March 2, 2023

Day Pitney Real Estate and Environmental Team Represents Merck in Sale of Kenilworth Headquarters

Day Pitney LLP successfully represented Merck Sharp & Dohme LLC (Merck) in connection with the sale of its ~108-acre campus in Kenilworth, New Jersey, to a joint venture between Onyx Equities LLC, and Machine Investment Group.

Under the terms of the sale, Merck will lease back a significant portion of the site, and vacate those leased-back portions in phases over the next several years while its new headquarters in Rahway, NJ, completes a planned expansion. The transaction included many complexities, including the negotiated leaseback, post-closing treatment and transition of an existing energy plant on the property, risk transfer of remediation obligations and navigation of environmental permits and regulations. Prior to the sale, Day Pitney also represented Merck in obtaining a successful subdivision from the Kenilworth Planning Board in order to create two new lots on the Kenilworth site. In addition to leasing back a portion of the sold property, Merck will retain ownership of an approximately 3.4 acre parcel adjacent to the sold parcel.

The Day Pitney Real Estate and Environmental team was led by New Jersey Partner Thomas Malman, and Real Estate Partners Jennifer Solberg (New Jersey) and Marie Bertrand (Hartford) on the sale and Real Estate Partner April Condon (Stamford) and Senior Associate Luke Pontier (New Jersey), who spearheaded the leaseback negotiations. New Jersey Environmental Partner Todd Terhune and Associate Drew Levinson handled the environmental aspects of the transaction. Additional transactional support was provided by New Jersey Associate Amanda Kronemeyer, as well as Stamford Associate Brianna Tibett.

Day Pitney's real estate, environmental and land use lawyers offer a full spectrum of legal services. Representative clients include international, national, regional and local entities, as well as individual investors. The firm provides legal counsel to a broad range of commercial enterprises, including financial institutions, utilities (energy, water, telecommunications), Fortune 500 companies, manufacturing companies, academic institutions, hospitality and retail companies, religious organizations, lending institutions, property owners, and real estate developers. Day Pitney's New Jersey and Connecticut Real Estate teams are both recognized in *Chambers USA: America's Leading Lawyers for Business**.

**Chambers USA* results are issued by *Chambers and Partners*. A description of the selection methodology can be found here.

No aspect of this advertisement has been approved by the highest court of any state. Attorney advertising. Prior results do not guarantee a similar outcome.

Key Contacts



Thomas J. Malman
Partner

Parsippany, NJ | (973) 966-8179

tmalman@daypitney.com



Jennifer L. Solberg
Partner

Parsippany, NJ | (973) 966-8056

jsolberg@daypitney.com



April F. Condon
Partner

Stamford, CT | (203) 977-7554

acondon@daypitney.com



Luke S. Pontier
Partner

Parsippany, NJ | (973) 966-8714

lpontier@daypitney.com



Todd W. Terhune
Partner

Parsippany, NJ | (973) 966-8040

tterhune@daypitney.com



Drew A. Levinson
Senior Associate

Parsippany, NJ | (973) 966-8051

dlevinson@daypitney.com