of operations for the relevant period. The Company regularly evaluates the extent and impact of any credit deterioration that could affect performance and the value its investment in sales-type leases, as well as the financial and operating capability of the tenant. The Company also evaluates the tenant's competency in managing and operating the secured property and considers the overall economic environment, real estate sector and geographic sub-market in which the secured property is located. If a tenant's credit deteriorates and it defaults under the terms of the sales-type lease, the Company puts the lease in non-accrual status until it is determined that all payments under the lease

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are probable of being collected. Write-offs are deducted from the allowance in the period in which they are deemed uncollectible. Recoveries previously written off are recorded when received.

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Derivative Financial Instruments. The Company accounts for its interest rate swap agreements in accordance with FASB ASC Topic 815, Derivatives and Hedging (Topic 815). In accordance with Topic 815, these agreements are carried on the balance sheet at their respective fair values, as an asset if fair value is positive, or as a liability if fair value is negative. If the interest rate swap is designated as a cash flow hedge, the portion of the interest rate swap's change in fair value is reported as a component of other comprehensive income (loss). The Company also accounts for its share of cash flow hedges from non-consolidated entities as part of investment in non-consolidated entities and accumulated other comprehensive income (loss).

Upon entering into hedging transactions, the Company documents the relationship between the interest rate swap agreement and the hedged item. The Company also documents its risk-management policies, including objectives and strategies, as they relate to its hedging activities. The Company assesses, both at inception of a hedge and on an ongoing basis, whether or not the hedge is highly effective. The Company will discontinue hedge accounting on a prospective basis with changes in the estimated fair value reflected in earnings when (1) it is determined that the derivative is no longer effective in offsetting cash flows of a hedged item (including forecasted transactions), (2) it is no longer probable that the forecasted transaction will occur or (3) it is determined that designating the derivative as an interest rate swap is no longer appropriate. The Company does and may continue to utilize interest rate swap and cap agreements to manage interest rate risk, but does not anticipate entering into derivative transactions for speculative trading purposes.

Stock Compensation. The Company maintains an equity participation plan. Non-vested share grants generally vest either based upon (1) time, (2) performance and/or (3) market conditions. All share-based payments to employees are recognized in the consolidated statements of operations based on their fair values. The Company has made an accounting policy election to account for share-based award forfeitures in compensation costs when they occur.

Tax Status. The Company has made an election to qualify, and believes it is operating so as to qualify, as a REIT for federal income tax purposes. Accordingly, the Company generally will not be subject to federal income tax, provided that distributions to its shareholders equal at least the amount of its REIT taxable income as defined under Sections 856 through 860 of the Code.

The Company is permitted to participate in certain activities from which it was previously precluded in order to maintain its qualification as a REIT, so long as these activities are conducted in entities which elect to be treated as taxable REIT subsidiaries under the Code. As such, the Company is subject to federal and state income taxes on the income from these activities.

Income taxes, primarily related to the Company's taxable REIT subsidiaries, are accounted for under the asset and liability method. Deferred tax assets and liabilities are recognized for the estimated future tax consequences attributable to differences between the financial statement carrying amounts of existing assets and liabilities and their respective tax basis and operating loss and tax credit carry-forwards. Deferred tax assets and liabilities are measured using enacted tax rates in effect for the year in which those temporary differences are expected to be recovered or settled.

Cash and Cash Equivalents. The Company considers all highly liquid instruments with maturities of three months or less from the date of purchase to be cash equivalents.

Restricted Cash. Restricted cash is comprised primarily of cash balances held by lenders.

Short-Term Investments. Short-term investments classified as held-to-maturity securities consist of term deposits and treasury bills that the Company has the ability and intent to hold to maturity. These short-term investments have an original maturity of greater than three months but less than 12 months and are recorded in short-term investments in the consolidated balance sheet. Held-to-maturity securities are recorded at amortized cost, which approximates fair value. The estimate of expected losses considers historical credit loss information that is adjusted for current conditions and reasonable and supportable forecasts. We do not measure expected credit losses on held-to-maturity securities in which historical credit loss information adjusted for current conditions and reasonable and supportable forecasts results in an expectation that nonpayment of the amortized cost basis is zero.

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Environmental Matters. Under various federal, state and local environmental laws, statutes, ordinances, rules and regulations, an owner of real property may be liable for the costs of removal or remediation of certain hazardous or toxic substances at, on, in or under such property as well as certain other potential costs relating to hazardous or toxic substances. These liabilities may include government fines, penalties and damages for injuries to persons and adjacent property. Such laws often impose liability without regard to whether the owner knew of, or was responsible for, the presence or disposal of such substances. Although most of the tenants of properties in which the Company has an interest are primarily responsible for any environmental damage and claims related to the leased premises, in the event of the bankruptcy or inability of the tenant of such premises to satisfy any obligations with respect to such environmental liability, or if the tenant is not responsible, the Company's property owner subsidiary may be required to satisfy any such obligations, should they exist. In addition, the property owner subsidiary, as the owner of such a property, may be held directly liable for any such damages or claims irrespective of the provisions of any lease. As of December 31, 2022 December 31, 2023, the Company was not aware of any environmental matter relating to any of its investments that would have a material impact on the consolidated financial statements.

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Segment Reporting. The Company operates generally in one industry segment, single-tenant real estate assets.

Reclassifications. Certain amounts included in prior years' financial statements have been reclassified to conform to the current year's presentation.

Recently Issued Accounting Guidance. In March 2020, the FASB issued ASU 2020-04, Reference Rate Reform (Topic 848). ASU 2020-04 contains practical expedients for reference rate reform related activities that impact debt, leases, derivatives and other contracts that reference the London Interbank Offered Rate, or LIBOR, or another reference rate expected to be discontinued because of reference rate reform. The guidance in ASU 2020-04 is optional, applies for a limited period of time to ease the potential burden in accounting for (or recognizing the effect of) reference rate reform on financial reporting, in response to concerns about structural risks of interbank offered rates, and, particularly, the risk of cessation of LIBOR and may be elected over time as reference rate reform activities occur. As of March 31, 2020, the Company has elected to apply the hedge accounting expedients related to probability and the assessments of effectiveness for future LIBOR-indexed cash flows to assume that the index upon which future hedged transactions will be based matches the index on the corresponding derivatives. Application of these expedients preserves the presentation of derivatives consistent with past presentation.

On July 5, 2022, the Company transitioned its benchmark interest rate for its term loan from LIBOR to the Secured Overnight Financing Rate, or SOFR. The Company adopted ASU 2020-04 and the adoption of this standard did not have an impact on the Company's consolidated financial statements. During 2023, the Company's Trust Preferred Securities transitioned from LIBOR to SOFR. The impact on the financial statements was immaterial as a result of the transition.

In November 2023, the FASB issued ASU 2023-07, Improvements to Reportable Segment Disclosures (Topic 280). ASU 2023-07 requires disclosure of significant segment expenses that are regularly provided to the chief operating decision maker ("CODM") and included within the segment measure of profit or loss, an amount and description of its composition for other segment items to reconcile to segment profit or loss, and the title and position of the entity's CODM. ASU 2023-07 will be effective retrospectively for fiscal years beginning after December 15, 2023 and interim periods beginning after December 15, 2024. The Company will continue to evaluate the impact of the guidance on our consolidated financial statements.

In December 2023, the FASB issued ASU 2023-09, Improvements to Income Tax Disclosures that requires public companies to annually (1) disclose specific categories in the rate reconciliation and (2) provide additional information for reconciling items that meet a quantitative threshold (if the effect of those reconciling items is equal to or greater than 5 percent of the amount computed by multiplying pretax income or loss by the applicable statutory income tax rate). The ASU is effective for annual periods beginning after December 15, 2024. We are currently evaluating the impact of the guidance until it becomes effective.

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(3) Earnings Per Share

A portion of the Company's non-vested share-based payment awards are considered participating securities and as such, the Company is required to use the two-class method for the computation of basic and diluted earnings per share. Under the two-class computation method, net losses are not allocated to participating securities unless the holder of the security has a contractual obligation to share in the losses. The non-vested share-based payment awards are not allocated losses as the awards do not have a contractual obligation to share in losses of the Company.

The following is a reconciliation of the numerators and denominators of the basic and diluted earnings per share computations for each of the years in the three-year period ended December 31, 2022 December 31, 2023:

	2022	2021	2020	2023	2022	2021
BASIC						
BASIC:				BASIC:		
Net income attributable to common shareholders						
Net income attributable to common shareholders						
Net income attributable to common shareholders						
Net income attributable to common shareholders	\$ 107,307	\$ 375,848	\$ 176,788			

Weighted-average number of common shares outstanding	Weighted-average number of common shares outstanding	279,887,760	277,640,835	266,914,843
Net income attributable to common shareholders - per common share basic	Net income attributable to common shareholders - per common share basic	\$ 0.38	\$ 1.35	\$ 0.66
Net income attributable to common shareholders - per common share basic	Net income attributable to common shareholders - per common share basic			
Net income attributable to common shareholders - per common share basic	Net income attributable to common shareholders - per common share basic			

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		2022	2021	2020		2023	2022	2021
DILUTED:	DILUTED:							
Net income attributable to common shareholders - basic	Net income attributable to common shareholders - basic							
Net income attributable to common shareholders - basic	Net income attributable to common shareholders - basic							
Net income attributable to common shareholders - basic	Net income attributable to common shareholders - basic	\$ 107,307	\$ 375,848	\$ 176,788				
Impact of assumed conversions	Impact of assumed conversions	156	7,962	—				
Net income attributable to common shareholders	Net income attributable to common shareholders							
Net income attributable to common shareholders	Net income attributable to common shareholders							
Net income attributable to common shareholders	Net income attributable to common shareholders	\$ 107,463	\$ 383,810	\$ 176,788				
Weighted-average common shares outstanding - basic	Weighted-average common shares outstanding - basic	279,887,760	277,640,835	266,914,843				
Weighted-average common shares outstanding - basic	Weighted-average common shares outstanding - basic							
Effect of dilutive securities:	Effect of dilutive securities:							
Unvested share-based payment awards and options	Unvested share-based payment awards and options							

Unvested share-based payment awards and options					
Unvested share-based payment awards and options	Unvested share-based payment awards and options				
	457,597	989,177	1,267,709		
Shares issuable under forward sales agreements	Shares issuable under forward sales agreements	1,274,842	2,110,315	—	
Operating Partnership Units	Operating Partnership Units	853,259	1,918,845	—	
Series C Cumulative Convertible Preferred	Series C Cumulative Convertible Preferred	—	4,710,570	—	
Weighted-average common shares outstanding - diluted	Weighted-average common shares outstanding - diluted	282,473,458	287,369,742	268,182,552	
Weighted-average common shares outstanding - diluted					
Weighted-average common shares outstanding - diluted	Weighted-average common shares outstanding - diluted	—	—	—	
Net income attributable to common shareholders - per common share diluted	Net income attributable to common shareholders - per common share diluted	\$ 0.38	\$ 1.34	\$ 0.66	
Net income attributable to common shareholders - per common share diluted					
Net income attributable to common shareholders - per common share diluted	Net income attributable to common shareholders - per common share diluted	—	—	—	

For per common share amounts, all incremental shares are considered anti-dilutive for periods that have a loss from continuing operations attributable to common shareholders. In addition, other common share equivalents may be anti-dilutive in certain periods.

(4) Investments in Real Estate

Calculation of dilutive earnings requires certain potentially dilutive shares to be excluded when the inclusion of such shares would be anti-dilutive. The Company's real estate, net, consists following table summarizes the potentially dilutive shares excluded from the dilutive earnings per share calculation as the inclusion of such shares would be anti-dilutive for each of the following at December 31, 2022 and 2021:

	2022	2021
Real estate, at cost:		
Buildings and building improvements	\$ 3,335,029	\$ 3,235,601
Land, land estates and land improvements	346,816	342,895
Construction in progress	9,221	5,482
Real estate intangibles:		
In-place lease values	309,393	320,847
Tenant relationships	12,519	13,205
Above-market leases	6,695	7,351
Land held for development	84,412	104,160

Investments in real estate under construction	361,924	161,165
	4,466,009	4,190,706
Accumulated depreciation and amortization ⁽¹⁾	(800,470)	(655,740)
Real estate, net	\$ 3,665,539	\$ 3,534,966

(1) Includes accumulated amortization of real estate intangible assets of \$173,443 and \$151,041 years in 2022 and 2021, respectively. The estimated amortization of the above real estate intangible assets for the next five years is \$31,971 in 2023, \$26,487 in 2024, \$22,558 in 2025, \$19,550 in 2026 and \$14,466 in 2027. three-year period ended December 31, 2023.

The Company had below-market leases, net of accumulated accretion, which are included in deferred revenue, of \$11,214 and \$14,401, respectively, as of December 31, 2022 and 2021. The estimated accretion for the next five years is \$1,830 in 2023, \$1,830 in 2024, \$1,740 in 2025, \$1,538 in 2026 and \$1,292 in 2027.

	Years Ended December 31,		
	2023	2022	2021
Unvested share-based payment awards	—	—	44,261
Preferred shares - Series C	4,710,570	4,710,570	—

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(4) Investments in Real Estate

The Company's real estate, net, consists of the following at December 31, 2023 and 2022:

	2023	2022
Real estate, at cost:		
Buildings and building improvements	\$ 3,424,334	\$ 3,335,029
Land, land estates and land improvements	348,133	346,816
Construction in progress	1,772	9,221
Real estate intangibles:		
In-place lease values	303,457	309,393
Tenant relationships	10,388	12,519
Above-market leases	680	6,695
Land held for development	80,743	84,412
Investments in real estate under construction	319,355	361,924
	4,488,862	4,466,009
Accumulated depreciation and amortization ⁽¹⁾	(904,709)	(800,470)
Real estate, net	\$ 3,584,153	\$ 3,665,539

(1) Includes accumulated amortization of real estate intangible assets of \$191,332 and \$173,443 in 2023 and 2022, respectively. The estimated amortization of the above real estate intangible assets for the next five years is \$26,487 in 2024, \$22,558 in 2025, \$19,550 in 2026, \$14,466 in 2027 and \$11,319 in 2028.

The Company had below-market leases, net of accumulated accretion, which are included in deferred revenue, of \$9,385 and \$11,214, respectively, as of December 31, 2023 and 2022. The estimated accretion for the next five years is \$1,830 in 2024, \$1,740 in 2025, \$1,538 in 2026, \$1,292 in 2027 and \$1,004 in 2028.

The Company acquired or completed and placed into service the following assets during 2022 2023 and 2021: 2022:

2023:

Market	Acquisition/ Placed in Service Date	Initial		Land	Building and Improvements
		Cost	Primary Lease Expiration		
Phoenix, AZ ⁽¹⁾	March 2023	\$ 37,173	08/2033	\$ 7,552	\$ 29,621
Dallas, TX	July 2023	15,018	N/A	2,100	12,918
Columbus, OH ⁽¹⁾	October 2023	64,524	10/2033	6,536	57,988
Greenville/Spartanburg, SC ⁽¹⁾	October 2023	21,676	02/2029	1,795	19,881

Central Florida ⁽¹⁾⁽²⁾	December 2023	7,985	01/2029	1,961	6,024
		\$ 146,376		\$ 19,944	\$ 126,432

(1) Initial basis excludes certain remaining costs, including developer partner promote/fee, if any.

(2) Represents a portion of the South Shore development project placed into service.

2022:

Market ⁽¹⁾	Date	Initial		Primary Lease Expiration at Acquisition	Land	Building and Improvements	Lease in-place Value Intangible
		Acquisition/Completion	Cost Basis				
Cincinnati/Dayton, OH ⁽²⁾	February 2022	\$ 23,382	N/A	\$ 2,010	\$ 21,372	\$ —	
Cincinnati/Dayton, OH	February 2022	48,660	04/2032	4,197	40,944	3,519	
Phoenix, AZ	April 2022	59,140	05/2037	5,366	50,281	3,493	
Greenville-Spartanburg, SC ⁽³⁾	December 2022	64,067	04/2035	2,484	61,583	—	
		\$ 195,249		\$ 14,057	\$ 174,180	\$ 7,012	

Weighted-average life of intangible assets (years) 12.7

Market ⁽¹⁾	Service Date	Initial		Primary Lease Expiration	Land	Building and Improvements	Lease in-place Value Intangible
		Acquisition/ Placed in	Cost Basis				
Cincinnati/Dayton, OH ⁽²⁾	February 2022	\$ 23,382	N/A	\$ 2,010	\$ 21,372	\$ —	
Cincinnati/Dayton, OH	February 2022	48,660	04/2032	4,197	40,944	3,519	
Phoenix, AZ	April 2022	59,140	05/2037	5,366	50,281	3,493	
Greenville/Spartanburg, SC ⁽³⁾	December 2022	64,067	04/2035	2,484	61,583	—	
		\$ 195,249		\$ 14,057	\$ 174,180	\$ 7,012	

Weighted-average life of intangible assets (years) 12.7

(1) A land parcel located in Hebron, OH was also purchased for \$747.

(2) Subsequent to acquisition, property was fully leased for approximately nine years.

(3) Development project substantially completed and placed into in service. Initial basis excludes certain remaining costs, including developer partner promote.

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In 2022, the Company purchased the remaining 13% of equity owned by a noncontrolling interest in the Fairburn, Georgia warehouse/distribution facility for \$27,958. As the Company previously consolidated its interest in the joint venture which owned the property, the acquisition of the noncontrolling ownership interest was recorded as an equity transaction with the difference between the purchase price and carrying balance of \$25,058 recorded as a reduction in additional paid-in-capital.

2021: As of December 31, 2023, the details of the development arrangements outstanding are as follows (in \$000's, except square feet):

Market ⁽¹⁾	Date	Initial		Primary Lease Expiration at Acquisition	Land	Building and Improvements	Lease in-place Value Intangible	Above (Below) Market Lease Intangible	
		Acquisition/Completion	Cost Basis					Intangible	Market Lease Intangible
Indianapolis, IN	January 2021	\$ 14,310	12/2024	\$ 1,208	\$ 12,052	\$ 1,035	\$ 15		
Indianapolis, IN	January 2021	14,120	08/2025	1,162	11,825	1,133	—		
Central Florida	January 2021	22,358	05/2031	1,416	19,910	1,032	—		
Columbus, OH ⁽²⁾	March 2021	19,531	03/2024	2,800	16,731	—	—		
Houston, TX	May 2021	28,293	08/2028	4,272	22,296	1,725	—		
Houston, TX	May 2021	37,686	12/2026	6,489	28,470	2,727	—		
Houston, TX	May 2021	11,512	08/2024	1,792	9,089	631	—		
Cincinnati/Dayton, OH	June 2021	18,674	06/2023	1,109	16,477	1,088	—		
Central Florida	June 2021	48,593	N/A	2,610	45,983	—	—		
Greenville-Spartanburg, SC	June 2021	36,903	09/2025	2,376	32,121	2,406	—		

Greenville-Spartanburg, SC	June 2021	23,812	06/2026	1,329	21,419	1,064	—
Greenville-Spartanburg, SC	July 2021	29,421	04/2029	2,819	24,508	2,094	—
Greenville-Spartanburg, SC	July 2021	26,106	12/2029	1,169	23,070	1,867	—
Greenville-Spartanburg, SC ⁽³⁾	July 2021	18,394	N/A	1,020	17,374	—	—
Greenville-Spartanburg, SC	July 2021	31,646	09/2026	1,710	27,817	2,119	—
Columbus, OH	August 2021	29,265	11/2029	2,251	25,184	1,830	—
Indianapolis, IN	October 2021	16,315	12/2026	741	14,488	1,086	—
Indianapolis, IN	October 2021	44,479	03/2031	1,991	39,338	3,150	—
Indianapolis, IN	October 2021	15,644	12/2026	695	13,958	991	—
Atlanta, GA ⁽²⁾⁽⁴⁾	November 2021	47,568	10/2028	7,209	40,359	—	—
Phoenix, AZ ⁽²⁾	November 2021	61,490	11/2036	11,732	49,758	—	—
Phoenix, AZ	December 2021	83,517	12/2031	8,027	73,650	1,840	—
Indianapolis, IN	December 2021	93,899	11/2031	8,335	80,051	5,513	—
Atlanta, GA	December 2021	37,625	07/2031	2,006	33,276	2,343	—
Atlanta, GA	December 2021	47,618	09/2031	2,497	42,255	2,866	—
Atlanta, GA	December 2021	26,838	09/2025	1,465	23,649	1,724	—
		<u>\$ 885,617</u>		<u>\$ 80,230</u>	<u>\$ 765,108</u>	<u>\$ 40,264</u>	<u>\$ 15</u>
Weighted-average life of intangible assets (years)						7.3	3.5

Project (% owned)	# of Buildings	Market	Estimated Sq. Ft. (unaudited)	Estimated Project Cost ⁽¹⁾	GAAP Investment Balance as of 12/31/2023 ⁽²⁾	Amount Funded as of 12/31/2023 ⁽³⁾	Building Completion Date (unaudited)	% Leased as of 12/31/2023	Placed in Service Date
Development Projects Leased:									
Cotton 303 (93%) ⁽⁴⁾	1	Phoenix, AZ	488,400 \$	55,300 \$	50,716 \$	44,523	1Q 2024	100 %	1Q 2024
	1		488,400 \$	55,300 \$	50,716 \$	44,523			
Development Projects Available for Lease:									
Ocala (80%)	1	Central Florida	1,085,280 \$	85,200 \$	80,184 \$	70,605	1Q 2023	— %	—
Mt. Comfort (80%)	1	Indianapolis, IN	1,053,360	66,400	64,489	58,736	1Q 2023	— %	—
		Greenville-Spartanburg,							
Smith Farms (90%)	1	SC	1,091,888	76,500	72,411	69,244	2Q 2023	— %	—
South Shore (100%) ⁽⁵⁾	2	Central Florida	213,195	33,500	29,739	29,771	2Q 2023 - 3Q 2023	— %	—
ETNA Building D (100%) ⁽⁶⁾	1	Columbus, OH	250,020	30,200	21,816	15,928	1Q 2024	— %	—
	6		3,693,743 \$	291,800 \$	268,639 \$	244,284			
	7		4,182,143 \$	347,100 \$	319,355 \$	288,807			

(1) Estimated project cost includes estimated tenant improvements and leasing costs and excludes potential developer fee or partner promote, if any.

(2) Excludes leasing costs.

(3) Excludes noncontrolling interests' share.

(4) Subsequent to December 31, 2023, the property was placed in service.

(5) During the fourth quarter of 2023, a 57,690 square foot portion of the project, representing 23% of the total project, was occupied by the tenant and placed in service.

(6) During the fourth quarter of 2023, a wholly-owned subsidiary of LXP purchased approximately 14 acres of land and the partially completed leasehold improvements from ETNA Park 70.

As of December 31, 2023, the Company's aggregate investment in development arrangements was \$319,355, which included capitalized interest of \$8,134 for the year ended December 31, 2023 and is presented as investments in real estate under construction in the accompanying consolidated balance sheets. For the year ended December 31, 2022, capitalized interest for development arrangements was \$6,330.

As of December 31, 2023, the details of the land held for industrial development are as follows (in \$000's, except acres):

Project (% owned)	Market	Approximate Acres (unaudited)	GAAP Investment Balance as of 12/31/2023	LXP Amount Funded as of 12/31/2023 ⁽¹⁾
Consolidated:				
Reems & Olive (95.5%) ⁽²⁾	Phoenix, AZ	320 \$	73,683 \$	74,308

Mt. Comfort Phase II (80%)	Indianapolis, IN	116	5,328	4,283
ATL Fairburn (100%)	Atlanta, GA	14	1,732	1,751
		450	\$ 80,743	\$ 80,342

(1) Excludes noncontrolling interests' share.

(2) During the fourth quarter of 2023, a perpetual utility easement was granted in exchange for \$6,172, which was accounted for as a sale of real estate.

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(1) A land parcel located in Hebron, OH was also purchased for \$371.

(2) Development project substantially completed and placed into service.

(3) Subsequent to acquisition, property fully leased for 5.5 years.

(4) Initial basis excludes certain remaining costs, including developer partner promote.

As of December 31, 2022, the details of the development arrangements outstanding are as follows (in \$000's, except square feet):

Project (% owned)	# of Buildings	Market	Estimated Sq. Ft.	GAAP Investment	Amount Funded as of	Actual/Estimated	
			(unaudited)	Estimated Project Cost ⁽¹⁾	Balance as of 12/31/2022	Building Completion Date (unaudited)	% Leased as of 12/31/2022
The Cubes at Etna East (95%) ⁽³⁾	1	Columbus, OH	1,074,840	\$ 72,850	\$ 61,171	58,455	3Q 2022 — %
Ocala (80%)	1	Central Florida	1,085,280	83,100	73,737	63,388	1Q 2023 — %
Mt. Comfort (80%)	1	Indianapolis, IN	1,053,360	65,500	59,379	49,848	1Q 2023 — %
South Shore (100%)	2	Central Florida	270,885	40,500	25,782	13,553	2Q 2023 — %
Cotton 303 (93%) ⁽⁴⁾	2	Phoenix, AZ	880,678	84,200	64,682	56,570	1Q 2023 - 2Q 2023 45 %
		Greenville-Spartanburg,					
Smith Farms (90%) ⁽⁵⁾	2	SC	1,396,884	101,550	77,173	67,780	1Q 2023 - 2Q 2023 — %
				\$ 447,700	\$ 361,924	\$ 309,594	

(1) Estimated project cost includes estimated tenant improvements and leasing costs and excludes potential developer partner promote, if any.

(2) Excludes noncontrolling interests' share.

(3) Base building achieved substantial completion. Property not in service as of December 31, 2022.

(4) Pre-leased 392,278 square foot facility with a 10-year lease commencing upon substantial completion of the facility and notice to the tenant.

(5) In December 2022, substantially completed and placed into service a 797,936 square foot facility subject to a 12-year lease that commenced upon substantial completion of the facility. Remaining two projects ongoing.

As of December 31, 2022, the Company's aggregate investment in development arrangements was \$361,924, which included capitalized interest of \$6,330 for the year ended December 31, 2022 and is presented as investments in real estate under construction in the accompanying consolidated balance sheets. For the year ended December 31, 2021, capitalized interest for development arrangements was \$1,114.

As of December 31, 2022, the details of the land held for industrial development are as follows (in \$000's, except acres):

Project (% owned)	Market	Approx. Developable Acres	GAAP Investment	LXP Amount Funded as of	
		(unaudited)	Balance as of 12/31/2022	12/31/2022 ⁽¹⁾	12/31/2022 ⁽¹⁾
Consolidated:					
Reems & Olive (95.5%) ⁽²⁾	Phoenix, AZ	320	\$ 77,379	\$	73,957
Mt. Comfort Phase II (80%)	Indianapolis, IN	116	5,301		4,213
ATL Fairburn (100%)	Atlanta, GA	14	1,732		1,736
		450	\$ 84,412	\$	79,906

(1) Excludes noncontrolling interests' share.

(2) Ground leased approximately 100 acres of the original 420 acre development land parcel located in the Phoenix, Arizona market, subject to a 20-year ground lease (with three, 10-year extension options). The initial annual rental payments are \$5,228 and escalate by 4% annually.

(5) Dispositions and Impairment

For the years ended December 31, 2022 December 31, 2023, 2021 2022 and 2020, 2021, the Company disposed of its interests in various properties for an aggregate gross disposition price of \$100,152, \$196,989 \$823,966 and \$432,843, \$823,966, respectively, which resulted in gains on sales of \$33,010, \$59,094 \$367,274 and \$139,039, \$367,274, respectively, including, in 2021 the sale of 22 special purpose industrial assets to a newly-formed joint venture, NNN MFG Cold JV L.P. ("MFG Cold JV"), with an unaffiliated third-party.

Included in the 2021 dispositions are three non-industrial properties with a disposition price of \$35,369, which was satisfied through (i) the redemption of 1,598,906 **operating OP** units, ("OP units"), (ii) the assumption of \$11,610 of third party mortgage financing that encumbered two of the properties and (iii) \$1,497 of seller financing. The seller financing

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note receivable has a fixed interest rate of 6.0% per annum and matures on August 1, 2025. As of December 31, 2022, which was paid in full during the balance of the note receivable is \$1,462, year ended December 31, 2023.

Included in the 2020 dispositions are three properties which were conveyed to the lenders in forgiveness of the mortgage loan encumbering each property. The balances of the non-recourse mortgage loans were in excess of the value of the property collateral, resulting in aggregate debt satisfaction gains, net of \$34,450. For the years ended December 31, 2021 December 31, 2023 and 2020, December 31, 2022 the Company recognized no debt satisfaction charges relating to properties sold. For the year ended December 31, 2021, the Company recognized net debt satisfaction charges relating to properties sold of \$229 and \$2,879, respectively \$229.

The Company had **three** two and **eight** three properties classified as held for sale at December 31, 2022 December 31, 2023 and December 31, 2021 December 31, 2022, respectively. Assets and liabilities of the held for sale properties consisted of the following:

		December 31, 2022	December 31, 2021	
Assets:		December 31, 2022		December 31, 2021
Assets:		December 31, 2023		December 31, 2023
Assets:		December 31, 2023		December 31, 2023
Assets:		December 31, 2023		December 31, 2023
Real estate, at cost	Real estate, at cost	\$ 131,557	\$ 170,117	
Real estate, at cost				
Real estate, at cost				
Real estate, intangible assets	Real estate, intangible assets	9,942		9,454
Real estate, intangible assets				
Real estate, intangible assets				
Accumulated depreciation and amortization	Accumulated depreciation and amortization	(76,205)		(99,659)
Accumulated depreciation and amortization				
Accumulated depreciation and amortization				
Accumulated depreciation and amortization	Accumulated depreciation and amortization	(76,205)		(99,659)
Other	Other	1,140		2,674
Other				
Other				
Total assets held for sale	Total assets held for sale	\$ 66,434	\$ 82,586	
Total assets held for sale				
Total assets held for sale				
Liabilities:				
Liabilities:				
Liabilities:	Liabilities:			
Accounts payable and other liabilities	Accounts payable and other liabilities	\$ 637	\$ 1,908	
Accounts payable and other liabilities				
Accounts payable and other liabilities				
Deferred revenue	Deferred revenue	143		483
Deferred revenue				
Deferred revenue				
Prepaid rent	Prepaid rent	370		1,077
Prepaid rent				

Prepaid rent			
Total liabilities held for sale	Total liabilities held for sale \$	1,150	\$ 3,468
Total liabilities held for sale			
Total liabilities held for sale			

The Company assesses on a regular basis whether there are any indicators that the carrying value of its real estate assets may be impaired. Potential indicators may include an increase in vacancy at a property, tenant financial instability, change in the estimated holding period of the asset, the potential sale or transfer of the property in the near future and changes in economic conditions. An asset is determined to be impaired if the asset's carrying value is in excess of its estimated fair value and the Company estimates that its cost will not be recovered.

The Company's Fort Mill, South Carolina office properties that were held for sale as of December 31, 2021 were not sold as of December 31, 2022. It was determined that the properties were not salable in their current condition as of December 31, 2022. During 2023, 2022 and were reclassified as held and used properties. The properties were reclassified to real estate assets, net at \$18,625 as of December 31, 2022.

During 2022, 2021, and 2020, the Company recognized aggregate impairment charges on real estate properties of \$16,490, \$3,037, \$5,541 and \$14,460, \$5,541, respectively. During 2023, 2022 2021 and 2020, 2021, the aggregate impairment charges were recognized on properties that were primarily impaired due to a reduction in the anticipated holding period for those properties.

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(6) Fair Value Measurements

The following tables present the Company's assets and liabilities measured at fair value on a recurring and non-recurring basis as of December 31, 2022 December 31, 2023 and 2021, 2022, aggregated by the level in the fair value hierarchy within which those measurements fall:

Description	2022	Fair Value Measurements Using		
		(Level 1)	(Level 2)	(Level 3)
Interest rate swap assets	\$ 16,318	\$ —	\$ 16,318	\$ —

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Description	2021	Fair Value Measurements Using		
		(Level 1)	(Level 2)	(Level 3)
Interest rate swap liabilities	\$ (6,258)	\$ —	\$ (6,258)	\$ —
Impaired real estate assets ⁽¹⁾	\$ 12,735	\$ —	\$ —	\$ 12,735

Description	2023	Fair Value Measurements Using		
		(Level 1)	(Level 2)	(Level 3)
Interest rate swap assets	\$ 9,471	\$ —	\$ 9,471	\$ —
Impaired assets held for sale ⁽¹⁾	\$ 9,170	\$ —	\$ —	\$ 9,170

(1) Represents non-recurring. The Company estimated the fair value measurement. The Company measured \$12,735 of these fair values certain real estate assets throughout the year based on a discounted cash flow analysis using a discount rate ranging from 8.0% to 10.0% and a residual capitalization rates ranging from 7.5% to 8.0%. As significant inputs to the models are unobservable, the Company determined that the value determined for these properties falls within Level 3 of the fair value reporting hierarchy.

Description	2022	Fair Value Measurements Using		
		(Level 1)	(Level 2)	(Level 3)
Interest rate swap assets	\$ 16,318	\$ —	\$ 16,318	\$ —

The majority of the inputs used to value the Company's interest rate swaps fall within Level 2 of the fair value hierarchy, such as observable market interest rate curves; however, the credit valuation associated with the interest rate swaps utilizes Level 3 inputs, such as estimates of current credit spreads to evaluate the likelihood of default by the Company and its counterparties. As of December 31, 2022 December 31, 2023 and 2021, 2022, the Company determined that the credit valuation adjustment relative to the overall interest rate swaps was not significant. As a result, all interest rate swaps have been classified in Level 2 of the fair value hierarchy.

The table below sets forth the carrying amounts and estimated fair values of the Company's financial instruments as of **December 31, 2022** **December 31, 2023** and **2021**: **2022**:

Assets	Assets	As of December 31, 2022		As of December 31, 2021		As of December 31, 2023		As of December 31, 2022	
		Carrying Amount		Carrying Fair Value		Carrying Amount		Carrying Fair Value	
		Assets	Liabilities	Liabilities	Liabilities	Assets	Liabilities	Liabilities	Liabilities
Investment	Investment	\$ 61,233	\$ 60,984	—	—				
in a sales- type lease, net	in a sales- type lease, net								
Debt	Debt	\$1,488,051	\$1,293,239	\$1,497,064	\$1,491,868				

The fair value of the Company's investment in a sales-type lease, net is primarily estimated utilizing Level 3 inputs by using a discounted cash flow analysis and an estimate of the unguaranteed residual value.

The fair value of the Company's debt is primarily estimated utilizing Level 3 inputs by using a discounted cash flow analysis, based upon estimates of market interest rates. The Company determines the fair value of its Senior Notes using market prices. The inputs used in determining the fair value of these notes are categorized as Level 1 due to the fact that the Company uses quoted market rates to value these instruments. However, the inputs used in determining the fair value could be categorized as Level 2 if trading volumes are low.

Fair values cannot be determined with precision, may not be substantiated by comparison to quoted prices in active markets and may not be realized upon sale. Additionally, there are inherent uncertainties in any fair value measurement technique, and changes in the underlying assumptions used, including discount rates, liquidity risks and estimates of future cash flows, could significantly affect the fair value measurement amounts.

Cash Equivalents, Restricted Cash, Short-Term Investments, Accounts Receivable and Accounts Payable. The Company estimates that the fair value of cash equivalents, restricted cash, short-term investments, accounts receivable and accounts payable approximates carrying value due to the relatively short maturity of the instruments.

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(7) Investments in Non-Consolidated Entities

Below is a schedule of the Company's investments in non-consolidated entities:

Investment	Investment	Equity in earnings (losses) of non-consolidated entities			Equity in earnings (losses) of non-consolidated entities			
		Percentage Ownership	Investment	Balance as of December 31, 2022	Years ended December 31, 2022	Investment	Percentage Ownership	Investment
		at	at	at	at	at	at	at
		December		December		December		December
		31, 2022	2022	2021	2022	2023	2023	2022
NNN MFG Cold JV L.P. ("MFG Cold JV")	(1)	20%	\$26,592	\$30,752	\$ (2,050)	\$ —	\$ —	2021
NNN Office JV L.P. ("NNN JV") ^{(2)(e)}		20%	12,900	24,112	18,156	(140)	(84)	
NNN MFG Cold JV L.P. ("MFG Cold JV")	(1)							

NNN							
Office JV							
L.P.							
("Office JV") ⁽²⁾							
Etna Park	Etna Park						
70 LLC ⁽³⁾	70 LLC ⁽³⁾	90%	12,975	12,874	(137)	(93)	(104)
Etna Park	Etna Park						
70 East	70 East						
LLC ⁽⁴⁾	LLC ⁽⁴⁾	90%	2,126	2,797	(174)	(114)	(89)
BSH	BSH						
Lessee	Lessee						
L.P. ⁽⁵⁾	L.P. ⁽⁵⁾	25%	3,613	4,024	211	157	108
			\$58,206	\$74,559	\$16,006	(\$190)	(\$169)
							\$

(1) During MFG Cold JV is a joint venture formed in 2021 the Company disposed of 22 that owns special purpose industrial assets to MFG Cold JV for an aggregate disposition price of \$550,000, net of \$2,775 of purchase price adjustments, and acquired a 20% interest in properties formerly owned by the MFG Cold JV. The Company recognized a gain of \$239,386 in connection with the disposition of the assets, and, in addition, MFG Cold JV assumed \$25,850 of non-recourse mortgage debt in the transaction. MFG Cold JV obtained \$381,000 of non-recourse mortgage financing which bears interest at one month Term SOFR plus 245 basis points and has an initial term of two years but can be extended for three additional terms of one year each. MFG Cold JV entered into an interest rate agreement which caps the one-month Term SOFR component of the \$381,000 mortgage financing at 3% for two years.

(2) NNN Office JV is a joint venture formed in 2018 and owns office properties formerly owned by the Company. During 2023 and 2022, Office JV sold one and six assets, respectively, and the Company recognized its share of aggregate gains on sale of \$1,010 and \$24,513, respectively, within equity in earnings of non-consolidated entities within its consolidated statements of operations.

(3) Joint venture formed in 2017 with a developer entity to acquire a parcel of land. In the second quarter of 2023, the joint venture commenced development of a 250,020 square foot industrial speculative development project for an estimated cost of \$30,200. As of December 31, 2023, the Company's wholly owned subsidiary purchased the land and building improvements for approximately \$15,897 and recorded it in investment in real estate under construction on its consolidated balance sheet.

(4) Joint venture formed in 2019 with a developer entity to acquire a parcel of land.

(5) A joint venture investment which owns a sold its sole single-tenant, net-leased asset.

(6) During 2022, NNN JV sold six assets asset in January 2023 and the Company recognized its share of aggregate gains the gain on sale and impairment charges of \$24,513 and \$257, respectively, \$4,791 within equity in earnings (losses) of non-consolidated entities within its consolidated statement statements of operations. During 2020, NNN JV sold two assets and the Company recognized aggregate gains on the transactions of \$557 within equity in earnings (losses) of non-consolidated entities within its consolidated statement of operations.

The Company earns advisory fees from certain of these non-consolidated entities for services related to acquisitions, asset management and debt placement services. Advisory fees earned from these non-consolidated investments were \$4,337, \$5,615 \$2,968 and \$3,028 \$2,968 for the years ended December 31, 2022 December 31, 2023, 2021 2022 and 2020, 2021.

(8) Leases

Lessor

Operating Leases. The Company's lease portfolio as a lessor primarily includes general purpose, single-tenant net-leased real estate assets. Most of the Company's leases require tenants to pay fixed annual rental payments that escalate on an annual basis and variable payments for other operating expenses, such as real estate taxes, insurance, common area maintenance ("CAM" ("CAM")), and utilities, that are based on the actual expenses incurred.

Certain leases allow for the tenant to renew the lease term upon expiration or earlier. Periods covered by a renewal option are included within the lease term only when renewals are deemed to be reasonably certain. Certain leases allow for the tenant to terminate the lease before the expiration of the lease term and certain leases provide the tenant with the right to purchase the leased property at fair market value or a stipulated price upon expiration of the lease term or before.

Accounting guidance under ASC 842 requires the Company to make certain assumptions and judgments in applying the guidance, including determining whether an arrangement includes a lease and determining the lease term when the contract has renewal, purchase or early termination provisions.

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The Company analyzes its accounts receivable, customer creditworthiness and current economic trends when evaluating the adequacy of the collectability of the lessee's total accounts receivable balance on a lease by lease basis. In addition, tenants in bankruptcy are analyzed and considerations are made in connection with the expected pre-petition and post-petition claims. If a lessee's accounts receivable balance is considered uncollectible, the Company will write-off the receivable balances associated with the lease to rental revenue and cease to recognize lease income, including straight-line rent, unless cash is received. If the Company subsequently determines that it is probable it will collect substantially all of the lessee's remaining lease payments under the lease term; the Company will reinstate the straight-line balance adjusting for the amount related to the period when the lease was accounted for on a cash basis.

Certain tenants have been experiencing financial difficulties as a result of the current economic conditions. During the years ended December 31, 2022, and 2021, and 2020, the Company wrote off an aggregate of \$417 \$370 and \$389, \$370, respectively, accounts receivable, net, relating to certain tenants suffering from the current economic conditions. During the year ended December 31, 2023, no accounts receivable was written off.

The Company elected that the lease and non-lease components in its leases are a single lease component, which is, therefore, being recognized as rental revenue in its consolidated statements of operations. The primary non-lease service included within rental revenue is CAM services provided as part of the Company's real estate leases. ASC 842 requires that the Company capitalize, as initial direct costs, only those costs that are incurred due to the execution of a lease. As For the year ended December 31, 2023, the Company incurred a nominal amount of costs that were not incremental to the execution of leases. For the years ended December 31, 2022, 2021 and 2020, the Company incurred \$2 \$19 and \$67, \$19, respectively, of costs that were not incremental to the execution of leases, which are included in property operating expenses in its consolidated statements of operations. leases.

The Company manages the risk associated with the residual value of its leased properties by including contract clauses that make tenants responsible for surrendering the space in good condition upon lease termination, holding a diversified portfolio, and other activities. The Company does not have residual value guarantees on specific properties.

Sales-Type Leases. During the year ended December 31 2022, the Company had three transactions that qualified as sales-type leases.

In 2022, the Company had two tenants that exercised the purchase option within their lease for an aggregate purchase option price of \$34,841. The purchase options were not reasonably certain to be exercised at the commencement date of each lease, resulting in modifications of the operating leases. As a result of these modifications to the leases, the Company re-evaluated the lease classifications and classified both leases as sales-type leases. The Company recognized an aggregate of \$10,184 in selling profit from sales-type leases in its consolidated statements of operations related to these transactions for the year ended December 31, 2022.

As of December 31, 2022 December 31, 2023, the Company had one ground lease for a 100-acre industrial development land parcel located in the Phoenix, Arizona market, that which is classified as a sales-type lease. At the commencement date of the lease, the Company evaluated the lease classification and classified the lease as a sales-type lease. The lease contains a purchase option in the amount of \$20.00 per land square foot starting on the second anniversary date of the lease ending and ending on the third anniversary date. The Company determined that the purchase option is not reasonably certain of being exercised. The lease met the sales-type lease criteria because the present value of the lease payments was equal to substantially all of the fair value of the underlying asset on the lease commencement date. The Company recorded \$60,984 in investment in a sales-type lease, net and derecognized \$24,109 from land held for development in the consolidated balance sheets. The Company recognized \$36,875 in selling profit from sales-type leases and \$4,119 of direct costs to enter into the lease within transaction costs in the consolidated statements of operations for the year ended December 31, 2022. The interest income earned from sales-type leases is included in rental revenue in the consolidated statements of operations. The residual value of the land parcel at the end of the ground lease is estimated to equal its fair value on the commencement date of the lease of \$60,984 because land values typically appreciate over time but the accounting guidance does not allow the residual value at the end of the lease to be in excess of the fair value at the commencement date of the lease.

For the year ended December 31, 2023 and 2022, the interest income earned from sales-type leases of \$7,427 and \$1,936, respectively, is included in rental revenue in the consolidated statements of operations. There was no sales-type lease income recognized in 2021.

In 2022, the Company had two tenants that exercised the purchase option within their lease for an aggregate purchase option price of \$34,841. The purchase options were not reasonably certain to be exercised at the commencement date of each lease, resulting in modifications of the operating leases. As a result of these modifications to the leases, the Company re-evaluated the lease classifications and classified both leases as sales-type leases. The Company recognized an aggregate of \$10,184 in selling profit from sales-type leases in its consolidated statements of operations related to these transactions for the year ended December 31, 2022.

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Rental Revenue Classification. The following table presents the Company's classification of rental revenue for its operating and sales-type leases for the years ended December 31, 2022 December 31, 2023, 2021 2022 and 2020 2021:

Years Ended December 31,					Years Ended December 31,			
Classification	Classification	2022	2021	2020	Classification	2023	2022	2021
Fixed	Fixed	\$267,644	\$287,552	\$293,457				
Sales-type	Sales-type							
lease income	lease income	1,936	—	—				
Variable ⁽¹⁾⁽²⁾	Variable ⁽¹⁾⁽²⁾	44,412	52,392	32,354				
Total	Total	\$313,992	\$339,944	\$325,811				

(1) Primarily comprised of tenant reimbursements.

(2) Variable lease payments contain include termination revenue of \$238 \$15,371, and \$857 \$15,371 for the years ending December 31, 2022, and 2021, and 2020, respectively.

The Company did not recognize any termination revenue during the year ended December 31, 2023.

Future fixed rental receipts for operating and sales-type leases, assuming no new or re-negotiated leases as of December 31, 2022 December 31, 2023 were as follows:

Year ending	Year ending	Sales-		Year ending December 31,	Operating	Sales-Type
December	December	Operating	Type			
2023	2023	\$ 263,035	\$ 5,228			
2024	2024	240,160	5,263			
2025	2025	220,981	5,473			
2026	2026	201,251	5,692			
2027	2027	164,056	5,920			
2028						
Thereafter	Thereafter	615,728	739,162			
Total	Total	\$1,705,211	\$766,738			
Difference	Difference					
between	between					
undiscounted	undiscounted					
cash flow	cash flow					
and present	and present					
value	value			705,412		
Investment in	Investment in					
a sales-type	a sales-type					
lease	lease			\$ 61,326		

The above minimum lease payments do not include reimbursements to be received from tenants for certain operating expenses and real estate taxes and do not include early termination payments provided for in certain leases, if not reasonably certain.

Certain leases allow for the tenant to terminate the lease if the property is deemed obsolete, as defined, and upon payment of a termination fee to the landlord, as stipulated in the lease. In addition, certain leases provide the tenant with the right to purchase the leased property at fair market value or a stipulated price.

Lessee

The Company, as lessee, has ground leases, corporate leases for office space, and office equipment leases. All leases were classified as operating leases as of December 31, 2022 December 31, 2023. The leases have remaining lease terms of up to 38.33 years. Renewal periods are included in the lease term only when renewal is deemed to be reasonably certain. The lease term also includes periods covered by an option to terminate the lease if the Company is reasonably certain not to exercise the termination option. The Company measures its lease payments by including fixed rental payments and variable rental payments that tie to an index or a rate, such as CPI. The Company recognizes lease expense for its operating leases on a straight-line basis over the lease term and variable lease expense not included in the lease payment measurement as incurred.

The accounting guidance under ASC 842 requires the Company to make certain assumptions and judgments in applying the guidance, including determining whether an arrangement includes a lease, determining the term of a lease when the contract has renewal or termination provisions and determining the discount rate.

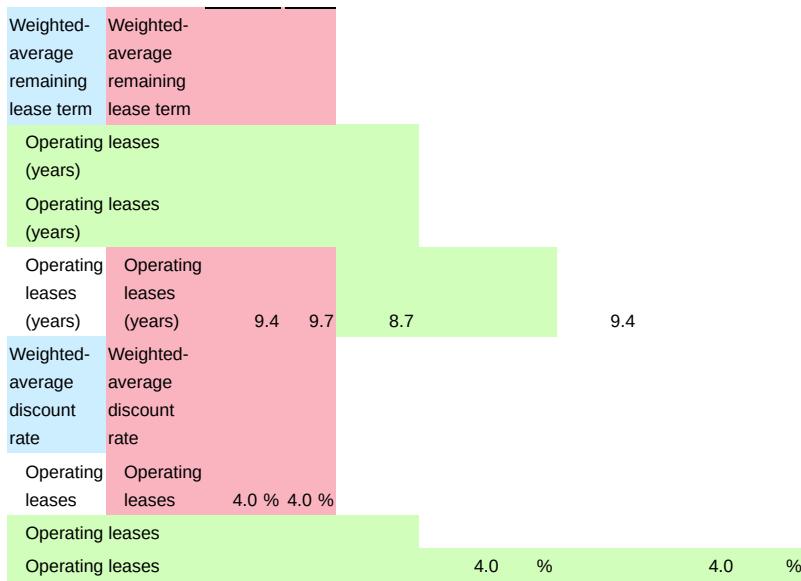
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The Company determines whether an arrangement is or includes a lease at contract inception by evaluating whether the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. If the Company has the right to obtain substantially all of the economic benefits from and can direct the use of, the identified asset for a period of time, the Company accounts for the contract as a lease.

The Company uses the information available at the lease commencement date to determine the discount rate for any new leases. The Company used a portfolio approach to determine its incremental borrowing rate. Lease contracts were grouped based on similar lease terms and economic environments in a manner in which the Company reasonably expects that the outcome from applying a portfolio approach does not differ materially from an individual lease approach. The Company estimated a collateralized discount rate for each portfolio of leases.

Supplemental information related to operating leases is as follows:

Years Ended		Years Ended December 31,	Years Ended December 31,
December 31,	2022 2021		
Years Ended			
December 31,			
2023		2023	2022



The components of lease expense for the **year** years ended **December 31, 2022**, **December 31, 2023**, **2021**, **2022** and **2020** were as follows:

Income Statement Classification	Income Statement Classification	Fixed	Variable	Total
2023:				
Property operating				
Property operating				
Property operating				
General and administrative				
Total				
2022:	2022:			
2022:				
2022:				
Property operating				
Property operating				
Property operating	Property operating	\$3,543	\$ —	\$3,543
General and administrative	General and administrative	1,520	122	1,642
Total	Total	\$5,063	\$ 122	\$5,185
2021:	2021:			
2021:				
2021:				
Property operating				
Property operating				
Property operating	Property operating	\$3,645	\$ 3	\$3,648
General and administrative	General and administrative	1,380	70	1,450
Total	Total	\$5,025	\$ 73	\$5,098
2020:				
Property operating				
Property operating				
Property operating				
General and administrative				
General and administrative				
General and administrative	1,348	105	1,453	

Total	\$5,317	\$ 107	\$5,424
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The Company recognized sublease income of \$3,320 for the years ended December 31, 2023 and 2022 and \$3,425 and \$3,756 in 2022, 2021 and 2020, respectively. 2021.

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The following table shows the Company's maturity analysis of its operating lease liabilities as of December 31, 2022 December 31, 2023:

Year ending	Year ending	Operating	Leases	Year ending December 31,	Operating Leases
December 31,	December 31,				
2023		\$ 5,290			
2024	2024	5,199			
2025	2025	5,204			
2026	2026	4,174			
2027	2027	3,673			
2028					
Thereafter	Thereafter		7,501		
Total lease payments	Total lease payments		31,041		
Less: Imputed interest	Less: Imputed interest		(5,923)		
Present value of lease liabilities	Present value of lease liabilities		\$ 25,118		

(9) Allowance for Credit Loss

During 2023 and 2022, the Company recognized a \$(32) and \$93, respectively, of credit loss allowance allowances resulting from an investment in a sales-type lease. There were no allowances for credit losses in 2021 or 2020. 2021.

As of December 31, 2022 December 31, 2023, the lessee in the sales-type lease remains current on their obligations to the Company and, therefore, the investment is not on non-accrual status.

The following tables detail the allowance for credit loss as of December 31, 2022 December 31, 2023 and 2022:

As of December 31, 2022					
	Amortized cost	Allowance	Net Investment	Allowance as a % of Amortized Cost	
Investment in a sales-type lease	\$ 61,326	\$ (93)	\$ 61,233		0.15 %
As of December 31, 2023					
	Amortized cost	Allowance	Net Investment	Allowance as a % of Amortized Cost	
Investment in a sales-type lease	\$ 63,525	\$ (61)	\$ 63,464		0.10 %
As of December 31, 2022					
Investment in a sales-type lease	\$ 61,326	\$ (93)	\$ 61,233		0.15 %
For the Twelve Months Ended December 31, 2023					
	Balance at Beginning of Period	Write-Offs	General Allowance	Balance at End of Period	
Allowance for credit loss	\$ 93	\$ —	\$ (32)	\$ 61	
For the Twelve Months Ended December 31, 2022					
Allowance for credit loss	\$ —	\$ —	\$ 93	\$ 93	

(10) Mortgages and Notes Payable

The Company had the following mortgages and notes payable outstanding as of December 31, 2022 December 31, 2023 and 2021: 2022:

	December 31, 2022	December 31, 2021	
	December 31, 2023	December 31, 2023	December 31, 2022
Mortgages and notes payable	Mortgages and notes payable	\$ 73,154	\$ 84,429
Unamortized debt issuance costs	Unamortized debt issuance costs	(1,051)	(1,337)
		<u>\$ 72,103</u>	<u>\$ 83,092</u>
		<u>\$</u>	

Interest rates, including imputed rates on mortgages and notes payable, ranged from 3.5% to 4.3% at December 31, 2022 December 31, 2023 and 2021, 2022, respectively, and all mortgages and notes payable mature between 2023 2028 and 2031 as of December 31, 2022 December 31, 2023. The weighted-average interest rate at December 31, 2022 December 31, 2023 and 2021 2022 was approximately 4.0%, respectively.

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The Company has an unsecured credit agreement with KeyBank National Association, as agent. The maturity dates and interest rates as of December 31, 2022 December 31, 2023, are as follows:

	Maturity Date	Interest Rate
\$600,000 Revolving Credit Facility ⁽¹⁾	July 2026	SOFR + 0.85%
\$300,000 Term Loan ⁽²⁾	January 2025 2027	Term SOFR + 1.00%

(1) In July 2022, the Company amended its revolving credit facility and the 2025 term loan to provide for a new revolving credit facility and the continuation of the 2025 term loan (the "2022 Credit Agreement"). The 2022 Credit Agreement, among other things: (i) extended the maturity date of the revolving portion from February 2023 credit facility can be extended to July 2026, with two six-month extension options, 2027, subject to certain conditions, (ii) reduced the applicable margin for the revolving portion of the credit facility by five basis points to conditions. The interest rate ranges from SOFR (plus a range from 0.10% index adjustment) plus 0.725% to 1.400%, and the revolving credit facility allows for further reductions upon the achievement of to-be-determined sustainability metrics, (iii) amended the debt covenants by reducing the capitalization rate for determining asset value and (iv) transitioned the facility to SOFR. Simultaneously, the Company converted its interest rate swap agreements to Term SOFR, which resulted in a new fixed interest rate of 2.722% on the Company's 2025 term loan. The Company recognized \$119 of debt

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satisfaction losses in connection with the transaction metrics. At December 31, 2022 December 31, 2023, the Company had no borrowings outstanding and availability of \$600,000, subject to covenant compliance.

(2) In November 2023, the Company amended the agreement governing the \$300,000 term loan. The amendment, among other things, extends the maturity of the term loan from January 31, 2025 to January 31, 2027. The Term SOFR portion of the interest rate was swapped to obtain a current fixed rate of 2.722% per annum until January 31, 2025. The Company recognized \$132 of debt satisfaction losses in connection with this transaction. The aggregate unamortized debt issuance costs for the term loan was were \$3,236 and \$1,041 and \$1,554 as of December 31, 2022 December 31, 2023 and 2021, 2022, respectively.

The Company was compliant with all applicable financial covenants contained in its corporate-level debt agreements at December 31, 2022 December 31, 2023.

Mortgages payable and secured loans are generally collateralized by real estate and the related leases. Certain mortgages payable have yield maintenance or defeasance requirements relating to any prepayments.

Scheduled principal and balloon payments for mortgages, notes payable and term loan for the next five years and thereafter are as follows:

Year ending	Year ending	Total	Year ending	Year ending	Total
December 31, 2023	December 31,		December 31,	December 31,	
		\$12,265			

2024	2024	5,373
2025	2025	5,570
2026	2026	5,773
2027	2027	5,984
2028		
Thereafter	Thereafter	38,189
		73,154
		360,888
Unamortized debt issuance costs	Unamortized debt issuance costs	(1,051)
		\$72,103
		\$

Included in the consolidated statements of operations, the Company recognized debt satisfaction charges, net, of \$717 for the year ended 2021 due to the satisfaction of mortgages and notes payable other than those disclosed elsewhere in these financial statements. In addition, the Company capitalized \$11,059, \$7,235 \$2,974 and \$1,745 \$2,974 of interest expense for the years ended 2023, 2022 2021 and 2020, 2021, respectively.

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(11) Senior Notes, Convertible Notes and Trust Preferred Securities

The Company had the following Senior Notes outstanding as of December 31, 2022 December 31, 2023 and 2021: 2022:

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Each series of the senior notes is unsecured and requires payment of interest semi-annually in arrears. The Company may redeem the notes at its option at any time prior to maturity in whole or in part by paying the principal amount of the notes being redeemed plus a make-whole premium.

In November 2023, the Company issued \$300,000 aggregate principal amount of 6.750% Senior Notes due 2028 ("2028 Senior Notes") at an issuance price of 99.423% of the principal amount. The Company issued the 2028 Senior Notes at an initial discount of \$1,731, which is being recognized as additional interest expense over the term of the 2028 Senior Notes. The Company used the net proceeds to pay down amounts outstanding on its unsecured revolving credit facility and for general corporate purposes. A portion of the proceeds were invested on a short-term basis and the Company intends to use the investments to repay the 2014 Senior Notes at or near maturity.

In August 2021, the Company issued \$400,000 aggregate principal amount of 2.375% Senior Notes due 2031 ("2031 Senior Notes") at an issuance price of 99.758% of the principal amount. The Company issued the 2031 Senior Notes at an initial discount of \$968, which is being recognized as additional interest expense over the term of the 2031 Senior Notes. The Company used a portion of the net proceeds from the offering of the 2031 Senior Notes to redeem the \$188,756 aggregate principal balance of its outstanding 4.25% Senior Notes due 2023 ("2023 Senior Notes"). The consideration paid included a make-whole premium of \$12,191 and \$2,028 of accrued and unpaid interest. The Company recognized a \$12,948 debt satisfaction loss related to the aggregate redemptions.

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In August 2020, the Company issued \$400,000 aggregate principal amount of 2.70% Senior Notes due 2030 ("2030 Senior Notes") at an issuance price of 99.233% of the principal amount. The Company issued the 2030 Senior Notes at an initial discount of \$3,068 which is being recognized as additional interest expense over the term of the 2030 Senior Notes. The Company used the proceeds from the offering of the 2030 Notes to repurchase \$61,244 and \$51,068 aggregate principal balance of its outstanding 2023 Senior Notes and 4.40% Senior Notes 2024, respectively through a tender offer. The Company recognized a \$10,199 debt satisfaction loss related to the aggregate repurchases, which included a write-off of the proportionate amount of unamortized discount and debt issuance costs related to the 2023 and 2024 senior notes.

During 2007, the Company issued \$200,000 original principal amount of Trust Preferred Securities. The Trust Preferred Securities, which are classified as debt, are due in 2037, are open for redemption at the Company's option, and bear interest at a variable rate of three month LIBOR SOFR plus 170.26 basis points through maturity. The interest rate at December 31, 2022 December 31, 2023 was 6.115% 7.352%. As of December 31, 2022 December 31, 2023 and 2021, 2022, there was \$129,120 original principal amount of Trust Preferred Securities outstanding and \$1,426 \$1,326 and \$1,525, \$1,426, respectively, of unamortized debt issuance costs.

Scheduled principal payments for these debt instruments for the next five years and thereafter are as follows:

Year ending December 31,	Year ending December 31,	Total	Year ending December 31,	Total
2023		\$ —		
2024	2024	198,932		
2025	2025	—		
2026	2026	—		
2027	2027	—		
2028				
Thereafter	Thereafter	929,120		
		<hr/>		
		1,128,052		
		<hr/>		
		1,428,052		
Unamortized debt discounts	Unamortized debt discounts	(3,228)		
Unamortized debt issuance costs	Unamortized debt issuance costs	(7,835)		
		<hr/>		
		\$1,116,989		
		<hr/>		
		\$		

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(12) Derivatives and Hedging Activities

Risk Management Objective of Using Derivatives. The Company is exposed to certain risks arising from both its business operations and economic conditions. The Company principally manages its exposures to a wide variety of business and operational risks through management of its core business activities. The Company manages economic risks, including interest rate, liquidity, and credit risk primarily by managing the type, amount, sources, and duration of its debt funding and the use of derivative financial instruments. Specifically, the Company enters into derivative financial instruments to manage exposures that arise from business activities that result in the receipt or payment of future known and uncertain cash amounts, the value of which are determined by interest rates. The Company's derivative financial instruments are used to manage differences in the amount, timing, and duration of the Company's known or expected cash receipts and its known or expected cash payments principally related to the Company's investments and borrowings.

Cash Flow Hedges of Interest Rate Risk. The Company's objectives in using interest rate derivatives are to add stability to interest expense, to manage its exposure to interest rate movements and therefore manage its cash outflows as it relates to the underlying debt instruments. To accomplish these objectives the Company primarily uses interest rate swaps as part of its interest rate risk management strategy relating to certain of its variable rate debt instruments. Interest rate swaps designated as cash flow hedges involve the receipt of variable-rate amounts from a counterparty in exchange for the Company making fixed-rate payments over the life of the agreements without exchange of the underlying notional amount.

The changes in the fair value of derivatives designated and that qualify as cash flow hedges is recorded in accumulated other comprehensive income (loss) and is subsequently reclassified into earnings in the period that the hedged forecasted transaction affects earnings. The Company did not incur any ineffectiveness during **2022** **2023** and **2021**, **2022**.

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During July 2022, the Company transitioned its four interest rate swap agreements with its counterparties to a benchmark rate of Term SOFR. The swaps were designated as cash flow hedges of the risk in variability attributable to changes in the Term SOFR swap rates on its \$300,000 SOFR-indexed variable rate unsecured term loan. Accordingly, changes in fair value of the swaps are recorded in other comprehensive income (loss) and reclassified to earnings as interest becomes receivable or payable. The swaps expire **coterminous with the maturity of the term loan** in January 2025. During the next 12 months, the Company estimates that an additional **\$9,373** **\$8,977** will be reclassified as a decrease to interest expense if the swaps remain outstanding.

As of **December 31, 2022** **December 31, 2023**, the Company had the following outstanding interest rate derivatives that were designated as cash flow hedges of interest rate risk:

Interest Rate Derivative	Number of Instruments	Notional
Interest Rate Swaps	4	\$300,000

The table below presents the fair value of the Company's derivative financial instruments as well as their classification on the consolidated balance sheets.

Derivatives	As of December 31,		As of December 31,		As of December 31, 2023		As of December 31, 2022			
	2022		2021							
	Designated	Derivatives	Designated	Derivatives	Derivatives	Designated as hedging instruments:	Balance Sheet Location	Fair Value	Balance Sheet Location	Fair Value
as hedging instruments:	Balance Sheet	Location	Balance Sheet	Location	Derivatives designated as hedging instruments:					
Interest Rate Swap Liability	Assets <u>\$16,318</u>	Other Liabilities <u>\$(6,258)</u>			Balance Sheet Location					
Interest Rate Swaps					Fair Value					

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The table below present the effect of the Company's derivative financial instruments on the consolidated statements of operations for **2022** **2023** and **2021**, **2022**:

Derivatives in Cash Flow	Amount of Gain Recognized		Accumulated OCI into Income (1) December 31,	Derivatives in Cash Flow	Amount of Gain Recognized in OCI on Derivative December 31,	Amount of (Income) Loss Reclassified from Accumulated OCI into Income (1) December 31,		Accumulated OCI into Income (1) December 31,				
	Amount of (Income) Loss Reclassified from Accumulated OCI into Income (1) December 31,											
	Derivatives in Cash Flow	December 31,				Derivatives in Cash Flow	Derivatives in Cash Flow					

Hedging Relationships	Hedging Relationships	2022	2021	2022	2021	Hedging Relationships	2023	2022	2023	2022
Interest	Interest									
Rate Swap	Rate Swap	\$22,578	\$6,755	\$ (2)	\$4,950					
The Company's share of non-consolidated entity's interest rate cap	The Company's share of non-consolidated entity's interest rate cap	1,455	—	(84)	—					
Total	Total	\$24,033	\$6,755	\$(86)	\$4,950					

(1) Amounts reclassified from accumulated other comprehensive income (loss) to interest expense within the consolidated statements of operations.

Total interest expense presented in the consolidated statements of operations in which the effects of cash flow hedges are recorded was \$46,389 and \$45,417 for 2023 and \$46,708 for 2022, and 2021, respectively.

The Company's agreements with the swap derivative counterparties contain provisions whereby if the Company defaults on the underlying indebtedness, including default where repayment of the indebtedness has not been accelerated by the lender, then the Company could also be declared in default of the swap derivative obligation. As of December 31, 2022 December 31, 2023, the Company had not posted any collateral related to the agreements.

(13) Concentration of Risk

The Company seeks to reduce its operating and leasing risks through the geographic diversification of its properties in target markets, tenant industry diversification, avoidance of dependency on a single asset and the creditworthiness of its tenants. For the years ended December 31, 2022 December 31, 2023, 2021 2022 and 2020, 2021, no single tenant represented greater than 10% of rental revenues.

Cash and cash equivalent balances and certain short-term investments at certain institutions may exceed insurable amounts. The Company believes it mitigates this risk by investing in or through major financial institutions.

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(14) Equity

Shareholders' Equity:

At-The-Market Offering Program. The Company maintains an At-The-Market offering program ("ATM program") under which the Company can issue common shares, including through forward sales contracts. During 2023, there were no share issuances under the ATM program.

During 2022, the Company issued 3,649,023 common shares previously sold on a forward basis in the first quarter of 2021 on the maturity date of the contracts and received \$38,492 of net proceeds. During 2021, the Company settled 4,990,717 common shares previously sold on a forward basis on the maturity date of the contract and received \$53,567 of net proceeds.

During 2021, the Company sold 1,052,800 common shares under the ATM program for net proceeds of \$13,532. The Company did not sell common shares under the ATM program during the twelve months ended December 31, 2022.

During 2021, the Company amended the terms of its ATM offering program, under which the Company may, from time to time, sell up to \$350,000 of common shares over the term of the program. As of December 31, 2022 December 31, 2023, common shares with an aggregate value of \$294,985 remain available for issuance under the ATM program.

Underwritten Equity Offerings. During 2021, the Company entered into forward sales contracts for the sale of 16,000,000 common shares at a public offering price of \$12.11 per common share in an underwritten equity offering that have not yet settled. The forward sale contracts were settled in December 2022, and the Company received \$183,419 of net proceeds. The Company did not issue common shares as part of an underwritten offering in 2023.

Stock Based Compensation. In addition, during the years ended December 31, 2022 December 31, 2023, 2021 2022 and 2020, 2021, the Company issued 1,284,704, 930,602 949,573 and 756,380 949,573 of its common shares, respectively, to certain employees and trustees. Typically, trustee share grants vest immediately. Employee share grants generally vest ratably, on anniversaries of the grant date, however, in certain situations vesting is cliff-based after a specific number of years and/or subject to meeting certain performance criteria.

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Share Repurchase Program. In August 2022, the Company's Board of Trustees authorized the repurchase of up to an additional 10,000,000 common shares under the Company's share repurchase program, which does not have an expiration date. There were no common shares repurchased during 2023. During 2022, 12,102,074 common shares were repurchased and retired for an average price of \$10.78 per share. During 2021, there were no share repurchases. As of December 31, 2022 December 31, 2023, 6,874,241 common shares remain available for repurchase under this authorization. The Company records a liability for repurchases that have not yet been settled as of the period end. There were no unsettled repurchases as of December 31, 2022 December 31, 2023.

Series C Preferred Stock. The Company had 1,935,400 shares of Series C Cumulative Convertible Preferred Stock ("Series C Preferred") outstanding at December 31, 2022 December 31, 2023. The shares have a dividend of \$3.25 per share per annum, have a liquidation preference of \$96,770, and the Company, if certain common share prices are achieved, can force conversion into common shares of the Company. As of December 31, 2022 December 31, 2023, each share was convertible into 2.4339 common shares. This conversion ratio may increase over time if the Company's common share dividend exceeds certain quarterly thresholds.

If certain fundamental changes occur, holders may require the Company, in certain circumstances, to repurchase all or part of their shares of Series C Preferred. In addition, upon the occurrence of certain fundamental changes, the Company will, under certain circumstances, increase the conversion rate by a number of additional common shares or, in lieu thereof, may in certain circumstances elect to adjust the conversion rate upon the shares of Series C Preferred becoming convertible into shares of the public acquiring or surviving company.

The Company may, at the Company's option, cause shares of Series C Preferred to be automatically converted into that number of common shares that are issuable at the then prevailing conversion rate. The Company may exercise its conversion right only if, at certain times, the closing price of the Company's common shares equals or exceeds 125% of the then prevailing conversion price of the Series C Preferred.

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Holders of shares of Series C Preferred generally have no voting rights, but will have limited voting rights if the Company fails to pay dividends for six or more quarters and under certain other circumstances. Upon conversion, the Company may choose to deliver the conversion value to investors in cash, common shares, or a combination of cash and common shares.

A summary of the changes in accumulated other comprehensive income (loss) related to the Company's cash flow hedges is as follows:

		Years ended		Years ended December 31,	Years ended December 31,
		2022	2021		
	Years ended				
	December 31,				
	2023			2023	2022
	Balance				
Balance at	at				
beginning of	beginning				
period	of period	\$ (6,258)	\$ (17,963)		
Other comprehensive					
income (loss) before					
reclassifications		24,033	6,755		
Amounts of loss					
reclassified from					
accumulated other					
comprehensive loss to					
interest expense		(86)	4,950		
Other					
comprehensive					
income before					
reclassifications					

Amounts of (income) reclassified from accumulated other comprehensive income to interest expense	
Balance at end of period	Balance at end of period \$ 17,689 \$ (6,258)

Noncontrolling Interests. In conjunction with several of the Company's acquisitions in prior years, sellers were issued limited partner interests in LCIF ("OP units") OP units as a form of consideration. All OP units, other than OP units owned by the Company, ~~are~~were redeemable for common shares at certain times, at the option of the holders, and ~~are~~were generally not otherwise mandatorily redeemable by the Company. The OP units ~~are~~were classified as a component of permanent equity as the Company ~~has~~had determined that the OP units ~~are~~were not redeemable securities as defined by GAAP. Each OP unit ~~is~~currently~~was~~ redeemable for approximately 1.13 common shares, subject to future adjustments.

During 2023, 2022 and 2021, LCIF redeemed 832,571, 39,747 and canceled 1,598,906 OP units in connection with the disposition of the three properties.

During 2022, 2021 and 2020, 39,747, 185,270 and 327,453 common shares, respectively, were issued by the Company, in connection with OP unit redemptions, for an aggregate book value of \$3,393, \$211 and \$958, and \$1,614, respectively.

As included in the 2023 redemptions were 822,627 common shares issued with an aggregate value of December 31, 2022, there were approximately 739,000 \$7,800 to redeem the remaining OP units outstanding other than OP units owned by the Company. All OP units receive distributions in accordance with the LCIF partnership agreement. To the extent that at December 31, 2023 to complete the Company's dividend per common share merger with LCIF. The Company is less than the stated distribution per OP unit per surviving entity of the LCIF partnership agreement, the distributions per OP unit are reduced by the percentage reduction in the Company's dividend per common share. No OP units have a liquidation preference.

The following discloses the effects of changes in the Company's ownership interests in its noncontrolling interests:

	Net Income Attributable to Shareholders and Transfers from Noncontrolling Interests		
	2022	2021	2020
Net income attributable to LXP Industrial Trust shareholders	\$ 113,783	\$ 382,648	\$ 183,302
Transfers from noncontrolling interests:			
Increase in additional paid-in-capital for reallocation of noncontrolling interests	—	435	—
Increase in additional paid-in-capital for redemption of noncontrolling OP units	211	958	1,614
Change from net income attributable to shareholders and transfers from noncontrolling interests	\$ 113,994	\$ 384,041	\$ 184,916

merger.

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The following discloses the effects of changes in the Company's ownership interests in its noncontrolling interests:

	Net Income Attributable to Shareholders and Transfers from Noncontrolling Interests		
	2023	2022	2021
Net income attributable to LXP Industrial Trust shareholders	\$ 30,383	\$ 113,783	\$ 382,648
Transfers from noncontrolling interests:			
Increase in additional paid-in-capital for reallocation of noncontrolling interests	—	—	435
Increase in additional paid-in-capital for redemption of noncontrolling OP units	3,393	211	958
Change from net income attributable to shareholders and transfers from noncontrolling interests	\$ 33,776	\$ 113,994	\$ 384,041

(15) Benefit Plans

Non-vested share activity for the years ended **December 31, 2022**, **December 31, 2023** and **2021**, is as follows:

	Number of Shares	Value Per Share	Weighted-Average Grant-Date Fair Value Per Share
Balance at December 31, 2020	2,704,729	\$ 7.27	
Granted	899,328	7.85	
Vested	(1,303,149)	7.82	
Forfeited	(10,264)	10.09	
Balance at December 31, 2021	2,290,644	7.17	
Granted	860,665	10.97	
Vested	(951,472)	7.00	
Forfeited	(140,947)	9.21	
Balance at December 31, 2022	2,058,890	\$ 8.70	
Granted			
Vested			
Forfeited			
Balance at December 31, 2023			

During **2022**, **2023** and **2021**, the Company granted common shares to certain employees and trustees as follows:

	2022	2021	2023	2022
Performance	2023			
Shares ⁽¹⁾	Shares ⁽¹⁾			
Shares issued:	Shares issued:			
Shares issued:				
Index				
Index				
Index	Index	282,720	297,636	
Peer	Peer	282,715	297,632	
Grant date fair value per share ⁽²⁾	Grant date fair value per share ⁽²⁾			
Index	Index	\$ 9.40	\$ 7.13	
Peer	Peer	\$ 8.78	\$ 6.23	

Non-Vested	Non-Vested
Common	Common
Shares:(3)	Shares:(3)
<u>Non-Vested Common</u>	
<u>Shares:(3)</u>	
<u>Non-Vested Common</u>	
<u>Shares:(3)</u>	
Shares issued	
Shares issued	
Shares issued	295,230
Grant date	304,060
Grant date	
fair value	\$ 4,304
fair value	\$ 3,080

(1) The shares vest based on the Company's total shareholder return growth after a three-year measurement period relative to an index and a group of Company peers. Dividends will not be paid on these grants until earned. Once the performance criteria are met and the actual number of shares earned is determined, such shares vest immediately. During 2023, 266,812 of the 443,359 outstanding performance shares issued in 2020 vested. During 2022, all of the 552,121 performance shares issued in 2019 vested. During 2021, all of the 662,044 performance shares issued in 2018 vested.

(2) The fair value of grants was determined at the grant date using a Monte Carlo simulation model.

(3) The shares vest ratably over a three-year service period.

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In addition, during 2023, 2022 2021 and 2020, 2021, the Company issued 93,007, 69,937 50,245, and 47,130, 50,245, respectively, of fully vested common shares to non-management members of the Company's Board of Trustees with a fair value of \$939, \$849 \$587, and \$500, \$587, respectively.

As of December 31, 2022 December 31, 2023, of the remaining 2,058,890 2,539,473 non-vested shares, 533,827 642,552 are subject to time-based vesting and 1,525,063 1,896,921 are subject to performance-based vesting. At December 31, 2022 December 31, 2023, there are 4,094,587 2,994,544 awards available for grant. The Company has \$7,968 \$9,157 in unrecognized compensation costs relating to the non-vested shares that will be charged to compensation expense over an average of approximately 1.7 years.

The Company has established a trust for a certain officer in which vested common shares granted for the benefit of the officers are deposited. The officer exerts no control over the common shares in the trust and the common shares are available to the general creditors of the Company. As of December 31, 2022 December 31, 2023 and 2021, 2022, there were 130,863 common shares in the trust.

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NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
(\$000, except share/unit data)

The Company sponsors a 401(k) retirement savings plan covering all eligible employees. The Company makes a discretionary matching contribution on a portion of employee participant salaries and, based on its profitability, may make an additional discretionary contribution at each fiscal year end to all eligible employees. These discretionary contributions are subject to vesting under a schedule providing for 25% annual vesting starting with the first year of employment and 100% vesting after four years of employment. Approximately \$499, \$480 \$426 and \$393 \$426 of contributions are applicable to 2023, 2022 2021 and 2020, 2021, respectively.

During 2023, 2022 2021 and 2020, 2021, the Company recognized \$8,210, \$6,636 \$6,554 and \$6,185, \$6,554, respectively, in expense relating to scheduled vesting of common share grants.

(16) Related Party Transactions

There were no related party transactions other than those disclosed elsewhere in the consolidated financial statements.

(17) Income Taxes

The provision for income taxes relates primarily to the taxable income of the Company's taxable REIT subsidiaries. The earnings, other than in taxable REIT subsidiaries, of the Company are not generally subject to federal income taxes at the Company level due to the REIT election made by the Company.

Income taxes have been provided for on the asset and liability method. Under the asset and liability method, deferred income taxes are recognized for the temporary differences between the financial reporting basis and the tax basis of assets and liabilities.

The Company's provision for income taxes for the years ended December 31, 2022 December 31, 2023, 2021 2022 and 2020 2021 is summarized as follows:

2022	2021	2020
------	------	------

	2023	2023	2022	2021
Current: Current:				
Federal Federal	\$ —	\$ (26)	\$ (173)	
Federal				
Federal				
State State				
and and				
local local	(1,120)	(1,267)	(1,411)	
Deferred				
federal ⁽¹⁾ 18	—	—		
Deferred				
federal				
Total Total	\$ (1,102)	\$ (1,293)	\$ (1,584)	

(1) The net

Net deferred tax asset is of \$89 and \$18 are included in Other assets on the accompanying consolidated balance sheets at December 31, 2022, December 31, 2023 and 2022, respectively. This net deferred tax asset relates primarily to a net operating loss carryforward.

LXP INDUSTRIAL TRUST AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
(\$000, except share/unit data)

The income tax provision differs from the amount computed by applying the statutory federal income tax rate to pre-tax operating income as follows:

	2022	2021	2020	2023	2022	2021
2023						
Federal Federal provision						
at at statutory						
statutory tax rate						
tax rate (21%)	\$ 18	\$ (35)	\$ (195)			
State and State and local local						
taxes, net taxes, net of federal						
of federal benefit						
benefit — — (77)						
Other Other	(1,120)	(1,258)	(1,312)			
Total Total	\$ (1,102)	\$ (1,293)	\$ (1,584)			

For the years ended December 31, 2022 December 31, 2023, 2021 2022 and 2020, 2021, the "other" amount is comprised primarily of state franchise taxes of \$774, \$1,121 \$1,267 and \$1,314, \$1,267, respectively.

As of December 31, 2022, December 31, 2023 and 2022, the Company had estimated net operating loss carry forward for income tax reporting purposes of \$84, \$423 and \$84, respectively.

LXP INDUSTRIAL TRUST AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
(\$000, except share/unit data)

A summary of the average taxable nature of the Company's common dividends for each of the years in the three-year period ended December 31, 2022 December 31, 2023, is as follows:

	2022	2021	2020	2023	2022	2021
2023						
Total Total dividends						
dividends per share	\$ 0.48	\$ 0.43	\$ 0.42			

Ordinary income	Ordinary income	81.26 %	65.89 %	95.10 %	Ordinary income	71.67 %	81.26 %	65.89 %
Qualifying dividend	Qualifying dividend	— %	0.1 %	0.6 %	Qualifying dividend	— %	— %	0.1 %
Capital gain	Capital gain	—	—	—	Capital gain	— %	— %	— %
Return of capital	Return of capital	18.74 %	34.01 %	4.3 %				
		100.00 %	100.00 %	100.00 %				
Return of capital						28.33 %	18.74 %	34.01 %
Return of capital						100.00 %	100.00 %	100.00 %
		100.00						

A summary of the average taxable nature of the Company's dividend on shares of its Series C Preferred for each of the years in the three-year period ended **December 31, 2022** December 31, 2023, is as follows:

	2022	2021	2020		2023	2022	2021
2023							
Total dividends per share	Total dividends per share	\$ 3.25	\$ 3.25	\$ 3.25			
Ordinary income	Ordinary income	100.00 %	99.84 %	99.38 %	Ordinary income	100.00 %	100.00 %
Qualifying dividend	Qualifying dividend	— %	0.16 %	0.62 %	Qualifying dividend	— %	— %
Capital gain	Capital gain	—	—	—	Capital gain	— %	— %
Return of capital	Return of capital	—	—	—			
		100.00 %	100.00 %	100.00 %			
Return of capital					— %	— %	— %
Return of capital					100.00 %	100.00 %	100.00 %
		100.00					

(18) Commitments and Contingencies

In addition to the commitments and contingencies disclosed elsewhere, the Company has the following commitments and contingencies.

The Company is obligated under certain tenant leases, including its proportionate share for leases for non-consolidated entities, to fund the expansion of the underlying leased properties. The Company, under certain circumstances, may guarantee to tenants the completion of base building improvements and the payment of tenant improvement allowances and lease commissions on behalf of its subsidiaries.

As of **December 31, 2022** December 31, 2023, the Company had six ongoing consolidated development projects and expects we expect to incur approximately \$107,000 of costs in 2023, \$53,200, excluding noncontrolling interests' share and potential developer fees or partner buyouts, to substantially complete fund the construction of such projects. consolidated development project commitments. As of **December 31, 2022** December 31, 2023, the Company had interests in various industrial land parcels held for development. The Company is unable to estimate the timing of any required funding for the potential development projects on these parcels.

The Company and LCIF are parties to a funding agreement under which the Company may be required to fund distributions made on account of LCIF's OP units. Pursuant to the funding agreement, the parties agreed that, if LCIF does not have sufficient cash available to make a quarterly distribution to its limited partners in an amount in accordance with the partnership agreement,

LXP Industrial Trust will fund the shortfall. Payments under the agreement will be made in the form of loans to LCIF and will bear interest at prevailing rates as determined by the Company in its discretion but, no less than the applicable federal rate. LCIF's right to receive these loans will expire if no OP units remain outstanding and all such loans are repaid. No amounts have been advanced under this agreement. **INDUSTRIAL TRUST AND SUBSIDIARIES**

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS (\$000, except share/unit data)

From time to time, the Company is directly or indirectly involved in legal proceedings arising in the ordinary course of business. Management believes, based on currently available information, and after consultation with legal counsel, that although the outcomes of those normal course proceedings are uncertain, the results of such proceedings, in the aggregate, will not have a material adverse effect on the Company's business, financial condition and results of operations.

LXP INDUSTRIAL TRUST AND SUBSIDIARIES

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

(\$000, except share/unit data)

(19) Supplemental Disclosure of Statement of Cash Flow Information

	2022	2021	2020	2023	2023	2022	2021
Reconciliation of cash, cash equivalents and restricted cash:							
Cash and cash equivalents at beginning of period							
Cash and cash equivalents at beginning of period							
Cash and cash equivalents at beginning of period							
Restricted cash at beginning of period							
Cash, cash equivalents and restricted cash at beginning of period							
Cash and cash equivalents at end of period							
Cash and cash equivalents at end of period							
Restricted cash at end of period							
Cash, cash equivalents and restricted cash at end of period							

In addition to disclosures discussed elsewhere, during 2023, 2022 2021 and 2020, 2021, the Company paid \$51,763, \$48,675 \$44,234 and \$52,059, \$44,234, respectively, for interest and \$951, \$1,265 \$1,569 and \$1,748, \$1,569, respectively, for income taxes.

During For the year ended December 31, 2022 December 31, 2023, 2021 2022 and 2020, 2021, the Company accrued additions for capital projects of \$21,052, \$42,962 and \$41,100, respectively.

In 2023, LCIF merged with and \$12,666, respectively, into the Company. The consideration included the conversion of the remaining OP units outstanding valued at approximately \$7,800.

In 2023, a wholly owned subsidiary of the Company purchased a parcel of land from Etna Park 70, LLC, which the Company has a 90% ownership interest. The transaction generated a gain on sale that the Company recognized as a \$1,392 non-cash decrease to the basis acquired.

In 2023, the Company's ground lease related to an office property in Palo Alto, California expired and the lease hold improvements were conveyed back to the ground owner resulting in a non-cash decrease in real estate, at cost and accumulated depreciation and amortization of \$29,375.

In 2021, LCIF disposed of three real estate assets. The consideration included the redemption of OP units valued at \$22,305 and the assumption of the aggregate related non-recourse mortgage debt of \$11,610.

In 2021, as a result of the formation of the MFG Cold JV, the Company recognized a non-cash increase to investments in non-consolidated entities of \$28,075 for its 20% interest in MFG Cold JV. Additionally, MFG Cold JV assumed a mortgage loan encumbering one property resulting in a non-cash decrease of \$25,850 to mortgages and notes payable, net.

The acquisition of the RR Ocala 44, LLC joint venture in 2021 included a \$489 non-cash increase to investments in real estate under construction and the noncontrolling interest because a member of the joint venture made a non-cash contribution of the land in exchange for its ownership interest in the joint venture.

In 2021, and 2020, the Company entered into a new leases lease and exercised an extension options option on leases a lease resulting in an aggregate non-cash increase of \$1,589 and \$719, respectively, to the related operating lease liabilities and right of use assets.

In 2020, the Company sold its interest in a property, which included the assumption by the buyer of the related non-recourse mortgage debt of \$178,662.

As a result of the foreclosure of three office properties located in South Carolina, Kansas and Florida, during 2020, there was an aggregate non-cash charge of \$57,356 and \$28,078 in mortgages and notes payable, net, and real estate, net, respectively.

(20) Subsequent Events

Subsequent to December 31, 2022 December 31, 2023, the Company borrowed \$20,000, net, on acquired the remaining 5% interest in The Cubes at Etna East from its revolving credit facility joint venture partner.

LXP INDUSTRIAL TRUST AND SUBSIDIARIES
Real Estate and Accumulated Depreciation and Amortization
Schedule III (\$000)

Description	Description	Location	Encumbrances	Land and Land Estates	Buildings and Improvements	Total	Accumulated Depreciation and Amortization ⁽¹⁾	Date Acquired	Date Constructed
Description									
Description									
WAREHOUSE/DISTRIBUTION PROPERTIES									
WAREHOUSE/DISTRIBUTION PROPERTIES									
WAREHOUSE/DISTRIBUTION PROPERTIES									
<u>Stabilized:</u>	<u>Stabilized:</u>								
Industrial	Industrial	Chandler, AZ	\$ —	\$ 10,733	\$ 69,517	\$ 80,250	\$ 7,001	Nov-20	
Industrial	Industrial	Goodyear, AZ	—	5,247	36,115	41,362	6,738	Nov-18	
Industrial	Industrial	Goodyear, AZ	40,935	11,970	50,072	62,042	6,822	Nov-19	
Industrial	Industrial	Goodyear, AZ	—	1,614	16,222	17,836	1,975	Jan-20	
Industrial	Industrial	Goodyear, AZ	—	11,732	52,840	64,572	2,486	Nov-21	2021
Industrial	Industrial	Phoenix, AZ	—	8,027	77,140	85,167	3,326	Dec-21	
Industrial	Industrial	Phoenix, AZ	—	5,366	50,281	55,647	1,575	Apr-22	
Industrial	Industrial	Tolleson, AZ	—	3,311	16,013	19,324	2,295	Oct-19	
Industrial	Industrial	Lakeland, FL	—	1,416	20,986	22,402	1,676	Jan-21	
Industrial	Industrial	Ocala, FL	—	4,113	49,991	54,104	5,469	Jun-20	

LXP INDUSTRIAL TRUST AND SUBSIDIARIES

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Real Estate and Accumulated Depreciation and Amortization
Schedule III (\$000) - continued

Description									
Description									
Description	Description	Location	Land and Land				Accumulated Depreciation		
			Encumbrances	Estates	Buildings and Improvements	Total	and Amortization ⁽¹⁾	Date Acquired	Date Constructed
Industrial	Industrial	Erwin, NY	—	1,648	12,514	14,162	4,956	Sep-12	
Industrial	Industrial	Long Island City, NY	25,046	—	42,759	42,759	27,976	Mar-13	2013
Industrial	Industrial	Chiliicothe, OH	—	735	10,939	11,674	4,719	Oct-11	
Industrial	Industrial	Columbus, OH	—	2,251	25,279	27,530	1,476	Aug-21	
Industrial	Industrial	Glenwillow, OH	—	2,228	24,530	26,758	10,168	Dec-06	
Industrial	Industrial	Hebron, OH	—	1,803	5,796	7,599	2,797	Dec-97	
Industrial	Industrial	Hebron, OH	—	2,052	10,316	12,368	4,716	Dec-01	
Industrial	Industrial	Lockbourne, OH	—	2,800	16,678	19,478	1,456	Mar-21	2021
Industrial	Industrial	Monroe, OH	—	1,109	16,477	17,586	1,137	Dec-21	
Industrial	Industrial	Monroe, OH	—	544	14,120	14,664	1,912	Sep-19	
Industrial	Industrial	Monroe, OH	—	3,123	60,702	63,825	9,031	Sep-19	
Industrial	Industrial	Monroe, OH	—	3,950	88,422	92,372	12,667	Sep-19	
Industrial	Industrial	Streetsboro, OH	—	2,441	25,282	27,723	12,742	Jun-07	
Industrial	Industrial	Bristol, PA	—	2,508	15,863	18,371	9,909	Mar-98	
Industrial	Industrial	Duncan, SC	—	2,819	24,509	27,328	1,588	Jul-21	
Industrial	Industrial	Duncan, SC	—	1,169	23,070	24,239	1,469	Jul-21	
Industrial	Industrial	Duncan, SC	—	1,020	18,328	19,348	1,136	Jul-21	
Industrial	Industrial	Duncan, SC	—	1,710	27,817	29,527	1,782	Jul-21	
Industrial	Industrial	Duncan, SC	—	1,406	14,272	15,678	2,014	Oct-19	
Industrial	Industrial	Duncan, SC	—	1,257	13,252	14,509	1,877	Oct-19	
Industrial	Industrial	Duncan, SC	—	1,615	27,830	29,445	4,515	Apr-19	
Industrial	Industrial	Greer, SC	—	1,329	22,393	23,722	1,417	Jun-21	
Industrial	Industrial	Greer, SC	—	6,959	78,405	85,364	9,992	Dec-19	
Industrial	Industrial	Greer, SC	—	2,376	32,129	34,505	2,062	Jun-21	
Industrial	Industrial	Greer, SC	—	2,484	61,583	64,067	—	Jul-21	2022
Industrial	Industrial	Spartanburg, SC	—	1,447	23,758	25,205	5,548	Aug-18	
Industrial	Industrial	Spartanburg, SC	—	1,186	15,820	17,006	1,394	Dec-20	
Industrial	Industrial	Antioch, TN	—	3,847	17,357	21,204	5,858	May-07	
Industrial	Industrial	Cleveland, TN	—	1,871	29,743	31,614	7,354	May-17	
Industrial	Industrial	Jackson, TN	—	1,454	49,134	50,588	11,038	Sep-17	
Industrial	Industrial	Lewisburg, TN	—	173	10,865	11,038	2,941	May-14	
Industrial	Industrial	Millington, TN	—	723	20,664	21,387	15,887	Apr-05	
Industrial	Industrial	Smyrna, TN	—	1,793	93,940	95,733	21,646	Sep-17	
Industrial	Industrial	Carrollton, TX	—	3,228	16,234	19,462	4,278	Sep-18	
Industrial	Industrial	Dallas, TX	—	2,420	23,330	25,750	3,613	Apr-19	
Industrial	Industrial	Deer Park, TX	—	6,489	28,470	34,959	2,070	May-21	
Industrial	Industrial	Grand Prairie, TX	—	3,166	17,985	21,151	4,289	Jun-17	
Industrial	Industrial	Houston, TX	—	15,055	57,949	73,004	17,586	Mar-13	
Industrial	Industrial	Hutchins, TX	—	1,307	8,472	9,779	974	May-20	
Industrial	Industrial	Lancaster, TX	—	3,847	25,037	28,884	2,195	Dec-20	
Industrial	Industrial	Missouri City, TX	—	14,555	5,895	20,450	5,895	Apr-12	
Industrial	Industrial	Northlake, TX	—	4,500	71,636	76,136	8,676	Feb-20	
Industrial	Industrial	Northlake, TX	—	3,938	37,189	41,127	3,466	Dec-20	
Industrial	Industrial	Pasadena, TX	—	4,272	22,295	26,567	1,604	May-21	
Industrial	Industrial	Pasadena, TX	—	2,202	17,135	19,337	1,843	Jun-20	

LXP INDUSTRIAL TRUST AND SUBSIDIARIES
Real Estate and Accumulated Depreciation and Amortization
Schedule III (\$000) - continued

Description	Description	Location	Encumbrances	Land and Land Estates	Buildings and Improvements	Total	Accumulated Depreciation and Amortization ⁽¹⁾	Date Acquired	Date Constructed
Description									
Description									
NON-STABILIZED PROPERTIES									
NON-STABILIZED PROPERTIES									
NON-STABILIZED PROPERTIES									
Industrial									
Industrial									
Industrial									
Industrial									
Industrial									
Industrial									
Industrial									
OTHER PROPERTIES									
OTHER PROPERTIES									
OTHER PROPERTIES									
Other									
Other									
Other									
Other	Other	Fort Mill, SC	—	3,601	16,306	19,907	8,471	Dec-02	

Construction in progress	Construction in progress	—	—	—	9,221	—
Construction in progress						
Construction in progress						
Deferred loan costs, net						
Deferred loan costs, net						
Deferred loan costs, net	Deferred loan costs, net	—	(1,051)	—	—	—
\$						
		\$ 72,103	\$ 346,816	\$ 3,335,029	\$ 3,691,066	\$ 627,027
\$						
\$						

(1) Depreciation and amortization expense is calculated on a straight-line basis over the following lives:

Building and improvements	Up to 40 years
Land estates	Up to 51 years
Tenant improvements	Shorter of useful life or term of related lease

LXP INDUSTRIAL TRUST AND SUBSIDIARIES
Real Estate and Accumulated Depreciation and Amortization
Schedule III (\$000) - continued

The initial cost includes the purchase price paid directly or indirectly by the Company. The total cost basis of the Company's properties at December 31, 2022 December 31, 2023 for federal income tax purposes was approximately \$4.4 billion.

	2022	2021	2020	2023	2022	2021
Reconciliation of real estate, at cost:	Reconciliation of real estate, at cost:					
Balance at the beginning of year						
Balance at the beginning of year						
Balance at the beginning of year	Balance at the beginning of year	\$3,583,978	\$3,514,564	\$3,320,574		
Additions during year	Additions during year	229,962	860,311	580,861		
Properties sold and impaired during the year	Properties sold and impaired during the year	(161,393)	(653,247)	(354,218)		
Other reclassifications	Other reclassifications	38,519	(137,650)	(32,653)		
Balance at end of year	Balance at end of year	\$3,691,066	\$3,583,978	\$3,514,564		
Reconciliation of accumulated depreciation and amortization:	Reconciliation of accumulated depreciation and amortization:					
Reconciliation of accumulated depreciation and amortization:	Reconciliation of accumulated depreciation and amortization:					
Balance at the beginning of year						

Balance at the beginning of year			
Balance at the beginning of year	Balance at the beginning of year	\$ 504,699	\$ 684,468
Depreciation and amortization expense	Depreciation and amortization expense	144,163	138,879
Accumulated depreciation and amortization of properties sold and impaired during year	Accumulated depreciation and amortization of properties sold and impaired during year	(43,521)	(244,751)
Other reclassifications	Other reclassifications	21,686	(73,897)
Balance at end of year	Balance at end of year	<u>\$ 627,027</u>	<u>\$ 504,699</u>
			\$ 684,468

Item 9. Changes in and Disagreements with Accountants on Accounting and Financial Disclosure

Not applicable.

Item 9A. Controls and Procedures

Evaluation of Disclosure Controls and Procedures

An evaluation of the effectiveness of the design and operation of our "disclosure controls and procedures" (as defined in Rule 13a-15(e) or 15d-15(e) under the Exchange Act), as of the end of the period covered by this Annual Report, was made under the supervision and with the participation of our management, including our Chief Executive Officer and our Chief Financial Officer who are our Principal Executive Officer and our Principal Financial Officer, respectively. Management, including our Chief Executive Officer and our Chief Financial Officer, has concluded that our disclosure controls and procedures were effective as of **December 31, 2022** **December 31, 2023**.

Management's Report on Internal Control Over Financial Reporting

Our management is responsible for establishing and maintaining adequate internal control over financial reporting and for performing an assessment of the effectiveness of internal control over financial reporting as of **December 31, 2022** **December 31, 2023**. Our system of internal control over financial reporting is designed to provide reasonable assurance regarding the reliability of financial reporting and the preparation and fair presentation of published financial statements in accordance with U.S. generally accepted accounting principles. Our system of internal control over financial reporting includes policies and procedures that (1) pertain to the maintenance of records that, in reasonable detail, accurately and fairly reflect the transactions and dispositions of our assets; (2) provide reasonable assurance that transactions are recorded as necessary to permit preparation of financial statements in accordance with U.S. generally accepted accounting principles and that receipts and expenditures are being made only in accordance with authorizations of our management and the members of our Board of Trustees; and (3) provide reasonable assurance regarding prevention or timely detection of unauthorized acquisition, use or disposition of our assets that could have a material effect on our financial statements.

All internal control systems, no matter how well designed, have inherent limitations.

Therefore, even those systems determined to be effective can provide only reasonable assurance that financial statements are fairly presented in accordance with U.S. generally accepted accounting principles.

Our management assessed the effectiveness of our internal control over financial reporting as of **December 31, 2022** **December 31, 2023**. In assessing the effectiveness of our internal control over financial reporting, management used as guidance the criteria established in Internal Control - Integrated Framework (2013) issued by the Committee of Sponsoring Organizations of the Treadway Commission. Based upon the assessment performed, management has concluded that our internal control over financial reporting was effective as of **December 31, 2022** **December 31, 2023**.

Our independent registered public accounting firm, Deloitte & Touche LLP, which audited the financial statements included in this Annual Report on Form 10-K that contain the disclosure required by this Item, independently assessed the effectiveness of the Company's internal control over financial reporting. Deloitte & Touche LLP has issued an unqualified report on the Company's internal control over financial reporting, which is included in "Financial Statements and Supplementary Data" in Part II, Item 8 of this Annual Report.

Changes in Internal Control Over Financial Reporting

There were no changes to our internal control over financial reporting (as defined in Rules 13a-15(f) and 15d-15(f) of the Exchange Act) during the quarter ended **December 31, 2022** **December 31, 2023** that have materially affected, or are reasonably likely to materially affect, our internal control over financial reporting.

Item 9B. Other Information

Not applicable. During the three months ended December 31, 2023, no trustee or officer of the Company adopted or terminated a "Rule 10b5-1 trading arrangement" or "non-Rule 10b5-1 trading arrangement," as each term is defined in Item 408(a) of Regulation S-K.

Item 9C. Disclosure Regarding Foreign Jurisdictions that Prevent Inspections

Not applicable.

PART III.

Item 10. Directors, Executive Officers and Corporate Governance

The information relating to our Code of Business Conduct and Ethics, is included in Part I, Item 1 of this Annual Report. The information relating to our trustees, including the audit committee of our Board of Trustees and our Audit Committee financial expert, and certain information relating to our executive officers, trustees and trustee independence will be in our Definitive Proxy Statement for our 2023 2024 Annual Meeting of Shareholders, which we refer to as our Proxy Statement, and is incorporated herein by reference.

Item 11. Executive Compensation

The information required to be furnished pursuant to this item will be set forth under the appropriate captions in the Proxy Statement, and is incorporated herein by reference.

Item 12. Security Ownership of Certain Beneficial Owners and Management and Related Stockholder Matters

The information required to be furnished pursuant to this item will be set forth under the appropriate captions in the Proxy Statement, and is incorporated herein by reference.

Item 13. Certain Relationships and Related Transactions, and Director Independence

The information required to be furnished pursuant to this item will be set forth under the appropriate captions in the Proxy Statement, and is incorporated herein by reference. In addition, certain information regarding related party transactions is set forth in note 15 16 to the Company's Consolidated Financial Statements in "Financial Statements and Supplementary Data" in Part II, Item 8 of this Annual Report.

Item 14. Principal Accounting Fees and Services

The information required to be furnished pursuant to this item will be set forth under the appropriate captions in the Proxy Statement, and is incorporated herein by reference.

PART IV.

Item 15. Exhibits, Financial Statement Schedules

		<u>Page</u>
(a)(1) Financial Statements		57
(2) Financial Statement Schedules		94
(3) Exhibits		100

Exhibit No.	Description	
3.1	— Articles of Merger and Amended and Restated Declaration of Trust of the Company, dated December 31, 2006 (filed as Exhibit 3.1 to the Company's Current Report on Form 8-K filed January 8, 2007)(1)(1)	
3.2	— Articles Supplementary Relating to the Reclassification of 8.05% Series B Cumulative Redeemable Preferred Stock, par value \$0.0001 per share, and 7.55% Series D Cumulative Redeemable Preferred Stock, par value \$0.0001 per share (filed as Exhibit 3.4 to the Company's Current Report on Form 8-K filed November 21, 2013)(1)	
3.3	— Articles of Amendment to the Amended and Restated Declaration of Trust, dated as of December 14, 2021 (filed as of Exhibit 3.1 to the Company's Current Report on Form 8-K filed on December 16, 2021)(1)	
3.4	— Articles of Amendment to the Amended and Restated Declaration of Trust, dated as of December 14, 2021 (filed as of Exhibit 3.1 to the Company's Current Report on Form 8-K filed on December 16, 2021)(1)	Articles of Amendment to the Amended and Restated Declaration of Trust, dated as of December 14, 2021 (filed as of Exhibit 3.1 to the Company's Current Report on Form 8-K filed on December 16, 2021)(1)

of Trust
dated as of
May 26,
2022 (filed
as Exhibit
3.1 to the
Company's
Current
Report on
Form 8-K
filed May
27, 2022
(the
"05/27/22 8-
K") (1).

3.5	— Second Third Amended and Restated By-Laws of the Company (filed as Exhibit 3.6.3.1 to the Company's Quarterly Report on Form 10-Q 8-K filed November 3, 2022 May 19, 2023)(1)
3.6.3.6	— Sixth Amended and Restated Agreement of Limited Partnership of LCIE, dated as of December 30, 2013 (filed as Exhibit 3.25 to the Company's Annual Report on Form 10-K for the year ended December 31, 2013, filed on February 26, 2014)(1)
4.1	— Specimen of Common Shares Certificate of the Company (filed as Exhibit 4.1 to the Company's Annual Report on Form 10-K for year ended December 31, 2021)(1)
4.2	— Form of 6.50% Series C Cumulative Convertible Preferred Stock certificate (filed as Exhibit 4.1 to the Company's Registration Statement on Form 8A filed December 8, 2004)(1)
4.3	— Amended and Restated Trust Agreement, dated March 21, 2007, among the Company, The Bank of New York Trust Company, National Association ("BONY"), The Bank of New York (Delaware), the Administrative Trustees (as named therein) and the several holders of the Preferred Securities from time to time (filed as Exhibit 4.1 to the Company's Current Report on Form 8-K filed on March 27, 2007 (the "03/27/2007 8-K"))(1)
4.4	— Junior Subordinated Indenture, dated as of March 21, 2007, between the Company and BONY (filed as Exhibit 4.2 to the 03/27/2007 8-K)(1)
4.5	— Indenture, dated as of June 10, 2013, among the Company, certain subsidiaries of the Company signatories thereto, and U.S. Bank, as trustee (filed as Exhibit 4.1 to the Company's Current Report on Form 8-K filed on June 13, 2013)(1)
4.6	— First Supplemental Indenture, dated as of September 30, 2013, between the Company and U.S. Bank, as trustee (filed as Exhibit 4.2 to the Company's Current Report on Form 8-K filed on October 3, 2013)(1)
4.7	— Indenture, dated as of May 9, 2014, among the Company and U.S. Bank, as trustee (filed as Exhibit 4.1 to the Company's Current Report on Form 8-K filed May 13, 2014)(1)
4.8	— First Supplemental Indenture, dated as of May 20, 2014, among the Company and U.S. Bank, as trustee (filed as Exhibit 4.1 to the Company's Current Report on Form 8-K filed May 20, 2014)(1)
4.9	— Second Supplemental Indenture, dated as of August 28, 2020, between the Company and U.S. Bank, as trustee (filed as Exhibit 4.1 to the Company's Current Report on Form 8-K filed August 28, 2020)(1)
4.10	— Third Supplemental Indenture, dated as of August 30, 2021, among the Company and U.S. Bank, as trustee (filed as Exhibit 4.1 to the Company's Current Report on Form 8-K filed August 30, 2021)(1)
4.11	— Fourth Supplemental Indenture, dated as of November 13, 2023, among the Company and U.S. Bank, as trustee (filed as Exhibit 4.1 to the Company's Current Report on Form 8-K filed November 13, 2023)(1)
4.12	— Description of the Registrant's Securities Registered Pursuant to Section 12 of the Securities Exchange Act of 1934 (2)
10.1	— 1994 Employee Stock Purchase Plan (filed as Exhibit 10.1 to the Company's Annual Report on Form 10-K for the year ended December 31, 2018, filed on March 13, 2019)(1)
10.2	— LXP Industrial Trust Amended 2022 Equity-Based Award Plan (filed as Exhibit 10.1 to the 05/27/2022 8-K)(1.4)
10.3	— Amended and Restated Rabbi Trust Agreement, originally dated January 26, 1999 (filed as Exhibit 10.2 to the Company's Current Report on Form 8-K filed January 2, 2009)(1.4)
10.4	— Form of Long-Term Retention Nonvested Share Agreement (filed as Exhibit 10.1 to the Company's Current Report on Form 8-K filed on

		<u>January 11, 2013)(1, 4).</u>
10.5	—	Form of Nonvested Share Agreement (Performance and Service) (filed as Exhibit 10.17 to the Company's Annual Report on Form 10-K for the year ended December 31, 2016, filed on March 1, 2017)(1, 4).
10.6	—	Form of LXP Industrial Trust Restricted Share Agreement (Filed as Exhibit 10.1 to the Company's Current Report on Form 8-K filed on January 17, 2023 (the "01/17/23 8-K"))(1, 4).
10.7	—	Form of LXP Industrial Trust Nonvested Share Agreement (Filed as Exhibit 10.2 to the 1/17/2023 8-K)(1, 4).
10.8	—	Executive Severance Plan (filed as Exhibit 10.3 to the Company's Current Report on Form 8-K (filed on January 19, 2018)(1, 4).
10.9	—	Form of Executive Severance Agreement under the Executive Severance Plan adopted January 18, 2018 (filed as Exhibit 10.7 to the Company's Annual Report on Form 10-K for the year ended December 31, 2021, filed on February 24, 2022)(1, 2).
10.10	—	Form of Amended and Restated Indemnification Agreement between the Company and certain officers and trustees (filed as Exhibit 10.20 to the Company's Quarterly Report Form 10-Q for the quarter ended September 30, 2008)(1).
10.11	—	Funding Agreement, dated as of July 23, 2006, by and between LCIF and the Company (filed as Exhibit 99.4 to the Company's Current Report on Form 8-K filed on July 24, 2006)(1).
10.12	—	Second Amended and Restated Credit Agreement, dated as of July 5, 2022July 5, 2022, among the Company, as borrower, each of the financial institutions initially signatory thereto together with their assignees pursuant to Section 12.5 therein and KeyBank, as agent (filed as Exhibit 10.1 to the Company's Current Report on Form 8-K filed on July 11, 2022)(1, July 11, 2022)(1).
10.13	—	First Amendment to Second Amended and Restated Credit Agreement, dated as of July 25, 2019November 3, 2023, among the Company, as borrower, KeyBank, as a lender and administrative agent, and the other current and former lenders thereunder, and each of the lenders signatory thereto (filed as Exhibit 10.1 to the Company's Current Report on Form 8-K filed on July 29, 2019 November 8, 2023)(1).
10.14	—	Equity Sales Agreement, dated as of November 27, 2019, between the Company and Jefferies LLC, KeyBanc Capital Markets Inc., Regions Securities LLC, BofA Securities, Inc., Mizuho Securities USA LLC and Evercore Group L.L.C. (filed as Exhibit 1.1 to the Company's Current Report on Form 8-K filed on November 29, 2019)(1).
10.15	—	Amendment to Equity Sales Agreement, dated as of February 19, 2021, between the Company and the Sales Agents and Bank of America, N.A. and Mizuho Markets Americas LLC (filed as of Exhibit 1.2 to the Company's Current Report on Form 8-K filed on February 22, 2021)(1).
10.16	—	Limited Partnership Agreement of NNN Office JV L.P., dated as of August 31, 2018, among LX JV Investor LLC, as a limited partner, NLSAF LP1 LLC, UHA LP2 LLC, and LXPDK GP LLC (filed as Exhibit 10.4 to the Company's Current Report on Form 8-K filed on September 5, 2018)(1).

10.17	— Limited Partnership Agreement of NNN MFG Cold JV L.P., dated as of December 29, 2021, among LX JV Investor II LLC, as a limited partner, LXP MFG C L.P., as a limited partner, and LXPDK II GP LLC, as a general partner (filed as Exhibit 10.2 to the Company's Current Report on Form 8-K filed on January 3, 2022)(1)
10.18 21	— Amendment to Master Confirmation and Supplemental Confirmation of Registered Forward Transaction, dated as of May 6, 2022, between the Company and JPMorgan Chase Bank, National Association (filed as Exhibit 10.1 to the Company's Current Report on Form 8-K filed on May 12, 2022)(1)
10.19	— Amendment to Master Confirmation and Supplemental Confirmation of Registered Forward Transaction, dated as of May 6, 2022, between the Company and Wells Fargo Bank, National Association (filed as Exhibit 10.2 to the Company's Current Report on Form 8-K filed on May 12, 2022)(1)
10.20	— Amendment to Master Confirmation and Supplemental Confirmation of Registered Forward Transaction, dated as of June 14, 2022, between the Company and Wells Fargo Bank, National Association (filed as Exhibit 10.1 to the Company's Current Report on Form 8-K filed on June 21, 2022)(1)
10.21	— Amendment to Master Confirmation and Supplemental Confirmation of Registered Forward Transaction, dated as of June 16, 2022, between the Company and JPMorgan Chase Bank, National Association (filed as Exhibit 10.2 to the Company's Current Report on Form 8-K filed on June 21, 2022)(1)
21	— List of subsidiaries (2)
23	— Consent of Deloitte & Touche LLP (2)
24	— Power of Attorney (included on signature page)
31.1	— Certification of Chief Executive Officer pursuant to rule 13a-14(a)/15d-14(a) of the Securities Exchange Act of 1934, as adopted pursuant to Section 302 of the Sarbanes-Oxley Act of 2002 (2)

31.2	— Certification of Chief Financial Officer pursuant to rule 13a-14(a)/15d-14(a) of the Securities Exchange Act of 1934, as adopted pursuant to Section 302 of the Sarbanes-Oxley Act of 2002 (2)
32.1	— Certification of Chief Executive Officer pursuant to 18 U.S.C. Section 1350, as adopted pursuant to Section 906 of the Sarbanes-Oxley Act of 2002 (3)
32.2	— Certification of Chief Financial Officer pursuant to 18 U.S.C. Section 1350, as adopted pursuant to Section 906 of the Sarbanes-Oxley Act of 2002 (3)
101.INS97	— Executive Incentive Compensation Recovery Policy
101.INS	— XBRL Instance Document - the instance document does not appear in the Interactive Data File because its XBRL tags are embedded within the Inline XBRL document (2, 5)
101.SCH	— Inline XBRL Taxonomy Extension Schema (2, 5)

101.CAL	— Inline XBRL Taxonomy Extension Calculation Linkbase (2, 5)
101.DEF	— Inline XBRL Taxonomy Extension Definition Linkbase Document (2, 5)
101.LAB	— Inline XBRL Taxonomy Extension Label Linkbase Document (2, 5)
101.PRE	— Inline XBRL Taxonomy Extension Presentation Linkbase Document (2, 5)

(1) Incorporated by reference.

(2) Filed herewith.

(3) This exhibit shall not be deemed "filed" for purposes of Section 11 or 12 of the Securities Act of 1933, as amended (the "Securities Act"), or Section 18 of the Securities Exchange Act of 1934, as amended (the "Exchange Act"), or otherwise subject to the liabilities of those sections, and shall not be part of any registration statement to which it may relate, and shall not be incorporated by reference into any registration statement or other document filed under the Securities Act or the Exchange Act, except as set forth by specific reference in such filing or document.

(4) Management contract or compensatory plan or arrangement.

(5) Attached as Exhibit 101 to this Annual Report on Form 10-K are the following materials, formatted in Inline XBRL (Extensible Business Reporting Language): (i) the Consolidated Balance Sheets at [December 31, 2022](#) [December 31, 2023](#) and [2021](#) [2022](#); (ii) the Consolidated Statements of Operations for the years ended [December 31, 2022](#) [December 31, 2023](#), [2021](#) [2022](#) and [2020](#); (iii) the Consolidated Statements of Comprehensive Income (Loss) for the years ended [December 31, 2022](#) [December 31, 2023](#), [2021](#) [2022](#) and [2020](#); (iv) the Consolidated Statements of Changes in Equity for the years ended [December 31, 2022](#) [December 31, 2023](#), [2021](#) [2022](#) and [2020](#); (v) the Consolidated Statements of Cash Flows for the years ended [December 31, 2022](#) [December 31, 2023](#), [2021](#) [2022](#) and [2020](#); and (vi) Notes to Consolidated Financial Statements, detailed tagged.

SIGNATURES

Pursuant to the requirements of Section 13 or 15(d) 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.

LXP Industrial Trust

Dated: February 16, 2023 15, 2024

By: /s/ T. Wilson Eglin

T. Wilson Eglin

Chief Executive Officer

POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS, that each person whose signature appears below constitutes and appoints T. Wilson Eglin, Beth Boularice and Mark Cherone, and each of them severally, his or her true and lawful attorney-in-fact with power of substitution and resubstitution to sign in his or her name, place and stead, in any and all capacities, to do any and all things and execute any and all instruments that such attorney may deem necessary or advisable under the Securities Exchange Act of 1934 and any rules, regulations and requirements of the U.S. Securities and Exchange Commission in connection with this Annual Report on Form 10-K and any and all amendments hereto, as fully for all intents and purposes as he might or could do in person, and hereby ratifies and confirms all said attorneys-in-fact and agents, each acting alone, and his or her substitute or substitutes, may lawfully do or cause to be done by virtue hereof. Pursuant to the requirements of the Securities Exchange Act of 1934, this report has been signed below by the following persons on behalf of the registrant and in the capacities and on the date indicated.

Signature

Title

/s/ T. Wilson Eglin
T. Wilson Eglin

Chairman, Chief Executive Officer and President of the Trust
(*principal executive officer*)

/s/ Beth Boularice
Beth Boularice

Chief Financial Officer, Executive Vice President and Treasurer of the Trust
(*principal financial officer*)

/s/ Mark Cherone
Mark Cherone

Senior Vice President and Chief Accounting Officer of the Trust
(*principal accounting officer*)

/s/ Richard S. Frary
Richard S. Frary

Trustee of the Trust

/s/ Lawrence L. Gray
Lawrence L. Gray

Trustee of the Trust

/s/ Arun Gupta
Arun Gupta

Trustee of the Trust

/s/ Jamie Handwerker
Jamie Handwerker

Trustee of the Trust

/s/ Derrick L. Johnson
Derrick L. Johnson

Trustee of the Trust

/s/ Claire A. Koeneman
Claire A. Koeneman

Trustee of the Trust

/s/ Nancy Elizabeth Noe
Nancy Elizabeth Noe

Trustee of the Trust

/s/ Howard Roth
Howard Roth

Trustee of the Trust

Each dated: February 16, 2023 February 15, 2024

DESCRIPTION OF SECURITIES
DESCRIPTION OF OUR COMMON SHARES

The following summary of the material terms and provisions of our common shares does not purport to be complete and is subject to the detailed provisions of our declaration of trust ("Declaration of Trust") and our By-Laws, bylaws ("By-Laws"), each as supplemented, amended or restated, and each of which is incorporated by reference as an exhibit to the Annual Report on Form 10-K of which this Exhibit 4.11 is a part. You should carefully read each of these documents in order to fully understand the terms and provisions of our common shares.

General

Under our Declaration of Trust, we have the authority to issue up to 1,400,000,000 shares of beneficial interest, par value \$0.0001 per share, of which 600,000,000 shares are classified as common stock, or common shares, 700,000,000 are classified as excess stock, or excess shares, and 100,000,000 shares are classified as preferred stock, or preferred shares, including 3,100,000 preferred shares classified as 6.50% Series C Cumulative Convertible Preferred Stock, \$0.0001 per value per share.

Terms

Subject to the preferential rights of any other shares or class or series of our equity securities and to the provisions of our Declaration of Trust regarding excess shares, holders of common shares are entitled to receive dividends on such common shares if, as and when authorized by our board of trustees and declared by us out of assets legally available therefor and to share ratably in those of our assets legally available for distribution to our shareholders in the event that we liquidate, dissolve or wind up, after payment of, or adequate provision for, all of our known debts and liabilities and the amount to which holders of any class of shares having a preference on distributions in liquidation, dissolution or winding up of us will be entitled.

Subject to the provisions of our Declaration of Trust regarding excess shares, each outstanding common share entitles the holder to one vote on all matters submitted to a vote of shareholders, including the election of trustees and, except as otherwise required by law or except as otherwise provided in our Declaration of Trust with respect to any other class or series of shares, the holders of common shares will possess exclusive voting power. In uncontested elections of trustees at a meeting duly called at which a quorum is present, the affirmative vote of a majority of the total votes cast by shareholders entitled to vote is sufficient to elect a trustee nominee. In contested elections at a meeting duly called at which a quorum is present, a plurality of votes cast by shareholders entitled to vote is required for the election of a trustee. A majority of the votes cast means that the number of shares voted "for" a trustee nominee must exceed the number of votes cast "against" or "withheld" with respect to such trustee nominee. Votes "against" or "withheld" with respect to a nominee will count as votes cast with respect to that nominee, but "abstentions" and broker non-votes with respect to that nominee will not count as votes cast with respect to that nominee. There is no cumulative voting in the election of trustees, which means that the holders of a majority of our outstanding common shares can elect all of the

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trustees then standing for election, and the holders of the remaining common shares will not be able to elect any trustees.

Subject to the provisions of our Declaration of Trust regarding excess shares, holders of common shares have no conversion, sinking fund or redemption rights or preemptive rights to subscribe for any of our securities.

We furnish our shareholders with annual reports containing audited consolidated financial statements and an opinion thereon expressed by an independent registered public accounting firm.

Subject to the provisions of our Declaration of Trust regarding excess shares, all of the common shares have equal dividend, distribution, liquidation and other rights and generally have no preference, appraisal or exchange rights.

Restrictions on Ownership

For us to qualify as a REIT under the Internal Revenue Code of 1986, as amended, which we refer to as the Code, among other things, not more than 50% in value of our outstanding shares of capital stock may be owned, directly or indirectly, by five or fewer individuals (as defined in the Code to include certain entities) during the last half of a taxable year. To assist us in meeting this requirement, among other purposes, our Declaration of Trust contains restrictions on the ownership and transfer of our shares.

Transfer Agent

The transfer agent and registrar for the common shares is Computershare Shareowner Services ("Computershare").

DESCRIPTION OF OUR PREFERRED SHARES

The following summary of the material terms and provisions of our preferred shares does not purport to be complete and is subject to the detailed provisions of our Declaration of Trust (including any applicable articles supplementary, amendment or annex to our Declaration of Trust designating the terms of a series of preferred shares) and our By-Laws, each as supplemented, amended or restated, and each of which is incorporated by reference as an exhibit to the Annual Report on Form 10-K of which this Exhibit 4.11 is a part. You should carefully read each of these documents in order to fully understand the terms and provisions of our preferred shares.

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General

Under our Declaration of Trust, we have the authority to issue up to 100,000,000 preferred shares, of which 3,100,000 shares are classified as 6.50% Series C Cumulative Convertible Preferred Stock (the "Series C Preferred Shares").

Subject to limitations prescribed by Maryland law and our Declaration of Trust, our board of trustees is authorized to classify and reclassify any unissued shares and to set the number of shares constituting each class or series of preferred shares and the terms, preferences, conversion or other rights, voting powers, restrictions, limitations as to dividends or other distributions, qualifications and terms or conditions of redemption. The preferred shares will, when issued against payment therefor, be fully paid and nonassessable and will not be subject to preemptive rights, unless determined by our board of trustees. Our board of trustees could authorize the issuance of preferred shares with terms and conditions that could have the effect of discouraging a takeover or other transaction that holders of common shares might believe to be in their best interests or in which holders of common shares might receive a premium for their common shares over the then-current market price of their shares.

Terms of Our 6.50% Series C Cumulative Convertible Preferred Stock

General. In December 2004 and January 2005, we sold an aggregate 3,100,000 Series C Preferred Shares. The Series C Preferred Shares are convertible into common shares and are listed on the New York Stock Exchange under the symbol "LXPPRC."

Dividends. Subject to the preferential rights of the holders of any class or series of shares ranking senior to the Series C Preferred Shares as to dividends, the holders of the Series C Preferred Shares are entitled to receive, when, as and if authorized by the board of trustees and declared by us, out of funds legally available for the payment of dividends, cumulative cash dividends at a rate of 6.50% per annum of the \$50.00 liquidation preference per share (equivalent to \$3.25 per year per share).

Liquidation Preference. Upon any voluntary or involuntary liquidation, dissolution or winding up of the affairs of us, holders of the Series C Preferred Shares (and of the excess shares converted from Series C Preferred Shares, if any) will have the right to be paid out of our assets legally available for distribution to our shareholders \$50.00 per share, plus accrued and unpaid dividends (whether or not declared) to and including the date of payment, before any payments are made to the holders of common shares and any other shares ranking junior to the Series C Preferred Shares as to liquidation rights. The rights of the holders of the Series C Preferred Shares to receive their liquidation preference will be subject to the proportionate rights of each other series or class of our capital shares ranking, as to liquidation rights, on a parity with the Series C Preferred Shares. The consolidation or merger of LXP with or into any other trust, corporation or entity, or the sale, lease, transfer or conveyance of all or substantially all of our

property or business, will not be deemed to constitute a liquidation, dissolution or winding up of the affairs of us.

Redemption. We may not redeem the Series C Preferred Shares unless necessary to preserve our status as a REIT.

Conversion Rights. The Series C Preferred Shares may be converted by the holder, at its option (the "Optional Conversion"), into common shares, at a conversion rate of 2.4339 common shares per \$50.00 liquidation preference, as of **December 31, 2020** **December 31, 2023**, which is equivalent to a conversion price of approximately \$20.54 per common share (subject to adjustment in certain events).

Company Conversion Option. We may, at our option, cause the Series C Preferred Shares to be automatically converted into that number of common shares that are issuable at the then prevailing conversion rate (the "Company Conversion Option") in the following circumstances. We may exercise our conversion right only if, for at least twenty (20) trading days within any period of thirty (30) consecutive trading days (including the last trading day of such period), the closing price of the common shares equals or exceeds 125% of the then prevailing conversion price of the Series C Preferred Shares. In addition, if there are fewer than 25,000 Series C Preferred Shares outstanding, we may, at our option, cause all of the outstanding Series C Preferred Shares to be automatically converted into that number of common shares equal to \$50.00 divided by the lesser of the then prevailing conversion price and the current market price for the five trading day period ending on the second trading day immediately prior to the **trust's conversion option date**.

Settlement. Upon conversion (whether pursuant to an Optional Conversion or the Company Conversion Option), we may choose to deliver the conversion value to investors in cash, common shares or a combination of cash and common shares.

We can elect at any time to obligate ourselves to satisfy solely in cash, the portion of the conversion value that is equal to 100% of the liquidation preference amount of the Series C Preferred Shares, with any remaining amount of the conversion value to be satisfied in cash, common shares or a combination of cash and common shares. If we elect to do so, we will notify holders at any time that we intend to settle in cash the portion of the conversion value that is equal to the liquidation preference amount of the Series C Preferred Shares. This notification, once provided to holders, will be irrevocable and will apply to future conversions of the Series C Preferred Shares even if the shares cease to be convertible but subsequently become convertible again.

Payment of Dividends Upon Conversion. With respect to an Optional Conversion, upon delivery of the Series C Preferred Shares for conversion, those Series C Preferred Shares will cease to accumulate dividends as of the end of the day immediately preceding the conversion date and a holder of such converted Series C Preferred Shares will not receive any cash payment representing accrued and unpaid dividends on the Series C Preferred Shares, whether or not in arrears, except in certain limited circumstances. With respect to the Company Conversion Option, a holder of such converted Series C Preferred Shares will receive a cash payment for all unpaid dividends in arrears. If we exercise the Company Conversion Option and the conversion date is on or after the record date for payment of dividends and before the corresponding dividend payment date, such holder will also receive a cash payment for the dividend payable for such period. If we exercise the Company Conversion Option and the conversion date is prior to the record date for payment of dividends, such holder will not receive payment for any portion of the dividend payable for such period.

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Conversion Rate Adjustments. The conversion rate is subject to adjustment upon the occurrence of certain events, including if we distribute in any quarter to all or substantially all holders of common shares, any cash, including quarterly cash dividends, in excess of an amount per common share (subject to adjustment), which is currently approximately \$0.38.

Fundamental Change. Upon the occurrence of certain fundamental changes in LXP, a holder may require us to purchase for cash all or part of its Series C Preferred Shares at a price equal to 100% of their liquidation preference plus accrued and unpaid dividends, (including additional dividends, if any), up to, but not including, the fundamental change purchase date.

Rank. With respect to the payment of dividends and amounts upon liquidation, dissolution or winding up, the Series C Preferred Shares rank (i) senior to all classes or series of common shares and to all equity securities ranking junior to the Series C Preferred Shares, (ii) on a parity with all equity securities the terms of which specifically provide that such equity securities rank on a parity with the Series C Preferred Shares, and (iii) junior to all equity securities the terms of which specifically provide that such equity securities rank senior to the Series C Preferred Shares.

Voting Rights. Holders of the Series C Preferred Shares generally have no voting rights. However, if we do not pay dividends on the Series C Preferred Shares for six or more quarterly periods (whether or not consecutive), the holders of the Series C Preferred Shares voting together as a class with all other classes or series of our equity securities ranking on parity with the Series C Preferred Shares which are entitled to similar voting rights, will be entitled to vote at the next annual meeting of our shareholders and at each subsequent annual meeting for the election of two additional trustees to serve on our board of trustees until all unpaid cumulative dividends have been paid or declared and set apart for payment. The holders of Series C Preferred Shares and all other classes or series of our equity securities ranking on parity with the Series C Preferred Shares which are entitled to similar voting rights will be entitled to one vote per \$25.00 of liquidation preference (i.e., two votes for each Series C Preferred Share). In addition, the affirmative vote of at least two-thirds of the Series C Preferred Shares, and all other classes or series of our equity securities ranking on parity with the Series C Preferred Shares which are entitled to similar voting rights, voting together as a class, is required for us (i) to authorize, create or increase the authorized or issued amount of any class or series of shares ranking senior to the Series C Preferred Shares with respect to payment of dividends or the distribution of assets upon liquidation, dissolution or winding up of our affairs or (ii) to amend, alter or repeal our Declaration of Trust (whether by merger, consolidation, transfer or conveyance of all or substantially all of its assets or otherwise) in a manner that materially and adversely affects the rights of the Series C Preferred Shares; provided, however, with respect to the occurrence of any event described in clause (ii) above, so long as the Series C Preferred Shares remain outstanding with the terms thereof materially unchanged (taking into account that, upon the occurrence of such an event, we may not be the surviving entity), the occurrence of such an event will not be deemed to materially and adversely affect the rights preferences, privileges or voting power of the Series C Preferred Shares and holders of Series C Preferred Shares and such holders will not have any voting rights with respect to the occurrence of the event or the holders thereof.

Restrictions on Ownership

For us to qualify as a REIT under the Code, among other things, not more than 50% in value of our outstanding shares of capital stock may be owned, directly or indirectly, by five or

fewer individuals (as defined in the Code to include certain entities) during the last half of a taxable year. To assist us in meeting this requirement, among other purposes, our Declaration of Trust contains restrictions on the ownership and transfer of our shares, including our preferred shares.

Transfer Agent

The transfer agent and registrar for our Series C Preferred Shares is Computershare.

DESCRIPTION OF OUR DEBT SECURITIES AND RELATED GUARANTEES

The following description contains general terms and provisions of the debt securities and, as applicable, related guarantees. For more information, please refer to the senior indentures we have entered into with U.S. Bank National Association, as trustee, relating to the issuance of the senior notes. Forms of these documents are filed as exhibits to the Annual Report on Form 10-K of which this Exhibit 4.11 is a part. Any such notes may or may not be guaranteed by one or more of our Subsidiaries.

As used in this Exhibit 4.11, the term indentures refers to the senior indentures. The senior indenture is governed by the Trust Indenture Act. As used in this Exhibit 4.11, the term trustee refers to the senior trustee.

The following are summaries of material provisions of the senior indentures. As summaries, they do not purport to be complete or restate the indentures in their entirety and are subject to, and qualified in their entirety by reference to, all provisions of the indentures and the debt securities and related guarantees. We urge you to read the indentures applicable to a particular series of debt securities because they, and not this description, define the rights of the holders of the debt securities and related guarantees.

General

The debt securities may consist of debentures, notes, bonds or other types of indebtedness. One or more series of debt securities may be sold at a substantial discount below its stated principal amount, bearing no interest or interest at a rate which at the time of issuance is below market rates. One or more series of debt securities may be variable rate debt securities that may be exchanged for fixed rate debt securities.

Debt securities may be issued where the amount of principal and/or interest payable is determined by reference to one or more currency or other indices or other formulas. Holders of such securities may receive a principal amount or a payment of interest that is greater than or less than the amount of principal or interest otherwise payable on such dates, depending upon the value of the applicable currency or other reference factor.

The term "debt securities" includes debt securities denominated in U.S. dollars or, if specified in the indenture, in any other freely transferable currency or currency unit.

We expect most debt securities to be issued in fully registered form without coupons and in denominations of \$1,000 and any integral multiples thereof. Subject to the limitations provided in the indenture, debt securities that are issued in registered form may be transferred or exchanged at the corporate office of the trustee or the principal corporate trust office of the trustee, without the payment of any service charge, other than any tax or other governmental charge payable in connection therewith.

Global Securities

The debt securities of a series may be issued in whole or in part in the form of one or more global securities that will be deposited with, or on behalf of, a depositary. Global securities will be issued in registered form and in either temporary or definitive form. Unless and until it is exchanged in whole or in part for the individual debt securities, a global security may not be transferred except as a whole by the depositary for such global security to a nominee of such depositary or by a nominee of such depositary to such depositary or another nominee of such depositary or by such depositary or any such nominee to a successor of such depositary or a nominee of such successor.

Governing Law

The indentures and the debt securities are construed in accordance with and governed by the laws of the State of New York.

4.40% Senior Notes due 2024

The terms of the 2024 Notes are governed by an indenture, dated as of May 9, 2014, as supplemented by the first supplemental indenture, dated May 20, 2014, which we collectively refer to as the 2024 Indenture, by and among us, as issuer, LCIF (formerly a guarantor), and U.S. Bank National Association, as trustee. The 2024 Notes mature on June 15, 2024, and accrue interest at a rate of 4.40% per annum, payable semi-annually on June 15 and December 15 of each year. Interest payments commenced on December 15, 2014.

Prior to March 15, 2024, we may redeem the 2024 Notes, in whole at any time or in part from time to time, at our option, at a redemption price equal to the greater of (1) 100% of the aggregate principal amount of the 2024 Notes being redeemed and (2) the sum of the present values of the remaining scheduled payments of principal and interest thereon (not including any portion of such payments of interest accrued as of the date of redemption) discounted to its present value, on a semi-annual basis (assuming a 360-day year consisting of twelve 30-day months) at an adjusted treasury rate plus 35 basis points, plus, in each case, accrued and unpaid interest thereon to, but not including, the date of redemption. At any time on or after March 15, 2024, the 2024 Notes will be redeemable, in whole at any time or in part from time to time, at our option, at a redemption price equal to 100% of the principal amount of the 2024 Notes to be redeemed plus accrued and unpaid interest on the amount being redeemed to, but not including, the date of redemption.

The 2024 Indenture contains certain covenants that, among other things, limit our ability to consummate a merger, consolidation or sale of all or substantially all of its assets, and incur secured and unsecured indebtedness.

Subject to the terms of the 2024 Indenture and the 2024 Notes, upon certain events of default, including, but not limited to, failure to comply with any of our other agreements in the 2024 Notes or the 2024 Indenture, upon receipt by us of notice of such default from the trustee or from holders of not less than 25% in aggregate principal amount of the 2024 Notes then outstanding and our failure to cure (or obtain a waiver of) such default within 60 days after we receive such notice, the trustee or the holders of not less than 25% in principal amount of the outstanding 2024 Notes may declare the principal and accrued and unpaid interest on all of the 2024 Notes to be due and payable immediately by written notice to us (and to

the trustee if given by the holders). Upon certain events of bankruptcy, insolvency or reorganization, or court appointment of a receiver, liquidator or trustee of us, our operating partnership, or any other significant subsidiary, the principal (or such portion thereof) of and accrued and unpaid interest on all of the 2024 Notes will become and be immediately due and payable without any declaration or other act on the part of the trustee or any holders.

Certain of our payment obligations with respect to the 2024 Notes were required to be guaranteed by LCIF upon issuance. LCIF was released from its guarantee effective December 21, 2018.

In addition, the 2024 Notes are cross-defaulted with certain of our indebtedness.

2.700% Senior Notes due 2030

The terms of the 2030 Notes are governed by the 2024 Indenture as supplemented by the second supplemental indenture dated August 28, 2020, which as supplemented we collectively refer to as the 2030 Indenture. The 2030 Notes mature on September 15, 2030, and accrue interest at a rate of 2.700% per annum, payable semi-annually on March 15 and September 15 of each year. Interest payments will commence on March 15, 2021.

Prior to June 15, 2030, we may redeem the 2030 Notes, in whole at any time or in part from time to time, at our option, at a redemption price equal to the greater of (1) 100% of the aggregate principal amount of the 2030 Notes being redeemed and (2) the sum of the present values of the remaining scheduled payments of principal and interest thereon (not including any portion of such payments of interest accrued as of the date of redemption) that would be due if such notes matured 90 days prior to their maturity date but for the redemption thereof, discounted to the redemption date, on a semi-annual basis (assuming a 360-day year consisting of twelve 30-day months) at an adjusted treasury rate plus 35 basis points, plus, in each case, accrued and unpaid interest thereon to, but not including, the date of redemption. At any time on or after June 15, 2030, the 2030 Notes will be redeemable, in whole at any time or in part from time to time, at our option, at a redemption price equal to 100% of the principal amount of the 2030 Notes to be redeemed plus accrued and unpaid interest on the amount being redeemed to, but not including, the date of redemption.

The 2030 Indenture contains certain covenants that, among other things, limit our ability to consummate a merger, consolidation or sale of all or substantially all of its assets, and incur secured and unsecured indebtedness.

Subject to the terms of the 2030 Indenture and the 2030 Notes, upon certain events of default, including, but not limited to, failure to comply with any of our other agreements in the 2030 Notes or the 2030 Indenture, upon receipt by us of notice of such default from the trustee or from holders of not less than 25% in aggregate principal amount of the 2030 Notes then outstanding and our failure to cure (or obtain a waiver of) such default within 60 days after we receive such notice, the trustee or the holders of not less than 25% in principal amount of the outstanding 2030 Notes may declare the principal and accrued and unpaid interest on all of the

2030 Notes to be due and payable immediately by written notice to us (and to the trustee if given by the holders). Upon certain events of bankruptcy, insolvency or reorganization, or court appointment of a receiver, liquidator or trustee of us, our operating partnership, or any other significant subsidiary, the principal (or such portion thereof) of and accrued and unpaid interest on all of the 2030 Notes will become and be immediately due and payable without any declaration or other act on the part of the trustee or any holders.

The 2030 Notes are cross-defaulted with certain of our indebtedness.

2.375% Senior Notes due 2031

The terms of the 2031 Notes are governed by the 2024 Indenture as supplemented by the third supplemental indenture dated August 30, 2021, which as supplemented we collectively refer to as the 2031 Indenture. The 2031 Notes mature on October 1, 2031, and accrue interest at a rate of 2.375% per annum, payable semi-annually on April 1 and October 1 of each year. Interest payments will commence on April 1, 2022.

Prior to July 1, 2031, we may redeem the 2031 Notes, in whole at any time or in part from time to time, at our option, at a redemption price equal to the greater of (1) 100% of the aggregate principal amount of the 2031 Notes being redeemed and (2) the sum of the present values of the remaining scheduled payments of principal and interest thereon (not including any portion of such payments of interest accrued as of the date of

redemption) that would be due if such notes matured 90 days prior to their maturity date but for the redemption thereof, discounted to the redemption date, on a semi-annual basis (assuming a 360-day year consisting of twelve 30-day months) at an adjusted treasury rate plus 20 basis points, plus, in each case, accrued and unpaid interest thereon to, but not including, the date of redemption. At any time on or after July 1, 2031, the 2031 Notes will be redeemable, in whole at any time or in part from time to time, at our option, at a redemption price equal to 100% of the principal amount of the 2031 Notes to be redeemed plus accrued and unpaid interest on the amount being redeemed to, but not including, the date of redemption.

The 2031 Indenture contains certain covenants that, among other things, limit our ability to consummate a merger, consolidation or sale of all or substantially all of its assets, and incur secured and unsecured indebtedness.

Subject to the terms of the 2031 Indenture and the 2031 Notes, upon certain events of default, including, but not limited to, failure to comply with any of our other agreements in the 2031 Notes or the 2031 Indenture, upon receipt by us of notice of such default from the trustee or from holders of not less than 25% in aggregate principal amount of the 2031 Notes then outstanding and our failure to cure (or obtain a waiver of) such default within 60 days after we receive such notice, the trustee or the holders of not less than 25% in principal amount of the outstanding 2031 Notes may declare the principal and accrued and unpaid interest on all of the 2031 Notes to be due and payable immediately by written notice to us (and to the trustee if given by the holders). Upon certain events of bankruptcy, insolvency or reorganization, or court appointment of a receiver, liquidator or trustee of us, our operating partnership, or any other significant subsidiary, the principal (or such portion thereof) of and accrued and unpaid interest on all of the 2031 Notes will become and be immediately due and payable without any declaration or other act on the part of the trustee or any holders.

The 2031 Notes are cross-defaulted with certain of our indebtedness.

RESTRICTIONS ON TRANSFERS OF CAPITAL STOCK AND ANTI-TAKEOVER PROVISIONS

Restrictions Relating to REIT Status

For us to qualify as a REIT under the Code, among other things, not more than 50% in value of the our outstanding shares of our capital stock beneficial interest may be owned, directly or indirectly, by five or fewer individuals (defined in the Code to include certain entities) during the last half of a taxable year, and such shares of our capital stock beneficial interest must be beneficially owned by 100 or more persons during at least 335 days of a taxable year of 12 months or during a proportionate part of a shorter taxable year (in each case, other than the first such year). To assist us in continuing to remain a qualified REIT, among other purposes, our Declaration of Trust, subject to certain exceptions, provides that no holder may own, or be deemed to own by virtue of the attribution provisions of the Code, more than 9.8% in value of our equity shares, defined as common shares or preferred shares. We refer to this restriction as the Ownership Limit. Our board of trustees may exempt a person from the Ownership Limit if upon receipt of a ruling from the Internal Revenue Service or an opinion of counsel or other evidence satisfactory to our board of trustees is presented that the exemption will not result in us having fewer than 100 beneficial owners or in us being "closely held." Any transfer of equity shares or any security convertible into equity shares that would create a direct or indirect ownership of equity shares in excess of the Ownership Limit or that would result in the equity shares being owned by fewer than 100 persons or result in us being "closely held" within the meaning of Section 856(h) of the Code, will be null and void, and the intended transferee will acquire no rights to such equity shares. The foregoing restrictions on transferability and ownership will not apply if our board of trustees determines that it is no longer in our best interests to attempt to qualify, or to continue to qualify, as a REIT.

In addition, equity shares owned, or deemed to be owned, or transferred to a shareholder in excess of the Ownership Limit or that would cause us to become "closely held" within the meaning of the Code, will automatically be converted into an equal number of excess shares that will be transferred, to us as trustee of a trust for the exclusive benefit of the transferees to whom such shares of beneficial interest in us may be ultimately transferred without violating the Ownership Limit. While the excess shares are held in trust, they will not be entitled to vote (except as required by Maryland law), they will not be considered for purposes of any shareholder vote or the determination of a quorum for such vote and, except upon liquidation, they will not be entitled to participate in dividends or other distributions. Any dividend or distribution paid on excess shares prior to our discovery that equity shares have converted for excess shares will be repaid to us upon demand. The excess shares are not treasury shares, but rather constitute a separate class of our issued and outstanding shares. The original transferee- shareholder may, at any time the excess shares are held by us in trust, designate a beneficiary of its interest in the trust (representing the excess shares held by the charitable trust attributable to a purported transfer that resulted in the excess shares) if the excess shares would not be excess shares in the hands of the beneficiary and, such

transferee-shareholder does not receive a price for such designation that exceeds the price paid by the original transferee-shareholder for the equity shares that were exchanged into excess shares, or, if the transferee-shareholder did not give value for such shares, a price not in excess of the market price (as determined in the manner set forth in our Declaration of Trust) on the date of the purported transfer. Immediately upon the transfer to the permitted transferee, the excess shares will automatically be converted into equity shares of the

class from which they were converted. If the foregoing transfer restrictions are determined to be void or invalid by virtue of any legal decision, statute, rule or regulation, then

the intended transferee of any excess shares may be deemed, at our option, to have acted as an agent on our behalf in acquiring the excess shares and to hold the excess shares on our behalf.

In addition to the foregoing transfer restrictions, we will have the right, for a period of 90 days during the time any excess shares are held by us in trust, to purchase all or any portion of the excess shares from the original transferee-shareholder for the lesser of the price paid for the equity shares by the original transferee-shareholder or the market price (as determined in the manner set forth in our Declaration of Trust) on the date we exercise our option to purchase. The 90-day period begins on the later of the date of the transfer that resulted in excess stock or the date on which our board of trustees determines in good faith that a transfer resulting in excess shares has occurred, if we do not receive written notice of the transfer or other event resulting in the exchange of equity shares for excess shares.

Any person who acquires or attempts to acquire equity shares in violation of the foregoing restrictions, or any person who is a transferee such that excess shares resulted from such transfer, will be required to give written notice immediately to us of such event and provide us with such other information as we may request in order to determine the effect, if any, of such transfer, or attempted transfer, on our status as a REIT.

All persons who own, directly or indirectly, (i) more than 5% of the outstanding equity shares during any periods in which the number of such beneficial or constructive owners exceeds 1,999, (ii) more than 1% of the outstanding equity shares during any period in which the number of beneficial or constructive owners is fewer than 2,000 or (iii) such lower percentages as required pursuant to regulations under the Code must, within 30 days after January 1 of each year, provide to us a written statement or affidavit stating the name and address of such direct or indirect owner, the number of equity shares owned directly or indirectly, and a description of how such shares are held. In addition, each direct or indirect shareholder shall provide to us such additional information as we may request in order to determine the effect, if any, of such ownership on our status as a REIT and to ensure compliance with the ownership limitation.

This Ownership Limit may have the effect of precluding an acquisition of control unless our board of trustees determines that maintenance of REIT status is no longer in our best interests.

Authorized Capital

Under our Declaration of Trust, we have authority to issue up to 1,400,000,000 shares of beneficial interest, par value \$0.0001 per share, of which 600,000,000 shares are classified as common shares, 700,000,000 shares are classified as excess stock and 100,000,000 shares are classified as preferred shares. We may issue such shares from time to time in the discretion of our board of trustees to raise additional capital, acquire assets, including additional real properties, redeem or retire debt or for any other business purpose. In addition, the undesignated preferred shares may be issued in one or more additional classes or series with such designations, preferences and relative, participating, optional or other special rights including, without limitation, preferential dividend or voting rights, and rights upon liquidation, as will be fixed by our board of trustees. Our board of trustees is authorized to classify and reclassify any of our

unissued shares of beneficial interest by setting or changing, in any one or more respects, the preferences, conversion or other rights, voting powers, restrictions, limitations as to dividends, qualifications or terms or conditions of redemption of such shares. This authority includes, without limitation, subject to the provisions of our Declaration of Trust, authority to classify or reclassify any unissued shares into a class or classes of preferred shares, preference shares, special shares or other shares, and to divide and reclassify shares of any class into one or more series of that class.

In some circumstances, the issuance of preferred shares, or the exercise by our board of trustees of its right to classify or reclassify shares, could have the effect of deterring individuals or entities from making tender offers for our common shares or seeking to change incumbent management.

Maryland Law

Our Board of Trustees. Our Declaration of Trust and By-laws provide that the number of our trustees may be established, increased or decreased only by a majority of the entire board of trustees.

Removal of Trustees. Our Declaration of Trust provides that, subject to the rights of the holders of any class separately entitled to elect one or more trustees, a trustee may be removed, but only for cause and then only by the affirmative vote of at least 80% of the votes entitled to be cast in the election of trustees.

The shareholders shall elect a successor to fill a vacancy on our board of trustees which results from the removal of a trustee. A trustee elected by the shareholders to fill a vacancy which results from the removal of a trustee serves for the balance of the term of the removed trustee. A majority of the remaining trustees, whether or not sufficient to constitute a quorum, may fill a vacancy on our board of trustees which results from any increase in the authorized number of trustees, or death, resignation, retirement or other cause. A trustee elected by our board of trustees to fill a vacancy serves until the next annual meeting of shareholders and until their successor is elected and qualifies.

Extraordinary Actions, Amendment of Declaration of Trust. Under the Maryland REIT Law, a Maryland real estate investment trust generally cannot amend its declaration of trust or merge with, or convert into, another entity unless advised by its board of trustees and approved by the affirmative vote of shareholders entitled to cast at least two-thirds of the votes entitled to be cast on the matter unless a different percentage (but not less than a majority of all of the votes entitled to be cast on the matter) is set forth in its declaration of trust. Our Declaration of Trust provides that those actions, with the exception of certain amendments to our Declaration of Trust for which a higher vote requirement has been set, will be valid and effective if authorized by holders of a majority of the total number of shares of all classes outstanding and entitled to vote thereon. Under our Declaration of Trust, our dissolution and termination requires the **affirmation affirmative vote** of shareholders entitled to cast at least two-thirds of the votes entitled to be cast on the matter.

Amendment to Our By-laws. Our Subject to the special provisions of the By-laws relating to the power of our board of trustees to establish, increase or decrease the number of trustees, in accordance with our Declaration of Trust, our By-laws may be repealed, altered, amended or rescinded (a) by our shareholders only by the affirmative vote of at least 80% of the votes entitled to be cast in the election of trustees or (b) by vote of two-thirds of our board of trustees.

Meetings of Shareholders. Under our By-laws, annual meetings of shareholders are held on a date and at a time and place, or by means of remote communication, set by our board of trustees. Special meetings of shareholders may be called only by the **chairman Chairman** of our board of trustees, our **president President** or a majority of our board of trustees. Subject to the provisions of our By-laws, a special meeting of our shareholders

to act on any matter that may properly be considered by our shareholders will also be called by our secretary upon the written request of the shareholders entitled to cast not less than 25% of all the votes entitled to be cast at such meeting.

Only matters set forth in the notice of the special meeting may be considered and acted upon at such a meeting.

Advance Notice of Trustee Nominations and New Business. Our By-laws provide that in order to make nominations of individuals for election as trustees or proposals of business to be considered by shareholders at any annual meeting, shareholders generally must provide notice to our secretary not earlier than the 150th day not later than the close of business on the 120th day prior to the first anniversary of the release date of our proxy statement to shareholders in

connection with the preceding year's annual meeting. A shareholder's notice must contain certain information specified by our By-laws about the shareholder and any proposed business or nominee for election as a trustee, including information about the economic interest of the shareholder and any proposed nominee, and otherwise comply with the terms of the By-laws.

Proxy Access Procedures for Qualifying Shareholders. Our By-laws permit a shareholder, or a group of up to 20 shareholders, that owns 3% or more of ~~the~~ our common shares continuously for at least three years to nominate and include in our proxy materials candidates for election as trustees, subject to certain terms and conditions. Such shareholder(s) or group(s) of shareholders may nominate trustee candidates constituting up to the greater of two persons or 20% of our board of trustees up for election, provided that the shareholder(s) and the trustee nominee(s) satisfy the eligibility, notice and other requirements specified in the By-laws.

Business Combinations. Under Maryland law, certain "business combinations" between a Maryland real estate investment trust and an "interested shareholder" or an affiliate of an interested shareholder are prohibited for five years after the most recent date on which the interested shareholder became an interested shareholder. These business combinations include a merger, consolidation, share exchange, or, in circumstances specified in the statute, an asset transfer or issuance or reclassification of equity securities.

An interested shareholder is defined as:

- any person who beneficially owns, ~~directly or indirectly~~, ten percent or more of the voting power of the trust's outstanding voting shares; or
- an affiliate or associate of the trust who, at any time within the two-year period prior to the date in question, was the beneficial owner, directly or indirectly, of ten percent or more of the voting power of the then outstanding shares of the trust.

A person is not an interested shareholder under the statute if the board of trustees approved in advance the transaction by which the person otherwise would have become an interested shareholder. However, in approving a transaction, the board of trustees may provide that its approval is subject to compliance, at or after the time of approval, with any terms or conditions determined by the board of trustees.

After the five-year prohibition, any such business combination between the Maryland real estate investment trust and an interested shareholder generally must be recommended by the board of trustees of the trust and approved by the affirmative vote of at least:

- eighty percent of the votes entitled to be cast by holders of outstanding voting shares of the trust; and
- two-thirds of the votes entitled to be cast by holders of voting shares of the trust other than shares held by the interested shareholder with whom or with whose affiliate the business combination is to be effected or held by an affiliate or associate of the interested shareholder.

These super-majority vote requirements do not apply if the trust's common shareholders receive a minimum price, as defined under Maryland law, for their shares in the form of cash or other consideration in the same form as previously paid by the interested shareholder for its shares.

The statute permits various exemptions from its provisions, including business combinations that are exempted by the board of trustees prior to the time that the interested shareholder becomes an interested shareholder.

Our board of trustees, by resolution, has exempted Vornado Realty Trust and its affiliates, to a limited extent, from these restrictions. This resolution, however, may be altered or repealed in whole or in part at any time.

The business combination statute may discourage others from trying to acquire control of us and increase the difficulty of consummating any offer.

Control Share Acquisitions. Maryland law provides that holders of "control shares" of a Maryland real estate investment trust acquired in a "control share acquisition" have no voting rights with respect to the control shares except to the extent approved by a vote of two-thirds of the votes entitled to be cast on the matter. Shares owned by the acquiror, by officers or by employees who are trustees of the trust are excluded from shares entitled to vote on the matter. Control shares are voting shares which, if aggregated with all other shares owned by the acquiror or in respect of which the acquiror is able to exercise or direct the exercise of voting power (except solely by virtue of a revocable proxy), would entitle the acquiror to exercise voting power in electing trustees within one of the following ranges of voting power:

- one-tenth or more but less than one-third;
- one-third or more but less than a majority; or
- a majority or more of all voting power.

Control shares do not include shares the acquiring person is then entitled to vote as a result of having previously obtained shareholder approval or shares acquired directly from the corporation. A control share acquisition means the acquisition of issued and outstanding control shares, subject to certain exceptions.

A person who has made or proposes to make a control share acquisition may compel the board of trustees of the trust to call a special meeting of shareholders to be held within 50 days of demand to consider the voting rights of the shares. The right to compel the calling of a special meeting is

subject to the satisfaction of certain conditions, including an undertaking to pay the expenses of the meeting. If no request for a meeting is made, the trust may itself present the question at any shareholders' meeting.

If voting rights are not approved at the meeting or if the acquiring person does not deliver an acquiring person statement as required by the statute, then the trust may redeem for fair value any or all of the control shares, except those for which voting rights have previously been approved. The right of the trust to redeem control shares is subject to certain conditions and limitations. Fair value is determined, without regard to the absence of voting rights for the control shares, as of the date of the last control share acquisition by the acquiror or if any meeting of shareholders at which the voting rights of the shares are considered and not approved, the date of such meeting. If voting rights for control shares are approved at a shareholders' meeting and the acquiror becomes entitled to vote a majority of the shares entitled to vote, all other shareholders may exercise appraisal rights. The fair value of the shares as determined for purposes of appraisal rights may not be less than the highest price per share paid by the acquiror in the control share acquisition.

The control share acquisition statute does not apply (a) to shares acquired in a merger, consolidation or share exchange if the trust is a party to the transaction or (b) to acquisitions approved or exempted by the declaration of trust or bylaws of the trust.

Our By-Laws contain a provision exempting from the control share acquisition statute any and all acquisitions by any person of our shares. There can be no assurance that this provision will not be amended or eliminated at any time in the future.

Certain Elective Provisions of Maryland Law. Maryland law provides that a Maryland real estate investment trust with a class of equity securities registered under the Securities Exchange Act of 1934, as amended, and that has at least three independent trustees, may elect by provision of its declaration of trust or bylaws or by resolution adopted by its board of trustees to be subject to all or any of the following provisions, notwithstanding any contrary provisions contained in its existing declaration of trust or bylaws and without shareholder approval:

- a classified board;
- a two-thirds vote of outstanding shares to remove a trustee;
- a requirement that the number of trustees be fixed only by vote of the board of trustees;
- a requirement that a vacancy on the board of trustees be filled only by the affirmative vote of a majority of the remaining trustees and that such trustee filling the vacancy serve for the remainder of the full term of the class of trustees in which the vacancy occurred and until a successor is duly elected and qualifies; and
- a majority requirement for the calling of shareholder-requested special meetings of shareholders.

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We have not elected to be governed by any of these specific provisions. However, our Declaration of Trust and/or By-Laws, as applicable, already provide for an 80% shareholder vote to remove trustees and then only for cause, and that the number of trustees may be determined by a majority resolution of our board of trustees, subject to a minimum number. In addition, we can elect to be governed by any or all of the foregoing provisions of Maryland law at any time in the future.

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Subsidiaries

Name	Jurisdiction of Organization	Nature of Equity Interests
ACQUIPORT WINCHESTER LLC	DE	Limited Liability Company
ATL FAIRBURN JV, LLC	DE	Limited Liability Company
BSH LESSEE GP ETNA PARK 70 EAST, LLC	DE	Limited Liability Company
CHADAN MANAGER LLC	NY	Limited Liability Company
CTO ASSOCIATES LIMITED PARTNERSHIP	MD	Limited Partnership
ETNA PARK 70 EAST, LLC	DE	Limited Liability Company
GENERAL CLARK STREET ASSOCIATES III, ETNA PARK 70, LLC	DE	Limited Liability Company
HANCOCK 13 RRL, LLC	DE	Limited Liability Company
HANCOCK 14 RRL, LLC	DE	Limited Liability Company
LEGACYPARK DISTRIBUTION NO. 2, LLC	DE	Limited Liability Company
LEGACYPARK DISTRIBUTION NO. 3, LLC	DE	Limited Liability Company
LEPERCQ CORPORATE INCOME FUND L.P. LEX 1860 WALCUTT LLC	DE	Limited Partnership Liability Company
LEX 200 WALTON LLC	DE	Limited Liability Company
LEX 300 WALTON LLC	DE	Limited Liability Company
LEX 3751 CROSSROADS LC LLC	DE	Limited Liability Company
LEX 41 BARTOW LLC	DE	Limited Liability Company
LEX 51 BARTOW LLC	DE	Limited Liability Company
LEX 95 BARTOW LLC	DE	Limited Liability Company
LEX 200 WALTON LLC	DE	Limited Liability Company
LEX 200 WALTON 1031 LLC	DE	Limited Liability Company
LEX 300 WALTON LLC	DE	Limited Liability Company
LEX 300 WALTON 1031 LLC	DE	Limited Liability Company
LEX 1860 WALCUTT LLC	DE	Limited Liability Company
LEX ATLANTA AP GP LLC	DE	Limited Liability Company
LEX ATLANTA AP L.P.	DE	Limited Partnership
LEX ATLANTA UCP GP LLC	DE	Limited Liability Company
LEX ATLANTA UCP L.P.	DE	Limited Partnership
LEX AV DUNCAN 1 LLC	DE	Limited Liability Company
LEX AV DUNCAN II LLC	DE	Limited Liability Company
LEX AV DUNCAN III LLC	DE	Limited Liability Company
LEX AV DUNCAN IV LLC	DE	Limited Liability Company
LEX BM GOODYEAR GP LLC	DE	Limited Liability Company
LEX BM GOODYEAR L.P.	DE	Limited Liability Company
LEX BYHALIA MC GP LLC	DE	Limited Liability Company
LEX BYHALIA MC L.P.	DE	Limited Partnership
LEX CANTON MS GP LLC	DE	Limited Liability Company
LEX CANTON MS L.P.	DE	Limited Partnership
LEX CARROLLTON GP LLC	DE	Limited Liability Company
LEX CARROLLTON L.P.	DE	Limited Partnership
LEX CHANDLER (3405 SMR) LLC	DE	Limited Liability Company
LEX CHANDLER (3405 SMR) 1031 LLC	DE	Limited Liability Company
LEX CHESTER LLC	DE	Limited Liability Company
LEX CHILlicothe GP LLC	DE	Limited Liability Company
LEX CHILlicothe L.P.	DE	Limited Partnership
LEX CHILlicothe II GP LLC	DE	Limited Liability Company
LEX CHILlicothe II L.P.	DE	Limited Partnership
LEX CHILlicothe L.P.	DE	Limited Partnership
LEX CLEVELAND TN LLC	DE	Limited Liability Company

LEX COTTON 303 ACQUISITIONS LLC	DE	Limited Liability Company
LEX COTTON 303 I LLC	DE	Limited Liability Company
LEX COTTON 303 I MANAGER LLC	DE	Limited Liability Company

Exhibit 21

LEX COTTON 303, ACQUISITIONS LLC	DE	Limited Liability Company
LEX 3751 CROSSROADS LC LLC	DE	Limited Liability Company
LEX DALLAS GP LLC	DE	Limited Liability Company
LEX DALLAS L.P.	DE	Limited Partnership
LEX EDWARDSVILLE GP II LLC	DE	Limited Liability Company
LEX EDWARDSVILLE L.P.	DE	Limited Partnership
LEX EDWARDSVILLE GP II LLC	DE	Limited Liability Company
LEX EDWARDSVILLE II L.P.	DE	Limited Partnership
LEX EDWARDSVILLE L.P.	DE	Limited Partnership
LEX FAIRBURN, LLC (TO BE DISSOLVED)	DE	Limited Liability Company
LEX FAIRBURN MANAGER GOODYEAR (17510 WTR) LLC	DE	Limited Liability Company
LEX GOODYEAR GP LLC	DE	Limited Liability Company
LEX GOODYEAR L.P.	DE	Limited Partnership
LEX GOODYEAR II GP LLC	DE	Limited Liability Company
LEX GOODYEAR II L.P.	DE	Limited Partnership
LEX GOODYEAR (17510 WTR) LLC L.P.	DE	Limited Liability Company Partnership
LEX GP HOLDING LLC	DE	Limited Liability Company
LEX GP-1 TRUST	DE	Statutory Trust
LEX GRAND PRAIRIE GP LLC	DE	Limited Liability Company
LEX GRAND PRAIRIE L.P.	DE	Limited Partnership
LEX GREER 7820 LLC	DE	Limited Liability Company
LEX GREER 7870 LLC	DE	Limited Liability Company
LEX GREER GP LLC	DE	Limited Liability Company
LEX GREER L.P.	DE	Limited Partnership
LEX GREER 7820 LLC	DE	Limited Liability Company
LEX GREER 7870 HANCOCK 13 LLC	DE	Limited Liability Company
LEX HANCOCK 13 MANAGER LLC	DE	Limited Liability Company
LEX HANCOCK 13 14 LLC	DE	Limited Liability Company
LEX HANCOCK 14 MANAGER LLC	DE	Limited Liability Company
LEX HANCOCK 14 LLC	DE	Limited Liability Company
LEX HOUSTON GP LLC	DE	Limited Liability Company
LEX HOUSTON L.P.	DE	Limited Partnership
LEX HOUSTON 4100 GP LLC	DE	Limited Liability Company
LEX HOUSTON 4100 L.P.	DE	Limited Partnership
LEX HOUSTON 4600 GP LLC	DE	Limited Liability Company
LEX HOUSTON 4600 L.P.	DE	Limited Partnership
LEX HOUSTON 9701 GP LLC	DE	Limited Liability Company
LEX HOUSTON 9701 L.P.	DE	Limited Partnership
LEX HOUSTON GP LLC	DE	Limited Liability Company
LEX HOUSTON L.P.	DE	Limited Partnership
LEX HUTCHINS GP LLC	DE	Limited Liability Company
LEX HUTCHINS L.P.	DE	Limited Partnership
LEX JACKSON GP LLC	DE	Limited Liability Company
LEX KANSAS CITY GP LLC	DE	Limited Liability Company
LEX KANSAS CITY L.P.	DE	Limited Partnership
LEX LAFAYETTE GP LLC	DE	Limited Liability Company
LEX LAFAYETTE L.P.	DE	Limited Partnership
LEX LAKELAND 2451 LLC	DE	Limited Liability Company
LEX LAKELAND 2451 LLC	DE	Limited Liability Company
LEX LANCASTER GP LLC	DE	Limited Liability Company
LEX LANCASTER L.P.	DE	Limited Partnership

LEX LANCASTER GP LLC		DE
LEX LANCASTER PARK 20 L.P.	DE	Limited Partnership
LEX LANCASTER PARK 20 GP LLC	DE	Limited Liability Company

Exhibit 21

LEX LANCASTER PARK 20 1031 LLC	DE	Limited Liability Company
LEX LEBANON L.P.	DE	Limited Partnership
LEX LEBANON GP LLC	DE	Limited Liability Company
LEX LP-1 TRUST LEBANON L.P.	DE	Statutory Trust Limited Partnership
LEX LEWISBURG LLC	DE	Limited Liability Company
LEX LP-1 TRUST	DE	Statutory Trust
LEX MFG SPRINGING MEMBER LLC	DE	Limited Liability Company
LEX MIAMI LAKES GP LLC	DE	Limited Liability Company
LEX MIAMI LAKES L.P.	DE	Limited Partnership
LEX MINOOKA I LLC	DE	Limited Liability Company
LEX MINOOKA I 1031 LLC	DE	Limited Liability Company
LEX MINOOKA II LLC	DE	Limited Liability Company
LEX MINOOKA III LLC	DE	Limited Liability Company
LEX MISSOURI CITY GP LLC	DE	Limited Liability Company
LEX MISSOURI CITY L.P.	DE	Limited Partnership
LEX MORGAN LAKES LLC	DE	Limited Liability Company
LEX NORTHLAKE L.P.	DE	Limited Partnership
LEX NORTHLAKE 17505 GP LLC	DE	Limited Liability Company
LEX NORTHLAKE 17505 L.P.	DE	Limited Partnership
LEX NORTHLAKE 17505 GP LLC	DE	Limited Liability Company
LEX NORTHLAKE L.P.	DE	Limited Partnership
LEX OB HB GP LLC	DE	Limited Liability Company
LEX OB HB L.P.	DE	Limited Partnership
LEX OB SEP GP LLC	DE	Limited Liability Company
LEX OB SEP L.P.	DE	Limited Partnership
LEX OCALA 44 LLC	DE	Limited Liability Company
LEX OCALA 44 MANAGER LLC	DE	Limited Liability Company
LEX OCALA 44 LLC	DE	Limited Liability Company
LEX OCDES IV LLC	DE	Limited Liability Company
LEX PASADENA GP LLC	DE	Limited Liability Company
LEX PASADENA L.P.	DE	Limited Partnership
LEX PASADENA II GP LLC	DE	Limited Liability Company
LEX PASADENA II L.P.	DE	Limited Partnership
LEX PASADENA L.P.	DE	Limited Partnership
LEX PHOENIX ASSOC LLC	DE	Limited Liability Company
LEX PLC 1 PHOENIX PIEDMONT 1031 LLC	DE	Limited Liability Company
LEX PIEDMONT LLC*	DE	Limited Liability Company
LEX PLC 1 PHOENIX 1031 LLC	DE	Limited Liability Company
LEX PLC 2 PHOENIX LLC	DE	Limited Liability Company
LEX PN CINCY I LLC	DE	Limited Liability Company
LEX PN CINCY II LLC	DE	Limited Liability Company
LEX PN CINCY III LLC	DE	Limited Liability Company
LEX PN CINCY IV LLC	DE	Limited Liability Company
LEX RANTOUL GP LLC	DE	Limited Liability Company
LEX RANTOUL L.P.	DE	Limited Partnership
LEX REEMS & OLIVE LLC	DE	Limited Liability Company
LEX REEMS & OLIVE I LLC	DE	Limited Liability Company
LEX REEMS & OLIVE I Manager LLC	DE	Limited Liability Company
LEX RICKENBACKER LLC	DE	Limited Liability Company

LEX ROMULUS GP REEMS & OLIVE, LLC	DE	Limited Liability Company
LEX ROMULUS L.P.	DE	Limited Partnership
LEX RUSKIN FL RICKENBACKER LLC	DE	Limited Liability Company
LEX RUSKIN FL 1031 LLC	DE	Limited Liability Company
LEX SAN AN GP LLC	DE	Limited Liability Company
LEX SAN AN L.P.	DE	Limited Partnership

Exhibit 21

LEX SAVANNAH (1004 TCP) LLC	DE	Limited Liability Company
LEX SAVANNAH DF I GP LLC	DE	Limited Liability Company
LEX SAVANNAH DF I L.P.	DE	Limited Partnership
LEX SAVANNAH DF II GP LLC	DE	Limited Liability Company
LEX SAVANNAH DF II L.P.	DE	Limited Partnership
LEX SMYRNA GP LLC	DE	Limited Liability Company
LEX SPARTANBURG (1021 TLD) 1031 LLC	DE	Limited Liability Company
LEX SPARTANBURG (1021 TLD) 1031 LLC	DE	Limited Liability Company
LEX SPARTANBURG GP LLC	DE	Limited Liability Company
LEX SPARTANBURG L.P.	DE	Limited Partnership
LEX SPARTANBURG SF LLC	DE	Limited Liability Company
LEX SPARTANBURG SF MANAGER LLC	DE	Limited Liability Company
LEX-SPRINGING MEMBER LLC	DE	Limited Liability Company
LEX SUNCAP HP GP LLC	DE	Limited Liability Company
LEX SUNCAP HP L.P.**	DE	Limited Partnership
LEX TOLLESON GP LLC	DE	Limited Liability Company
LEX TOLLESON L.P.	DE	Limited Partnership
LEX WESTRIDGE PKWY GP LLC	DE	Limited Liability Company
LEX WESTRIDGE PKWY L.P.	DE	Limited Partnership
LEX WESTRIDGE PKWY II GP LLC	DE	Limited Liability Company
LEX WESTRIDGE PKWY II L.P.	DE	Limited Partnership
LEX WESTRIDGE PKWY L.P.	DE	Limited Partnership
LEX WHITELAND 180 LLC	DE	Limited Liability Company
LEX WHITELAND 19 LLC	DE	Limited Liability Company
LEX WHITELAND 76 LLC	DE	Limited Liability Company
LEX WHITELAND 180 WHITESTOWN 4600 AWD LLC	DE	Limited Liability Company
LEX WHITESTOWN 4900 AWD LLC	DE	Limited Liability Company
LEX WHITESTOWN GP LLC	DE	Limited Liability Company
LEX WHITESTOWN L.P.	DE	Limited Partnership
LEX WHITESTOWN 4900 AWD LLC	DE	Limited Liability Company
LEX WHITESTOWN 4600 AWD WINCHESTER GP LLC	DE	Limited Liability Company
LEX WINCHESTER GP II LLC	DE	Limited Liability Company
LEX WINCHESTER L.P.	DE	Limited Partnership
LEX WINCHESTER II LEXINGTON ANTIOCH LLC	DE	Limited Liability Company
LEXINGTON ACQUIPORT COMPANY LLC	DE	Limited Liability Company
LEXINGTON ACQUIPORT COMPANY II LLC	DE	Limited Liability Company
LEXINGTON ANTIOCH BRISTOL GP LLC	DE	Limited Liability Company
LEXINGTON BRISTOL L.P.	DE	Limited Partnership
LEXINGTON BRISTOL GP LLC	DE	Limited Liability Company
LEXINGTON DISSOLVED LLC	DE	Limited Liability Company
LEXINGTON DUNCAN II GP LLC	DE	Limited Liability Company
LEXINGTON DUNCAN II L.P.	DE	Limited Partnership
LEXINGTON FORT MILL II LLC	DE	Limited Liability Company
LEXINGTON FORT MILL LLC	DE	Limited Liability Company
LEXINGTON KALAMAZOO L.P.	DE	Limited Partnership

LEXINGTON KALAMAZOO MANAGER LLC	DE	Limited Liability Company
LEXINGTON MARSHALL MS GP LLC	DE	Limited Liability Company
LEXINGTON MARSHALL MS L.P.	DE	Limited Partnership
LEXINGTON MILLINGTON LLC	DE	Limited Liability Company
LEXINGTON MINNEAPOLIS LLC	DE	Limited Liability Company
LEXINGTON MLP SHREVEPORT L.P.	DE	Limited Partnership
LEXINGTON MLP SHREVEPORT MANAGER OC 200 LLC	DE	Limited Liability Company
LEXINGTON OC LLC	DE	Limited Liability Company
LEXINGTON OC 200 LLC	DE	Limited Liability Company
LEXINGTON PHILADELPHIA TRUST	DE	Statutory Trust
LEXINGTON REALTY ADVISORS, INC.	DE	Corporation

Exhibit 21

LEXINGTON
SHELBY DE
L.P.

Limited
Partnership

LEXINGTON SHELBY GP LLC	DE	Limited Liability Company
LEXINGTON SIX PENN SHELBY L.P.	DE	Limited Partnership
LEXINGTON STREETSBORO LLC	DE	Limited Liability Company
LEXINGTON STREETSBORO TAMPA GP LLC	DE	Limited Liability Company
LEXINGTON TAMPA L.P.	DE	Limited Partnership
LEXINGTON TAMPA GP LLC	DE	Limited Liability Company
LEXINGTON TNI ERWIN L.P.	DE	Limited Partnership
LEXINGTON TNI ERWIN MANAGER LLC	DE	Limited Liability Company
LEXINGTON WILSONVILLE L.P.	DE	Limited Partnership
LEXINGTON WILSONVILLE GP LEX-SPRINGING MEMBER LLC	DE	Limited Liability Company
LMLP GP LLC	DE	Limited Liability Company
LOMBARD STREET LOTS, LLC	MD	Limited Liability Company
LRA COTTON 303 I LLC	DE	Limited Liability Company
LRA FAIRBURN, LLC	DE	Limited Liability Company
LRA HANCOCK 13 LLC	DE	Limited Liability Company
LRA HANCOCK 14 LLC	DE	Limited Liability Company
LRA MANAGER CORP.	DE	Corporation
LRA MANAGER LLC	DE	Limited Liability Company
LRA OCALA 44 LLC	DE	Limited Liability Company
LRA REEMS & OLIVE I LLC	DE	Limited Liability Company
LRA SPARTANBURG SF LLC	DE	Limited Liability Company
LRA TEXAS GENERAL PARTNER LLC	DE	Limited Liability Company
LRA TEXAS L.P.	DE	Limited Partnership
LSAC MORRIS COUNTY L.P.	DE	Limited Partnership
LSAC MORRIS COUNTY MANAGER LLC	DE	Limited Liability Company
LXP CAPITAL TRUST I	DE	Statutory Trust
LXPDK GP LLC	DE	Limited Liability Company
LXPDK II GP LLC	DE	Limited Liability Company
LXP MANAGER CORP.	DE	Corporation
LXP MFG C GP LLC	DE	Limited Liability Company
LXP MFG C L.P.	DE	Limited Partnership
LXPDK GP LLC	DE	Limited Liability Company
LXPDK II GP LLC	DE	Limited Liability Company
MORGAN LAKES INDUSTRIAL IX, LLC	GA	Limited Liability Company
NET 1 HENDERSON L.P.	DE	Limited Partnership
NET 1 PHOENIX L.L.C.	DE	Limited Liability Company
NET LEASE STRATEGIC ASSETS FUND L.P.	DE	Limited Partnership
NEWKIRK GP LLC	DE	Limited Liability Company
NEWKIRK MLP UNIT LLC	DE	Limited Liability Company

NEWKIRK ORPER GP LLC	DE	Limited Liability Company
NEWKIRK ORPER L.P.	DE	Limited Partnership
NEWKIRK SUPERWEST GP LLC	DE	Limited Liability Company
NEWKIRK SUPERWEST L.P.	DE	Limited Partnership
NEWKIRK WALANDO GP LLC	DE	Limited Liability Company
NEWKIRK WALANDO L.P.	DE	Limited Partnership
NK-GLENWILLOW PROPERTY LLC	DE	Limited Liability Company
NK-LOMBARD STREET MANAGER LLC	DE	Limited Liability Company
NK-MCDONOUGH PROPERTY LLC	DE	Limited Liability Company
NK-ROCKFORD PROPERTY LLC	DE	Limited Liability Company
NK-STATESVILLE PROPERTY L.P.	DE	Limited Partnership
NK-STATESVILLE PROPERTY MANAGER LLC	DE	Limited Liability Company
NLSAF LP1 LLC	DE	Limited Liability Company
NLSAF MCDONOUGH L.P.	DE	Limited Partnership
NLSAF MCDONOUGH MANAGER LLC	DE	Limited Liability Company
NNN MFG COLD JV L.P.	DE	Limited Partnership
NNN OFFICE JV L.P.	DE	Limited Partnership
OCALA 44 RRL, LLC	DE	Limited Liability Company
PHOENIX HOTEL ASSOCIATES LIMITED PARTNERSHIP	DE	Limited Partnership
RAZAR MANAGER LLC	CT	Limited Liability Company

Exhibit 21

SIX PENN CENTER PA ASSOCIATES	General Partnership	
SIX PENN CENTER L.P.	DE	Limited Partnership
SPARTANBURG SF RRL, LLC	DE	Limited Liability Company
THE CUBES AT ETNA 70 BUILDING D LLC	DE	Limited Liability Company
THE CUBES AT ETNA 70 BUILDING E, LLC	DE	Limited Liability Company
UHA LP2 LLC	DE	Limited Liability Company
UNION HILLS ASSOCIATES XEL-EP 70 BUILDING D REIT LLC	AZ DE	General Partnership
UNION HILLS ASSOCIATES II	AZ	General Partnership Limited Liability Company
XEL-EP 70 BUILDING E REIT LLC	DE	Limited Liability Company
XEL-EP 70 BUILDING E TRS LLC	DE	Limited Liability Company
XEL-EP 70 EAST REIT LLC	DE	Limited Liability Company
XEL-EP 70 EAST TRS LLC	DE	Limited Liability Company
XEL-EP 70 REIT LLC	DE	Limited Liability Company
XEL-EP 70 TRS LLC	DE	Limited Liability Company
XEL-EP 70 EAST TRS LLC	DE	Limited Liability Company

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Exhibit 23

CONSENT OF INDEPENDENT REGISTERED PUBLIC ACCOUNTING FIRM

We consent to the incorporation by reference in Registration Statement Nos. 333-157860, 333-253297 and 333-253321 on Form S-3, and Registration Statement No. 333-266016 on Form S-8, of our reports dated **February 16, 2023** **February 15, 2024**, relating to the financial statements of LXP Industrial Trust, and the effectiveness of LXP Industrial Trust's internal control over financial reporting appearing in this Annual Report on Form 10-K for the year ended **December 31, 2022** **December 31, 2023**.

/s/ DELOITTE & TOUCHE LLP

New York, New York
February 16, 2023 15, 2024

Exhibit 31.1

**CHIEF EXECUTIVE OFFICER CERTIFICATION
PURSUANT TO SECTION 302 OF
THE SARBANES-OXLEY ACT OF 2002**

I, T. Wilson Eglin, certify that:

1. I have reviewed this report on Form 10-K of LXP Industrial Trust;
2. Based on my knowledge, this report does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements made, in light of the circumstances under which such statements were made, not misleading with respect to the period covered by this report;
3. Based on my knowledge, the financial statements, and other financial information included in this report, fairly present in all material respects the financial condition, results of operations and cash flows of the registrant as of, and for, the periods presented in this report;
4. The registrant's other certifying officer and I are responsible for establishing and maintaining disclosure controls and procedures (as defined in Exchange Act Rules 13a-15(e) and 15d-15(e)) and internal control over financial reporting (as defined in Exchange Act Rules 13a-15(f) and 15(d)-15(f)) for the registrant and have:
 - a) designed such disclosure controls and procedures, or caused such disclosure controls and procedures to be designed under our supervision, to ensure that material information relating to the registrant, including its consolidated subsidiaries, is made known to us by others within those entities, particularly during the period in which this report is being prepared;
 - b) designed such internal control over financial reporting, or caused such internal control over financial reporting to be designed under our supervision, to provide reasonable assurance regarding the reliability of financial reporting and the preparation of financial statements for external purposes in accordance with generally accepted accounting principles;
 - c) evaluated the effectiveness of the registrant's disclosure controls and procedures and presented in this report our conclusions about the effectiveness of the disclosure controls and procedures, as of the end of the period covered by this report based on such evaluation; and
 - d) disclosed in this report any change in the registrant's internal control over financial reporting that occurred during the registrant's most recent fiscal quarter (the registrant's fourth fiscal quarter in the case of an annual report) that has materially affected, or is reasonably likely to materially affect, the registrant's internal control over financial reporting; and
5. The registrant's other certifying officer and I have disclosed, based on our most recent evaluation of internal control over financial reporting, to the registrant's auditors and the audit committee of the registrant's board of directors (or persons performing the equivalent functions):
 - a) all significant deficiencies and material weaknesses in the design or operation of internal control over financial reporting which are reasonably likely to adversely affect the registrant's ability to record, process, summarize and report financial information; and
 - b) any fraud, whether or not material, that involves management or other employees who have a significant role in the registrant's internal control over financial reporting.

February 16, 2023 15, 2024

/s/ T. Wilson Eglin

T. Wilson Eglin
Chief Executive Officer

**CHIEF FINANCIAL OFFICER CERTIFICATION
PURSUANT TO SECTION 302 OF
THE SARBANES-OXLEY ACT OF 2002**

I, Beth Boularice, certify that:

1. I have reviewed this report on Form 10-K of LXP Industrial Trust;
2. Based on my knowledge, this report does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements made, in light of the circumstances under which such statements were made, not misleading with respect to the period covered by this report;
3. Based on my knowledge, the financial statements, and other financial information included in this report, fairly present in all material respects the financial condition, results of operations and cash flows of the registrant as of, and for, the periods presented in this report;
4. The registrant's other certifying officer and I are responsible for establishing and maintaining disclosure controls and procedures (as defined in Exchange Act Rules 13a-15(e) and 15d-15(e)) and internal control over financial reporting (as defined in Exchange Act Rules 13a-15(f) and 15(d)-15(f)) for the registrant and have:
 - a) designed such disclosure controls and procedures, or caused such disclosure controls and procedures to be designed under our supervision, to ensure that material information relating to the registrant, including its consolidated subsidiaries, is made known to us by others within those entities, particularly during the period in which this report is being prepared;
 - b) designed such internal control over financial reporting, or caused such internal control over financial reporting to be designed under our supervision, to provide reasonable assurance regarding the reliability of financial reporting and the preparation of financial statements for external purposes in accordance with generally accepted accounting principles;
 - c) evaluated the effectiveness of the registrant's disclosure controls and procedures and presented in this report our conclusions about the effectiveness of the disclosure controls and procedures, as of the end of the period covered by this report based on such evaluation; and
 - d) disclosed in this report any change in the registrant's internal control over financial reporting that occurred during the registrant's most recent fiscal quarter (the registrant's fourth fiscal quarter in the case of an annual report) that has materially affected, or is reasonably likely to materially affect, the registrant's internal control over financial reporting; and
5. The registrant's other certifying officer and I have disclosed, based on our most recent evaluation of internal control over financial reporting, to the registrant's auditors and the audit committee of the registrant's board of directors (or persons performing the equivalent functions):
 - a) all significant deficiencies and material weaknesses in the design or operation of internal control over financial reporting which are reasonably likely to adversely affect the registrant's ability to record, process, summarize and report financial information; and
 - b) any fraud, whether or not material, that involves management or other employees who have a significant role in the registrant's internal control over financial reporting.

February 16, 2023 15, 2024

/s/ Beth Boularice

Beth Boularice

Chief Financial Officer

**CHIEF EXECUTIVE OFFICER CERTIFICATION
PURSUANT TO 18 U.S.C. SECTION 1350,
AS ADOPTED PURSUANT TO
SECTION 906 OF THE SARBANES-OXLEY ACT OF 2002**

In connection with the Annual Report of LXP Industrial Trust (the "Trust") on Form 10-K for the period ended December 31, 2022 December 31, 2023 as filed with the Securities and Exchange Commission on the date hereof, I, T. Wilson Eglin, Chief Executive Officer of the Trust, certify, pursuant to 18 U.S.C. § 1350, as adopted pursuant to § 906 of the Sarbanes-Oxley Act of 2002, that:

(1) The Annual Report fully complies with the requirements of Section 13(a) or 15(d) of the Securities Exchange Act of 1934; and
(2) The information contained in the Annual Report fairly presents, in all material respects, the financial condition and results of operations of the issuer.

/s/ T. Wilson Eglin

T. Wilson Eglin
Chief Executive Officer
February 16, 2023 15, 2024

Exhibit 32.2

CHIEF FINANCIAL OFFICER CERTIFICATION
PURSUANT TO 18 U.S.C. SECTION 1350,
AS ADOPTED PURSUANT TO
SECTION 906 OF THE SARBANES-OXLEY ACT OF 2002

In connection with the Annual Report of LXP Industrial Trust (the "Trust") on Form 10-K for the period ended December 31, 2022 December 31, 2023 as filed with the Securities and Exchange Commission on the date hereof, I, Beth Boularice, Chief Financial Officer of the Trust, certify, pursuant to 18 U.S.C. § 1350, as adopted pursuant to § 906 of the Sarbanes-Oxley Act of 2002, that:

(1) The Annual Report fully complies with the requirements of Section 13(a) or 15(d) of the Securities Exchange Act of 1934; and
(2) The information contained in the Annual Report fairly presents, in all material respects, the financial condition and results of operations of the issuer.

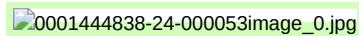
/s/ Beth Boularice

Beth Boularice
Chief Financial Officer
February 16, 2023 15, 2024

Exhibit 97

LXP Industrial Trust

Executive Incentive Compensation Recovery Policy



A. Purpose

The Board of Trustees (the "**Board**") of LXP Industrial Trust, a Maryland real estate investment trust (the "**Company**"), believes that it is appropriate to have a policy regarding recovery of certain compensation from certain employees upon certain events described herein. Therefore, the Board hereby adopts this Executive Incentive Compensation Recovery Policy (this "**Policy**"). This Policy is intended to comply with Section 954 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, Section 10D of the Securities and Exchange Act of 1934, as amended (the "**Exchange Act**"), Rule 240.10D-1 of Exchange Act and Section 303A.14 of the NYSE Listed Company Manual and shall be interpreted and applied in accordance with such intent. Capitalized terms not otherwise defined in this Policy shall have the meaning in Section D below.

B. Administration

The Compensation Committee of the Board (the "**Committee**") will administer this Policy. Subject to the provisions of this Policy, the Committee is authorized to determine, interpret and take actions in connection with this Policy as it deems necessary or advisable. All such Committee

determinations, interpretations and actions will be final, binding and conclusive. The Committee's determinations need not be uniform among Covered Persons.

Subject to any limitations under applicable law, the Committee may authorize any officer or employee of the Company to take actions necessary or appropriate to carry out the purpose and intent of this Policy, provided that no such authorization shall relate to any recovery under this Policy that involves such officer or employee.

C. Definitions

For purposes of this Policy, the following terms shall have the meanings set forth below:

1. **"Covered Person"** means any person who Received Incentive-Based Compensation (i) after beginning service as an Executive Officer; (ii) who served as an Executive Officer at any time during the performance period for that Incentive-Based Compensation; and (iii) while the Company has a class of securities listed on the Exchange (or any other national securities exchange or national securities association).

2. **"Effective Date"** means November 14, 2023.

3. **"Erroneously Awarded Compensation"** means the amount of Incentive-Based Compensation Received by a Covered Person that exceeds the amount of Incentive-Based Compensation that otherwise would have been Received by such Covered Person had it been determined based on the restated amounts, and must be computed without regard to any taxes paid (i.e., gross of taxes withheld). For Incentive-Based Compensation based on stock price or total shareholder return, where the amount of Erroneously Awarded Compensation is not subject to mathematical recalculation directly from the information in an accounting restatement: (i) the amount must be based on a reasonable estimate of the effect of the accounting restatement on the stock price or total shareholder return upon which the Incentive-Based Compensation was

received; and (ii) the Company must maintain documentation of the determination of that reasonable estimate and provide such documentation to the Exchange.

4. **"Exchange"** means the New York Stock Exchange.

5. **"Executive Officer"** means the Company's Chief Executive Officer, President, principal financial officer, principal accounting officer (or if there is no such accounting officer, the controller), any vice president of the Company in charge of a principal business unit, vision or function (such as sales, administration or finance), any other officer who performs a policy-making function, or any other person who performs similar policy-making functions for the Company.

6. **"Financial Reporting Measure"** means (i) any measure that is determined and presented in accordance with the accounting principles used in preparing the Company's financial statements and any measure that is derived wholly or in part from such measures, and (ii) the Company's stock price and total shareholder return. A financial reporting measure need not be presented within the financial statements or included in a filing with the Securities and Exchange Commission.

7. **"Incentive-Based Compensation"** means any compensation that is granted, earned or vested wholly or in part upon the attainment of a Financial Reporting Measure. Examples of "Incentive-Based Compensation" include, but are not limited to: non-equity incentive plan awards that are earned based wholly or in part on satisfying a Financial Reporting Measure performance goal; bonuses paid from a "bonus pool," the size of which is determined based wholly or in part on satisfying a Financial Reporting Measure performance goal; other cash awards based on satisfaction of a Financial Reporting Measure performance goal; restricted stock, restricted stock units, performance share units, stock options, and SARs that are granted or become vested based wholly or in part on satisfying a Financial Reporting Measure goal; and proceeds received upon the sale of shares acquired through an incentive plan that were granted or vested based wholly or in part on satisfying a Financial Reporting Measure goal. "Incentive-Based Compensation" excludes, for example, time-based awards such as stock options or restricted stock units that are granted or vest solely upon completion of a service period; awards based on non-financial strategic or operating metrics such as the consummation of a merger or achievement of non-financial business goals; service-based retention bonuses; discretionary compensation; and salary.

8. **"Look-Back Period"** means (i) the Company's three completed fiscal years immediately preceding the date on which the Material Restatement is required and (ii) any transition period (that results from a change in the Company's fiscal year) within or immediately following those three completed fiscal years. However, for purposes of clause (ii), a transition period between the last day of the Company's previous fiscal year end and the first day of its new fiscal year that comprises a period of nine to 12 months would be deemed a completed fiscal year. The date on which a Material Restatement is required is the earliest to occur of (i) the date the Board, a committee of the Board, or the officer or officers of the Company authorized to take such action if Board action is not required, concludes, or reasonably should have concluded, that the Company is required to prepare a Material Restatement; or (ii) the date a court, regulator, or other legally authorized body directs the Company to prepare a Material Restatement.

9. **"Material Restatement"** means the Company is required to prepare a restatement of the Company's financial statements due to material noncompliance by the Company with any financial reporting requirement under the securities laws, including any required accounting restatement to correct an error in previously issued financial statements that is material to the previously issued financial restatement, or that would result in a material misstatement if the error was corrected in the current period or left uncorrected in the current period.

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10. **"Received"** means Incentive-Based Compensation is deemed received in the Company's fiscal period during which the Financial Reporting Measure specified in the Incentive-Based Compensation award is attained, even if the payment or grant of the Incentive-Based Compensation occurs after the end of that period. For example, if the performance target for an award is based on total shareholder return for the year ended December 31, 2023, the award will be deemed to have been received in 2023 even if paid in 2024.

D. Effectiveness.

This Policy shall be effective with respect to Incentive-Based Compensation Received by Executive Officers on or after the Effective Date (set forth below). This Policy shall supplement other recoupment policies and arrangement of the Company. However, in the event this Policy conflicts with another policy or arrangement, this Policy shall govern.

E. Clawback Policy

1. In the event of a Material Restatement, then except as provided in Section 2 below, the Company must recover reasonably promptly all Erroneously Awarded Compensation Received by a Covered Person during the Look-Back Period. The Company's obligation to recover Erroneously Awarded Compensation is not dependent on if or when the restated financial statements are filed.

2. The Company is not required to recover Erroneously Awarded Compensation in compliance with this Policy to the extent that any of the conditions listed in subsections (a), (b) or (c) of this Section 2 are met and the Committee has made a determination that recovery would be impracticable.

(a) The direct expense paid to a third party to assist in enforcing the Policy would exceed the amount to be recovered. Before concluding that it would be impracticable to recover any amount of Erroneously Awarded Compensation based on expense of enforcement, the Company must make a reasonable attempt to recover such Erroneously Awarded Compensation, document such reasonable attempt(s) to recover, and provide that documentation to the Exchange.

(b) Recovery would violate home country law where that law was adopted prior to November 28, 2022. Before concluding that it would be impracticable to recover any amount of Erroneously Awarded Compensation based on violation of home country law, the Company must obtain an opinion of home country counsel, acceptable to the Exchange, that recovery would result in such a violation, and must provide such opinion to the Exchange.

(c) Recovery would likely cause an otherwise tax-qualified retirement plan, under which benefits are broadly available to employees of the registrant, to fail to meet the requirements of 26 U.S.C. 401(a)(13) or 26 U.S.C. 411(a) and regulations thereunder.

3. The Committee has discretion to select the means of recovery of Erroneously Awarded Compensation based on the facts and circumstances, provided recovery is pursued reasonably promptly and in exercising its discretion the Committee should act in a manner that prevents

Covered Persons from retaining Erroneously Awarded Compensation they Received. The Committee may not accept recovery of less than the full amount of the Erroneously Awarded Compensation unless the Committee has determined recovery of a greater amount would be impractical and one of the conditions in Section 2(a) above is applicable to recovery of a greater amount. A non-exclusive list of possible means of recovery include:

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- (a) requiring repayment of the Erroneously Awarded Compensation previously paid;.
- (b) offsetting the Erroneously Awarded Compensation from any compensation otherwise owed by the Company to the Covered Person, including without limitation, any prior cash incentive payments, executive retirement benefits, wages, equity grants or other amounts payable by the Company to the Covered Person in the future;.
- (c) seeking recovery of any gain realized on the vesting, exercise, settlement, cash sale, transfer, or other disposition of any equity-based awards; and/or
- (d) taking any other remedial and recovery action permitted by law or contract, as determined by the Committee.

The method of recovery need not be uniform among Covered Persons.

4. Notwithstanding the terms of any indemnification agreement, insurance policy, contractual arrangement, the governing documents of the Company or other document or arrangement, the Company shall not indemnify any Covered Person against, or advance expenses with respect to, or pay the premiums for any insurance policy to cover, any amounts recovered under this Policy or any expenses that a Covered Person incurs in opposing Company efforts to recoup amounts pursuant to the Policy.

5. The Company must file all disclosures with respect to this Policy in accordance with the requirements of Federal securities laws, including the disclosure required by the applicable filings with the Securities and Exchange Commission.

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F. Other Clawback Policies Required by Applicable Law

Notwithstanding any other provision in this Policy, a Covered Person's compensation shall also be subject to any additional "clawback" or recoupment requirements required by applicable law, including, without limitation Section 304 of the Sarbanes-Oxley Act of 2002, or any rules, regulations and guidance promulgated thereunder.

G. Covered Person Acknowledgement and Agreement

All Covered Persons subject to this Policy must acknowledge their understanding of, and agreement to comply with, the Policy by executing the acknowledgment and agreement attached hereto as Exhibit A. Notwithstanding the foregoing, this Policy will apply to Covered Persons whether or not they execute such acknowledgment and agreement.

H. Miscellaneous

1. Application of this Policy does not preclude the Company from taking any other action permitted under applicable law to enforce a Covered Person's obligations to the Company, including termination of employment or service or institution of civil or criminal proceedings, and shall

not be construed as limiting the Company's rights to recoup, offset or clawback Incentive-Based Compensation or any other compensation. Accordingly, the remedies provided for under this Policy shall be in addition to, and shall not preclude, any remedies against the Covered Person. The Committee reserves the right to take remedial action against a Covered Person in a manner it deems appropriate. Nothing in this Policy will be deemed to limit or restrict the Company from providing for forfeiture or repayment or both of compensation (including Incentive-Based Compensation) under circumstances not set forth in this Policy. This Policy shall be binding and enforceable against all Covered Persons and their successors, beneficiaries, heirs, executors, administrators, or other legal representatives.

2. This Policy will be subject to the periodic review of the Committee. The Company anticipates that modifications to this Policy will be necessary from time to time as the Company's needs and circumstances evolve, and as applicable legal standards, including without limitation, Section 954 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, Section 10D of the Exchange Act, Exchange Act Rule 10D-1, Section 304 of the Sarbanes-Oxley Act of 2002, or any rules, regulations and guidance promulgated thereunder, may change. The Company reserves the right to amend, supplement or discontinue this Policy and the matters addressed herein, without prior notice, at any time.

Adopted on November 14, 2023

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EXHIBIT A

LXP Industrial Trust

Executive Incentive Compensation Recovery Policy

Acknowledgement and Agreement

This Acknowledgment and Agreement (this "Agreement") is entered into as of the day of _____, 20____, between LXP Industrial Trust, a Maryland real estate investment trust (the "Company"), and _____ (the "Executive"), under the following circumstances:

WHEREAS, the Board of Trustees of the Company (the "Board") has adopted the LXP Industrial Trust Executive Incentive Compensation Recovery Policy (the "Policy");

WHEREAS, the Executive has been designated as a "Covered Person" as defined in the Policy;

WHEREAS, the Board or the Compensation Committee of the Board (the "Committee") has subjected, and in the future may subject, any payments under the Company's annual cash incentive opportunity to recoupment in the event of additional circumstances not covered by the Policy (the "Cash Incentive Recoupment"), as have been and will be set forth in the resolutions approving such opportunity and/or the Company's annual shareholder meeting proxy statement;

WHEREAS, in consideration of, and as a condition to the receipt of, future cash and equity-based awards, performance-based compensation, and other forms of cash or equity compensation made under the Company's equity incentive plans, the Executive and the Company are entering into this Agreement; and

WHEREAS, defined terms used but not defined in this Agreement shall have the meanings set forth in the Policy.

NOW, THEREFORE, the Company and the Executive hereby agree as follows:

1. The Executive hereby acknowledges receipt of the Policy, to which this Agreement is attached, and the terms of which are hereby incorporated into this Agreement by reference. The Executive has read and understands the Policy and has had the opportunity to ask questions to the Company regarding the Policy.
2. The Executive hereby acknowledges and agrees that the Policy shall apply to any Incentive-Based Compensation as set forth in the Policy and that all such Incentive-Based Compensation shall be subject to recovery under the Policy.

3. Any applicable award agreement or other document setting forth the terms and conditions of any Incentive-Based Compensation granted to the Executive by the Board or the Committee shall be deemed to include the restrictions imposed by the Policy and shall incorporate it by reference. In the event of any inconsistency between the provisions of the Policy and the applicable award agreement or other document setting forth the terms and conditions of any Incentive-Based Compensation award granted to the Executive, the terms of the Policy shall govern unless the terms of such other agreement or other document would result in a greater recovery by the Company.
4. For good and valuable consideration, the Executive hereby acknowledges that, notwithstanding any rights to indemnification under the Company's declaration of trust, bylaws, Board resolution, indemnification agreement or other arrangement between the Company and the Executive, the Company shall not indemnify the Executive against, or advance expenses with respect to, or pay the premiums for any insurance policy to cover, losses incurred under the Policy or the Cash Incentive Recoupment or any claim or action by the Executive in opposing Company efforts to recover amounts pursuant to the Policy or the Cash Incentive Recoupment and the Executive hereby waives any indemnification, reimbursement or advancement right with respect thereto.
5. In the event it is determined by the Company that any amounts granted, awarded, earned or paid to the Executive must be forfeited or reimbursed to the Company pursuant to the Policy or the Cash Incentive Recoupment, the Executive will promptly take any action necessary to effectuate such forfeiture and/or reimbursement.
6. This Agreement and the Policy shall survive and continue in full force in accordance with their terms notwithstanding any termination of the Executive's employment with the Company and its affiliates.
7. This Agreement may be executed in two or more counterparts, and by facsimile or electronic transmission (such as PDF), each of which will be deemed to be an original but all of which, taken together, shall constitute one and the same Agreement.
8. This Agreement shall be governed by the laws of the State of New York, without reference to principles of conflict of laws.
9. No modifications or amendments of the terms of this Agreement shall be effective unless in writing and signed by the parties hereto or their respective duly authorized agents. The provisions of this Agreement shall inure to the benefit of, and be binding upon, the successors, administrators, heirs, legal representatives and assigns of the Executive, and the successors and assigns of the Company.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

LXP INDUSTRIAL TRUST

By: _____

Name:

Title:

[EXECUTIVE]

Name:

Title:

DISCLAIMER

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